

**COORDINATION & POLICY
WORK GROUP MEETING
Notes
May 28, 2009**

Members Present

BIG Liaison: Kathy Richolson (GCWDA), Mary Purzer (AECOM), Linda Pechacek (Public), Linda Broach (TCEQ), Helen Drummond (GBEP)

H-GAC Staff Present

Rachel Powers, Erin Livingston, Carl Masterson

Discussion

Rachel began the meeting with self-introductions followed by a review of the agenda.

Linda Pechacek asked that Kathy Richolson be the BIG Liaison from now on as she has trouble always making the meetings. Kathy accepted.

Prioritization Tool

The discussion began with a review of the workgroup's prioritization tool and the prioritization exercise conducted at the March BIG meeting.

So far, implementation activities have been prioritized qualitatively. H-GAC will be working to complete the table including the nine elements of a Watershed Protection Plan that TCEQ would like for the BIG to use. As part of the efforts to complete the table, URS will be doing a literature review on efficacy, cost, and will also do some interviews. They will focus on the top prioritized IAs. Allen Peach will be the project manager. We will have the results of their research by the end of the fiscal year (August).

Once workgroups have approved the methods for filling in the table then the C&P tool will be used. Standard ranges for criteria will need to be defined such as cost, what is a large cost.

Q: The tool addresses the criteria that need to be looked at and is a good tool. Would it be okay for URS to take a look at the tool?

A: Yes

Q: Could we do a demonstration of the HSPF model on the Buffalo or Whiteoak Bayou watersheds? Shouldn't we see if the model works properly?

A: Carl reported that everyone seems to want something simpler than the HSPF model. TCEQ says it is a possibility; they have volunteered to do some modeling for the BIG. What sort of modeling if any will be a question we look at later on.

It was decided that the prioritization tool is fine for now and that we would revisit it later on.

Legal Authorities

Rachel pointed out the groups responsibilities with regard to legal authorities.

Linda brought up the idea of imposing Phase II requirements on non-Phase II communities. Four workgroups, Stormwater, Land Development, Construction, and Illicit Discharges and Dumping, have proposed this implementation activity.

Q: Would this be a rulemaking change?

A: Yes, but there are gaps. It would need to go to the legislature for counties to obtain more authorities.

Permit authority needs to be designated by the legislature. Counties do not currently have this authority. We need to carefully articulate what authorities we want and then we would need to go to TCEQ to see how to proceed.

For Phase II

The unincorporated portions of counties need the power to inspect.

Do counties have the authority to enforce the water code? Galveston and Harris Counties do

Do counties have the authority for the stormwater regulations?

What authorities do counties have that would enable them to implement the stormwater requirements?

There are some areas in the TMDL area, but not in a Phase II community. If TCEQ were to require they follow Phase II regulations, would they have the authority to enforce them?

Q: Can the MS4 requirements be expanded beyond the Phase II communities?

A: It can be done legally, but the political will does not exist. Counties would like to be able to say to their commissioners, "we have to do this".

If they have the requirements but not the authority it would have to get kicked back to TCEQ to enforce, or they would have to go to the legislature.

We would need the potential benefits for bacteria and the costs to determine if TCEQ would be willing to do this.

Funding

The workgroups have been vaguely discussing funding. In some instances there are specific funding sources. We will need to wait until we get the research back from URS to fully explore this.

Q: Could the BIG be considered a regional group to acquire 604 money or some other funding?

A: This is mostly for planning. This money might help with some of the front-end activities. Mary Purzer will send the document referencing this to Carl.

Next Meeting:

Sometime in September