

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
1	Maria Stone AECOM E-mail received 2/15/2011	Table of Acronyms and Abbreviations p. 10	10	Add " IA – Implementation Activity " and " IS – Implementation Strategy " to list.	Will add requested information.
2	Maria Stone AECOM E-mail received 2/15/2011	Executive Summary, second paragraph, second sentence	13	Replace " TDMLs " with " TMDLs "	Will replace as suggested.
3	Maria Stone AECOM E-mail received 2/15/2011	Executive Summary	14	Place footnote 6 on page 13 to be consistent with text.	Will move as possible.
4	Greater Houston Builders Association Letter dated 2/15/2011	Executive Summary, Table 1	17	Why are hogs the only wildlife proposed to be managed. As a nuisance they are a huge problem, but other wildlife might have a bigger impact on bacteria.	The workgroup felt that feral hogs were of particular concern not only because of the documented bacteria loading attributed to feral hogs, but also because they are a non-native, invasive, nuisance species. A growing number of resources is available to help address feral hogs. No changes to the text will be made in response to this comment.
5	Harris County Flood Control District Email received 11/2010	Executive Summary, Table 1, item 1.0	17	The summary should be reworded as follows: " <i>Increase monitoring requirements, support the authority of TCEQ to impose stricter bacteria limits, require updates to facilities not able to comply with permit limits when there are no viable alternatives, and increase enforcement.</i> "	The summary should be reworded for brevity to read, " <i>Increase monitoring requirements, impose stricter bacteria limits, require updates to facilities not able to comply with limits, and increase enforcement.</i> "
6	Harris County Flood Control District Email received 11/2010	Executive Summary, Table 1, item 1.0	17	The summary should be reworded as follows: " <i>Expand storm water management programs, develop a recognition program, and petition TCEQ to facilitate reimbursement of bacteria reduction measures.</i> "	" <i>Storm water management programs</i> " will replace "storm water quality programs" throughout the document, to reflect common terminology related to TPDES storm water permits.
7	Maria Stone AECOM E-mail received 2/15/2011	Executive Summary, Table 1: Summary of Recommended Implementation Strategies, second row, column 3	17	Revise text to read: <i>Increase monitoring requirements, impose stricter bacteria limits than those designated by the state stream standards,</i>	The summary should be reworded for brevity to read, " <i>Increase monitoring requirements, impose stricter bacteria limits, require updates to facilities not able to comply with limits, and increase enforcement.</i> "

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
8	Greater Houston Builders Association Letter dated 2/15/2011	Introduction	19	In order to estimate geometric mean, the standards need to state when and how often samples are taken?	The following text will be added as a footnote on page 19: "The TCEQ provides guidance pertaining to the collection and assessment of samples in its document "Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)" ([Reference and bibliography entry to http://www.tceq.texas.gov/compliance/monitoring/water/quality/data/wqm/305_303.html]). Furthermore, ambient water quality samples in the BIG project area are collected under a Quality Assurance Project Plan developed by H-GAC in conjunction with TCEQ ([reference and bibliography entry to http://www.h-gac.com/rds/water_quality/regional_quality_assurance_project_plan.aspx]) "
9	Maria Stone AECOM E-mail received 2/15/2011	Introduction, first bulleted item	19	For consistency with following bullets, revise text to read: <i>100 mL</i> instead of <i>100 milliliters</i>	Because this is the first use of the term milliliters in the document, text will be revised to read <i>100 milliliters (mL)</i> .
10	Greater Houston Builders Association Letter dated 2/15/2011	Introduction, Table 3	23	Table 3 has a different number of TMDLs listed than Segments. Are there multiple TDMLs for segments, or are some segments missing? Greens Bayou, Brays Bayou, Sims Bayou, and Eastern Houston Bayous.	For some of the TMDL Projects, TMDLs were developed for each segment of a waterbody. For other projects, TMDLs were developed for multiple assessment units (AUs) within a segment. Thus, there are a different number of TMDLs than segments. No changes to the text will be made in response to this comment.
11	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Introduction, Table 3	23	There is no way to match the Segment IDs in Table 3 with the location on any map.	A map will be added with labels included to identify segment numbers.
12	Maria Stone AECOM E-mail received 2/15/2011	Introduction, Table 3: TMDL Adoption and Approval Dates	24	Revise last item in text under "TMDL" to read Fifteen Total Maximum Daily Loads for Indicator Bacteria in Fourteen of <i>in the Lake Houston Watershed</i> to be consistent with TCEQ title . Revise text in "Segments in the TMDL" from <i>1008B</i> to read 1008C to make correction in segments listed.	Once the final TMDL report has been approved by TCEQ (anticipated March 2011), the title will be updated to reflect the official title of the document.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
13	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Introduction, Table 3	25	Method for Estimating Bacteria Loads (p. 25) – Why was only LDC analysis used for the Houston Metropolitan and Lake Houston areas? The analysis for White Oak and Buffalo Bayous utilized LDC, BLEST and HSPF methodologies	<p>Each TMDL report contains information, in the sections entitled "Linkage Analysis," about why various estimation methods were used. The Houston Metropolitan and Lake Houston area TMDLs' use of only LDC analysis is consistent with recommendations included in the 2009 document "Bacteria Total Maximum Daily Load Task Force Final Report" ([Reference to http://twri.tamu.edu/reports/2009/tr341.pdf]), commissioned by the TCEQ and TSSWCB. In essence, we learned a lot from the Buffalo and Whiteoak Bayous TMDL project, which was done before the Houston Metropolitan and Lake Houston TMDL projects.</p> <p>Reference: Jones, C. A., Wagner, K., Di Giovanni, G., Hauck, L., Mott, J., Rifai, H., et al. (2009). Bacteria Total Maximum Daily Load Task Force. (K. Wythe, Ed.) Retrieved February 18, 2011, from Texas Water Resources Institute Web site: http://twri.tamu.edu/reports/2009/tr341.pdf</p> <p>No changes to the text will be made in response to this comment.</p>
14	Maria Stone AECOM E-mail received 2/15/2011	Introduction, first bulleted item and second paragraph	27	First bullet item and 2 nd paragraph, replace " <i>I-plan</i> " with " <i>I-Plan</i> "	Will replace as suggested.
15	Bayou Preservation Association Letter dated 2/14/2011	Introduction, second paragraph	27	The Bayou Preservation Association (BPA) has been engaged in the discussion and decision making of the various Total Maximum Daily Load (TMDLs) for bacteria that led to the current BIG I-Plan. BPA is a stakeholder in the BIG and an active participant in some of the Workgroups, particularly Stormwater and Research. The BPA supports the consensus I-Plan issued as a draft for public comment on December 8, 2010. BPA's support is based principally on the inclusion of an adaptive management approach as described on page 27 of the draft. We remain skeptical, however, that the implementation activities, as currently listed, will achieve the plan's goal of reducing bacteria levels to contact recreational standards.	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
16	Galveston Bay Foundation's Board of Trustees Letter dated 2/14/2011	Introduction, second paragraph	27	<p>On behalf of the Galveston Bay Foundation's Board of Trustees and members, I am writing to provide comments on the Implementation Group (BIG) draft Implementation Plan (I-Plan). The Foundation is a member of the BIG Committee and acknowledges the difficult challenges in reducing bacteria concentrations in our Houston-Galveston region.</p> <p>The Galveston Bay Foundation was founded in 1987 as a non-profit organization to preserve, protect and enhance Galveston Bay and its tributaries for present users and for posterity. Thus, we are supportive of the consensus I-Plan issued as a draft for public comment on December 8, 2010. The Foundation's support is based principally on the inclusion of an adaptive management approach as described on page 27 of the draft. We are not convinced, however, that the implementation activities, as currently listed, will achieve the plan's goal of reducing bacteria levels to contact recreational standards.</p>	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
17	Anonymous Constant Contact Respondent 2/7/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	<p>Most important strategies: IA I concerning WWTF, bacterial monitoring especially increased enforcement and unannounced inspections.</p>	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
18	Bayou Preservation Association Letter dated 2/14/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	<p>Nothing is being done to reduce nutrient discharges from wastewater treatment facilities (WWTFs)</p>	<p>Nutrients were discussed as a concern but were not identified as priorities at this time. More monitoring and research is needed to determine the relationship between nutrients from WWTFs and instream bacteria levels.</p> <p>No changes to the text will be made in response to this comment.</p> <p>The following shall be added as an additional topic for research under <u>IA 10.4</u>:</p> <p>* Nutrients and other constituents: Waterways in the project area contain constituents such as nutrients, fine particles, sediment, soil, and other solid materials. Studies and research should examine how such constituents influence instream bacteria levels.</p>
19	Bayou Preservation Association Letter dated 2/14/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	<p>Dissolved nutrients discharged from WWTFs, such as compounds containing nitrogen, phosphorus and carbon, promote growth of bacteria. Efforts should be accelerated to reduce the concentrations of dissolved nutrients discharged from WWTP as well as via storm water.</p>	<p>The following shall be added as an additional topic for research under <u>IA 10.4</u>:</p> <p>* Nutrients and other constituents: Waterways in the project area contain constituents such as nutrients, fine particles, sediment, soil, and other solid materials. Studies and research should examine how such constituents influence instream bacteria levels.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
20	Galveston Bay Foundation's Board of Trustees Letter dated 2/14/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	Nothing is being done to reduce nutrient discharges from wastewater treatment facilities (WWTFs)	The following shall be added as an additional topic for research under <u>IA 10.4</u> : * Nutrients and other constituents: Waterways in the project area contain constituents such as nutrients, fine particles, sediment, soil, and other solid materials. Studies and research should examine how such constituents influence instream bacteria levels.
21	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	Deadlines are set for Wastewater Treatment Facilities (WWTF) so that the effluent standards are revised when the permit comes up for renewal. All the permits are expected to be renewed/ revised within 5 years. Recommendations also call for increased inspections and water quality testing. However, two of the biggest WWTFs , the 69 th Street and Sims Bayou WWTFs, are NOT included in the I-plan. If sampling frequencies for the BIG project area are to increase, then the 69 th Street and Sims Bayou facilities should follow the same guidelines. Enforcement and funding are not addressed	The BIG encourages TCEQ to issue permits and permit renewals in a timely manner. The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate</u> . No changes to the text will be made in response to this comment.
22	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	I am concerned about discharges from wastewater treatment facilities, particularly from MUDs.	The BIG is also concerned about discharges from wastewater treatment facilities. Please see Implementation <u>Strategy 1.0: Wastewater Treatment Facilities</u> . No changes to the text will be made in response to this comment.
23	Sims Bayou Coalition (Evelyn Merz) Comment meeting 1/31/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	The largest facilities, in particular, must have permit renewals as required (every five years). (The City of Houston's Sims Bayou WWTF and 69 th Street Plant were mentioned as examples of large facilities.)	The BIG encourages TCEQ to issue permits and permit renewals in a timely manner. The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate</u> . No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response																																
24	Tom Ivy Comment Meeting 2/7/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities	29	I am concerned that the WWTF permits are not always renewed every five year. If a permit has not been renewed in five years, it should be a priority.	<p>The BIG encourages TCEQ to issue permits and permit renewals in a timely manner.</p> <p>The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See Implementation <u>Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate.</u></p> <p>No changes to the text will be made in response to this comment.</p>																																
25	John Jacob Texas Coastal Watershed Program E-mail dated 2/15/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Table 4	29	<p>Table 4 shows the number of domestic and industrial WWTFs, with many more smaller units than larger units, in terms of MGD. It may be instructive to look at the TOTAL flow from these WWTFs to perhaps get a better idea where the best bang for the buck might be in terms of addressing total loading. I redid Table 4 and derived the total flows using the midpoint of each range. Clearly the 1 to less than 5 MGD range of plants has the highest potential for contributing the greatest loads, with more than the combined flow of all the others ranges (using the midpoints of the ranges). What kind of record do WWTFs in this range have? If there are few or no bad actors here, this may not be a problem category. It wouldn't take many bad actors for this category to be a main contributor of bacterial loadings.</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>mid point flow</th> <th>#</th> <th>Total MGD</th> <th>% of flow</th> </tr> </thead> <tbody> <tr> <td>0.05</td> <td>228</td> <td>11</td> <td>3%</td> </tr> <tr> <td>0.25</td> <td>127</td> <td>32</td> <td>9%</td> </tr> <tr> <td>0.75</td> <td>98</td> <td>74</td> <td>20%</td> </tr> <tr> <td>2.5</td> <td>76</td> <td>190</td> <td>52%</td> </tr> <tr> <td>7.5</td> <td>5</td> <td>38</td> <td>10%</td> </tr> <tr> <td>10</td> <td>2</td> <td>20</td> <td>5%</td> </tr> <tr> <td></td> <td></td> <td>364</td> <td></td> </tr> </tbody> </table>	mid point flow	#	Total MGD	% of flow	0.05	228	11	3%	0.25	127	32	9%	0.75	98	74	20%	2.5	76	190	52%	7.5	5	38	10%	10	2	20	5%			364		<p>The BIG looks forward to the opportunity to review and analyze data pertaining to bacteria levels in the effluent from wastewater treatment facilities, and will consider how loading from WWTF may vary based on facility size.</p> <p>No changes to the text will be made in response to this comment.</p>
mid point flow	#	Total MGD	% of flow																																		
0.05	228	11	3%																																		
0.25	127	32	9%																																		
0.75	98	74	20%																																		
2.5	76	190	52%																																		
7.5	5	38	10%																																		
10	2	20	5%																																		
		364																																			
26	Harris County Flood Control District Email received 11/2010	Implementation Strategy 1.0: Wastewater Treatment Facilities, second paragraph	29	We suggest including the date when bacteria limits began being imposed on new permits and renewal of permits.	The sentence shall be reworded for clarity to read: <i>"In Texas, the level of bacteria loading from wastewater treatment facilities (WWTFs) is largely unknown because, until recently, their permits have not required them to test for bacteria , with the exception.... "</i>																																

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
28	Davis Bonham Smith, Murdaugh, Little & Bonham, L.L.P. Comment Meeting 1/27/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.1	30	There are concerns at MUDs regarding <i>how</i> to test for bacteria in effluent. Folks want to follow the rules, but they don't know how.	Information regarding appropriate methods for sampling effluent from wastewater treatment facilities may be found in 40 CFR Part 136. Furthermore, licensed wastewater operators are required to have knowledge of appropriate laboratory topics, including wastewater monitoring, sampling, testing, analysis, instrumentation, equipment, and techniques. Training classes are available through a variety of media and by multiple providers. Furthermore, many operators hire laboratories to collect the samples, and these labs will be adequately knowledgeable regarding appropriate methodologies. No changes to the text will be made in response to this comment.
29	Anonymous (received by e-mail)	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.1	32	<i>New bacteria monitoring regulations, in 30 TAC § 319.9(b), allow for a reduction in frequency of bacteria monitoring for permittees with at least twelve months of uninterrupted compliance with its permit limit, as determined by data collected by TCEQ and local governments.</i> This statement is incorrect. If they monitor for 12 months and are in compliance then TCEQ will reduce their frequency. (Rule: A permittee that has at least twelve months of uninterrupted compliance with its bacteria limit may notify the commission of its compliance and request a less frequent measurement schedule.)	Model Permit Language: "A permittee that has at least twelve months of uninterrupted compliance with its bacteria limit may notify the commission of its compliance and request a less frequent measurement schedule." Language shall be changed to reflect model permit language, as follows: <i>New bacteria monitoring regulations, in 30 TAC § 319.9(b), allow permittees with at least twelve months of uninterrupted compliance with its permit limit to request a reduction in frequency of bacteria monitoring if permittees.</i>
30	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.2	33	Will the 63 MPN/100 ml geometric mean be phased in for streams other than Buffalo Bayou and White Oak?	Yes. The I-Plan recommends that the limit be applied to all of the watersheds in the BIG project area. Please see the final sentence of the second paragraph in Implementation <u>Activity 1.2: Impose stricter bacteria limits for WWTF effluent.</u> No changes to the text will be made in response to this comment.
31	Harris County Flood Control District Email received 11/2010	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.2, second paragraph	33	This section reads as though the I-Plan requires stricter bacteria limits on WWTF, when in reality "the commission" or TCEQ has the real legal authority to impose stricter bacteria limits (63 MPN/100ml vs. 126 MPN/100ml). We suggest rewording "the BIG resolves that" to read, " the BIG supports the authority of TCEQ to impose stricter bacteria limits in the BIG project area . "	The sentence shall be reworded for clarity as follows: "Therefore, for domestic facilities releasing effluent into fresh water, the BIG resolves and recommends to the TCEQ that bacteria limits in domestic WWTF permits...."

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
32	Sims Bayou Coalition (Evelyn Merz) Comment meeting 1/31/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.3	34	I have concerns about TCEQ's ability to enforce WWTF and other permits.	The BIG is also concerned about TCEQ's ability to enforce WWTF and other permits. Please see <u>Implementation Activity 1.3: Increase compliance and enforcement by TCEQ</u> . No changes to the text will be made in response to this comment.
33	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.3	35	How are they going to pay to staff up to do inspections? Texas has a budget problem. Will the cost of these inspections be transferred to the MUDs? Will these inspectors be restricted to plans?	The BIG shares concerns about budgetary constraints. The BIG hopes this plan will help direct existing resources to this priority. Inspectors will not be restricted to plans. No changes to the text will be made in response to this comment.
34	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.3.2, third sentence	35	Add phrase so that sentence reads: <i>An alternative to hiring additional TCEQ employees would be to contract with local programs, as approved by the local program, and as is done by the TCEQ for its air quality and waste management programs.</i>	Change text to read: <i>An alternative to hiring additional TCEQ employees would be for TCEQ to consider contracting with a local program, as is done for its air quality and waste management programs.</i>
35	Harris County Flood Control District Email received 11/2010	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.5	35	This section and Table 1 imply that WWTFs unable to meet their permit limit are required to upgrade their facility when other options may include regionalization or ceasing operation. We suggest adding " if there are no other viable alternatives " to clarify that upgrades are not the only option. The second sentence in this section would therefore read as follows: " <i>Upgrades or repairs, as appropriate, will be the responsibility of each individual facility in order to comply with individual permits if there are no other viable alternatives.</i> "	While the discussion regarding updates to plants does not specifically suggest regionalization as an option, the text indicates that upgrades or repairs, as appropriate, will be the responsibility of each individual facility , and the language will not be changed.
36	Comment meeting 2/10/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.6	36	Should we be consolidating wastewater facilities? There seem to be a lot of them.	While the discussion regarding updates to plants does not specifically suggest regionalization as an option, the text indicates that upgrades or repairs, as appropriate, will be the responsibility of each individual facility , and the language will not be changed.
37	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.6	36	Chronic poor performers are the only plants considered for regionalization. This is a good concept.	Comment noted. No changes to the text will be made in response to this comment.
38	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 1.0: Wastewater Treatment Facilities, Activity 1.7	36	What permits from TCEQ are required to allow onsite use of WW effluent. Currently it is pretty much regulated out of possibility. Prior to recommending this, someone needs to review what permits need to be revised to allow this. This might be an additional implementation task.	Comment noted. Information will be provided regarding the permitting process. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
39	Anonymous (received by e-mail)	Implementation Strategy 2.0: Sanitary Sewer Systems	37	The definition of subscriber system at the bottom of page 41 is not correct. A subscriber system is a sewer system that conveys flow to a WWTF and is not owned by the WWTP permittee. If the permittee owns it it's not a subscriber system. Also, the same operations company could operate the permittees collection system and the subscriber systems.	Text in footnote 42 will be changed for the purpose of clarity to read: <i>A subscriber system is a sewer system that conveys flow to a WWTF that is owned and operated by a separate entity.</i>
40	Anonymous Constant Contact Respondent 2/7/2011	Implementation Strategy 2.0: Sanitary Sewer Systems	37	Most important strategies: 2.0 concerning SSO particularly better maintenance and power outage suggestions.	Comment noted. No changes to the text will be made in response to this comment.
41	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems	37	If it's estimated that there is an average of 77 overflows per month for a total monthly average of 700,000 gallons over the BIG study area, why is the emphasis on "encouraging improvements" and "evaluating" the penalty structure. That is not an action plan	The I-Plan includes a requirement for the inclusion of UAMP in WWTF permits. See <u>IA 2.1.1: Require a UAMP Plan as part of wastewater permits.</u> No changes to the text will be made in response to this comment.
42	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	Implementation Strategy 2.0: Sanitary Sewer Systems	37	Inflow and Infiltration (I&I) is a big problem in Arcola, causing upsets. Manholes are often <i>in</i> a ditch, so if there is an overflow, it goes right into the waterway.	Comment noted. No changes to the text will be made in response to this comment.
43	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	Implementation Strategy 2.0: Sanitary Sewer Systems	37	Fort Bend County MUD 141 wants to tap into the City of Arcola WWTF (as a subscriber system), but Arcola only has the capacity now to serve schools, not residential homes.	Comment noted. No changes to the text will be made in response to this comment.
44	Traceymarg, Chron.com commenter 1/25/2011	Implementation Strategy 2.0: Sanitary Sewer Systems	37	A terrible thing happened to my house on Friday, Jan. 21. Sewage backed up into my home, ruining my bathroom floors, baseboards, and bedroom carpet. It was determined the line from my home was clear, the city's line was clogged. Guess what? Since the city is at fault for the sewer backup, my homeowner's insurance refuses to pay for the damages. The city is also claiming they are not responsible for the damages even though they failed to maintain clear sewer lines. A law should be passed requiring cities to routinely inspect sewer lines and perform necessary repairs to protect the tax paying, water/sewer bill paying citizens. A city should also not be allowed to hide behind sovereign immunity if it has been negligent in maintaining properly working sewer lines.	Comment noted. See <u>IA 2.1.1: Require a UAMP Plan as part of wastewater permits.</u> No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
45	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.1	38	This is parallel to an already required program related to asset ownership. Why repeat things in a different format? All MUD's and municipalities already have a federal requirement to inventory all their assets. The reporting requirements need to be kept in parallel to other regulated activities to avoid duplication issues.	Local governments are required to develop an inventory of assets, including infrastructure, pursuant to GASB Statement 34. While such information might overlap with the inventory needs of a UAMP, a UAMP will probably require more detail specific to condition and maintenance requirements. No changes to the text will be made in response to this comment.
46	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.1	38	The UAMP will be required eventually for all WWTFs, but what is the mechanism for verifying that the WWTF is following it or to revise the plan if it is not adequate?	TCEQ retains all enforcement options related to requirements contained within a TPDES permit. No changes to the text will be made in response to this comment.
47	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.1.1	39	Using additional inspections as a hammer to get implementation of a UAMP will require additional staffing that will have to be paid for. Given the amount of scrutiny that TCEQ already does, this Increased scrutiny is not likely to be an effective hammer.	The BIG intends that the periodic review process will identify any shortcomings and recommend improvements. See <u>Implementation Activity 9.4: Assess Monitoring Results and Modify I-Plan</u> . No changes to the text will be made in response to this comment.
48	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.1.2	39	Add engineers to the training continuing education credits. Not sure when the board is going to require precertification of credits, but there is rumbling that it is coming.	Engineers will be added to the first sentence of 2.1.2, as follows: <i>...shall offer a series of meetings geared toward local sanitary sewer operators, owners, and engineers, providing...</i>
49	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.2	39	The existing building codes already have these as part of their requirements. City Of Houston already has this enforcement. I believe that this item should be enforcement of the existing codes, not implementation of a revised code set.	Not all local governments have and enforce laws and regulations. <i>This implementation activity encourages local governmental entities to require owners of sanitary sewer systems to determine the....to facilitate the adoption of appropriate legal mechanisms.</i>
50	Jim Wolff Comment Meeting 1/18/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.3, second paragraph	40	Natural gas-fueled diesel generators or diesel-fueled generators may be more practical that some of the suggestions included in 2.3.	A sentence will be added that reads, " Conventional generators, whether fueled by natural gas or diesel fuel, might also be appropriate. "
51	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.4	41	What is the timetable for the statewide database for SSOs to be ready? Communities should begin data entry as soon as the database is available, instead of waiting for broadband coverage in all rural areas.	The BIG encourages TCEQ to facilitate the development and rollout of the statewide database. No changes to the text will be made in response to this comment.
52	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.4.1/2.4.2	41	These require someone to maintain, update, and ensure the sanctity of the database. TCEQ does not currently have the budget. Where are they getting the funding?	Comment noted and will be shared with the TCEQ. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
53	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.5.1	42	I am not sure why subscriber systems have a different set of rules than non-subscriber systems just because they are buying WWTP capacity.	Comment noted and will be shared with the TCEQ. No changes to the text will be made in response to this comment.
54	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.5.2	42	Model contracts are fine, but what encourages them into use. Look at the floodplain ordinances as an example of how model contracts are implemented. Basically everyone makes it their own.	Comment noted and will be shared with the TCEQ. No changes to the text will be made in response to this comment.
55	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 2.0: Sanitary Sewer Systems, Activity 2.6	42	Current penalties are pretty high. Enforcement is not. The codes need to be adjusted so that the TCEQ has the ability to issue citations for values less than \$20,000. Local governments with stormwater quality permits should be encouraged to develop and use their own enforcement powers. Under no case do we want EPA to be doing inspections if possible.	The stakeholders found that TCEQ's penalty structure for chronic violators does not serve as a deterrent to future violations. At the same time, stakeholders were concerned that normally compliant facilities should not be over-penalized for rare or one-time violations. Thus, the focus of this activity is on repeat violations. The BIG encourages local governments with stormwater quality permits to use their existing enforcement powers. No changes to the text will be made in response to this comment.
56	Maria Stone AECOM E-mail received 2/15/2011	Implementation Strategy 3.0: On-site Sewage Facility	43	Revise Section title to " <i>Implementation Strategy 3.0: On-site Sewage Facilities (OSSFs)</i> " for consistency with other sections.	Title will be changed as indicated here and throughout document.
57	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 3.0: On-Site Sewage Facilities	43	The OSSF map in Figure 4 is useful in understanding the size of the problem. Remedying failing septic systems requires more than a one-time permit fee when the system is installed. This could be in the form of an inspection when the property is transferred or a periodic permit renewal coupled with an inspection.	The BIG concurs that periodic inspections might be valuable. The I-Plan recommends, in IA 3.2.3 , that inspections be facilitated by providing training to real estate professionals. Furthermore, in IA 3.3.3 , the BIG recommends a biennial review of legislation, rules, policies, and guidance pertaining to OSSFs. In such a forum, stakeholders could consider changes through legislation to allow for periodic inspections. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
58	John Burlingame Comment Meeting 1/31/2011	Implementation Strategy 3.0: On-Site Sewage Facilities	43	I think that OSSF inspections should be conducted at least whenever property changes hands, if not more often.	The BIG concurs that periodic inspections might be valuable. The I-Plan recommends, in IA 3.2.3 , that inspections be facilitated by providing training to real estate professionals. Furthermore, in IA 3.3.3 , the BIG recommends a biennial review of legislation, rules, policies, and guidance pertaining to OSSFs. In such a forum, stakeholders could consider changes through legislation to allow for periodic inspections. No changes to the text will be made in response to this comment.
59	John Jacob Texas Coastal Watershed Program E-mail dated 2/15/2011	Implementation Strategy 3.0: On-Site Sewage Facilities	43	Any OSSF installed prior to 1997 on clayey (Class IV) soils or soils with high water tables is almost guaranteed to be failing at some point during the year. Given that most of the soils in the BIG area have Class IV textures within 4 feet, and that high perched water tables occur in most soils in the BIG area, we might deduce that most pre-1997 OSSFs in the BIG area fail at one time or another in most years. Most counties in the area did not immediately begin requiring engineered OSSFs on problem soils. Harris County was probably in the lead in this area, but some counties in the area did not require appropriate engineered systems until quite recently. There may thus be significantly more failing OSSFs than are recognized in the BIG report. P46: There is no reference to mandatory maintenance contracts for engineered systems, particularly aerobic spray systems. Some counties in the BIG area do require these, but perhaps not all. Requiring these kinds of contracts should be a implementation activity for those counties that do not require such contracts.	Comment noted and will be communicated to the TCEQ. No changes to the text will be made in response to this comment.
60	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	Implementation Strategy 3.0: On-Site Sewage Facilities	43	Our community has small lots (50x100) and OSSF and wells. The <i>new</i> OSSF seem to be working. The wells had smelly, yellow water, but the community has begun getting water from a Fort Bend Fresh Water Supply District #1 next to Arcola. The community is looking to have Arcola annex the district so that wastewater and drinking water treatment and delivery can be combined.	Comment noted. No changes to the text will be made in response to this comment.
61	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	Implementation Strategy 3.0: On-Site Sewage Facilities	43	For the purpose of irrigation, would like to have actual OSSF equipment retained after connection to sanitary sewer system.	Comment noted. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
62	Sims Bayou Coalition (Evelyn Merz) Comment meeting 1/31/2011	Implementation Strategy 3.0: On-Site Sewage Facilities	43	Would like to see OSSF permit renewals upon transfer of property.	The BIG concurs that periodic inspections might be valuable. The I-Plan recommends, in IA 3.2.3 , that inspections be facilitated by providing training to real estate professionals. Furthermore, in IA 3.3.3 , the BIG recommends a biennial review of legislation, rules, policies, and guidance pertaining to OSSFs. In such a forum, stakeholders could consider changes through legislation to allow for periodic inspections. No changes to the text will be made in response to this comment.
63	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Implementation Strategy 3.0: On-Site Sewage Facilities, Activity 3.1.3, first and second sentences	45	Add phrases so that sentences read: <i>Local governments or other agencies will seek to address failing systems in target areas with appropriate actions which may include enforcement, owner education, repair, replacement, connection to municipal treatment works, and public education. Local governments and H-GAC shall seek to secure funding to address failing OSSFs, particularly in target areas.</i>	Phrases will be added as suggested.
64	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 3.0: On-Site Sewage Facilities, Activity 3.2	46	Is this stuff not covered in the annual permit inspection? This is a big burden to homeowners. What happens if they cannot demonstrate with maintenance logs what was maintained?	There is no annual permit inspection. For aerobic systems, owners or maintenance providers are required to maintain appropriate information. The BIG encourages homeowners to be more invested in the maintenance of their facilities and the impact of their failure on regional water quality. No changes to the text will be made in response to this comment.
65	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	Implementation Strategy 3.0: On-Site Sewage Facilities, Activity 3.3.3: Biennial Review, General	47	Regarding Chapter 285 as it pertains to OSSF—can we require that gray water be separated and directed to stormwater systems? That way, we can reduce the amount of water going to wastewater treatment facilities, and reduce I&I. I would like to know how to be involved in review of Chapter 285, especially how it pertains to gray water.	In IA 3.3.3 , the BIG recommends a biennial review of legislation, rules, policies, and guidance pertaining to OSSFs. In such a forum, stakeholders could consider changes through legislation. Note: Graywater should not be directed to stormwater systems but should be retained on site for irrigation. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
67	Bayou Preservation Association Letter dated 2/14/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	Trash washed into our bayous through the storm drainage system also promotes bacteria growth by impeding sunlight penetration that would otherwise control some bacterial and the trash becomes a substrate for bacterial growth and biofilms. Pipes connecting storm water inlets to the outfalls are unimpeded and litter and solid waste dumping pass through this conveyance. If we had significantly less improperly managed solid waste, this would not matter. We concede that current data is insufficient to mandate modifying standard stormwater outfall details. This does not justify continuing to construct drainage conveyance that perpetuates this problem.	The BIG intends that the monitoring and periodic review process will identify any shortcomings and recommend improvements. See IA 9.4 . In addition, Implementation Strategy 10.0: Research , is intended to resolve some of the questions regarding these issues. No changes to the text will be made in response to this comment.
69	Anonymous Constant Contact Respondent 2/7/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	Missing? IA 4 for stormwater is too tepid, lacks urgency and entirely too long a time line. Recognize that knowledge is incomplete but this is not going to fix that. Glad it made it into the research IA but again no urgency, no commitment, no one in charge. 25 years way too long a time frame.	The BIG intends that the monitoring and periodic review process will identify any shortcomings and recommend improvements. See IA 9.4 . In addition, Implementation Strategy 10.0: Research , is intended to resolve some of the questions regarding these issues. No changes to the text will be made in response to this comment.
70	Anonymous Constant Contact Respondent 2/7/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	What is the strategy that faces the most obstacles? IA 4 Stormwater and land development.	Comment noted. No changes to the text will be made in response to this comment.
71	Anonymous/ Constant Contact Respondent 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	What is the strategy that faces the most obstacles? IA 4 Stormwater and land development.	Comment noted. No changes to the text will be made in response to this comment.
72	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	Right now, we are only testing stormwater for ammonia, benzene, soap, and chlorine. Not really sure how bacteria will play into testing stormwater.	Comment noted. No changes to the text will be made in response to this comment.
73	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	Pertaining to the MS4 requirement for education, they are working with the Montgomery County Spring Creek Greenway Nature Center to provide grants for school busses. The education requirements for the permits are really ramping up.	Comment noted. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
74	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	How do you think MS4 Phase II permitted areas will expand?	<p>The designation of areas covered by MS4 permits are determined by census data. The census provides the following information:</p> <p>"While the Census Bureau seeks input and comments on the criteria for delineating urban areas, the delineation process is carried out solely by the Census Bureau. We define urban areas for statistical purposes only-- for purposes of tabulating and presenting statistical data for individual urban areas and the urban and rural components of the population, housing, and land area of the nation, states, and other geographic areas. Although we are cognizant of other agencies' particular uses of our urban areas or urban/rural classification for implementing programs, we do not take those uses into account when delineating urban areas. This has been the case since the Census Bureau first began identifying urban areas in 1910 and urbanized areas in 1950. So, to be clear, we have no plans to release an app for delineating urban areas. "</p> <p>The BIG does not know how TCEQ might change their use of census data based on the changes that the Census makes.</p> <p>The new delineation of UAs is scheduled to out in October 2012: http://www.census.gov/population/www/cen2010/glance/ Also: http://www.census.gov/geo/www/ua/2010urbanruralclass.html</p> <p>No changes to the text will be made in response to this comment.</p>
75	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	We have concerns about fertilizer and algae growth in waterways. We would like to know more about selecting and applying fertilizer to prevent algae growth.	<p>Coincidentally, H-GAC is hosting a workshop on landscaping to prevent non-point source pollution in March 2011: http://www.h-gac.com/community/water/cwi/default.aspx.</p> <p>A variety of existing resources are available regarding appropriate uses of fertilizer, including the labels on fertilizer packaging.</p> <p>Additional resources should be made available through <u>14.2: Model best practices</u>.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
76	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	Implementation Strategy 4.0: Storm Water and Land Development	49	Would like to know more about how to retrofit a dry-bottom detention basin to improve water quality.	Coincidentally, H-GAC is hosting a workshop on landscaping to prevent non-point source pollution in March 2011: http://www.h-gac.com/community/water/cwi/default.aspx . A variety of existing resources are available regarding appropriate uses of fertilizer, including the labels on fertilizer packaging. Additional resources should be made available through <u>IA 4.2: Model best practices</u> . No changes to the text will be made in response to this comment.
77	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, Figure 5	50	In Figure 5, the map of the MS4 areas, Phase 1 and Phase 2 Communities should be defined.	Figure 5 does differentiate between Phase 1 and Phase 2 communities. See also <u>Appendix G: MS4 Permits in the Thirteen-County Region</u> . No changes to the text will be made in response to this comment.
78	Maria Stone AECOM E-mail received 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development	51	Revise text to include, <i>“Examples of current programs are provided in Appendix F, along with a list of storm water permits in the region provided in Appendix G.”</i>	Text will be changed as recommended.
79	Maria Stone AECOM E-mail received 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, first bulleted item	51	Correct capitalization: <i>“reduction”</i> rather than <i>“Reduction”</i>	Text will be changed as recommended.
80	Maria Stone AECOM E-mail received 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, first sentence	51	First sentence: <i>Figure 3</i> should be corrected to <i>Figure 5</i> .	Text will be changed as recommended.
81	Harris County Flood Control District Email received 11/2010	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.1	51	Include <i>“where practicable”</i> on the end of the bullet <i>“How to incorporate bacteria reduction elements into flood control features”</i> to maintain consistency with our MS4 permit.	The words <i>“where practicable”</i> will be added as recommended.
82	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.3	52	"stakeholders shall consider mandatory expansion of stormwater quality permits" If permit requirements are being met, the requirement to have government mandated local government programs in place is just extra unfunded mandates. We oppose any mandatory expansion of governmental requirements.	Comment noted. No changes to the text will be made in response to this comment.
83	Harris County Flood Control District Email received 11/2010	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.3	52	The appropriate terminology for TPDES MS4-permitted programs is Storm Water Management Programs (SWMP) and not storm water quality programs. All references to <i>“storm water quality programs”</i> , including the section title, should be revised to <i>“Storm Water Management Programs”</i> to maintain consistency with the NPDES and TPDES programs.	The changes will be made as recommended throughout the document, without the capitalization. This includes the table of contents.

Many of the comments included here are summaries of comments made verbally, and do not necessarily represent the exact words of the commenter.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
84	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.3	52	If storm water quality programs are not adequate, why should improvement be voluntary? It does not make sense to wait five years for voluntary action and then the stakeholders "shall consider" acting. Per the draft, the H-GAC will evaluate communities "providing sufficient resources are available". This is not a plan to improve water quality. The TCEQ has a responsibility to protect water quality.	The BIG intends that the monitoring and periodic review process will identify any shortcomings and recommend improvements. See IA 9.4: Assess monitoring results and modify I-Plan . The BIG hopes that immediate improvements will be realized in some areas as a result of implementation. No changes to the text will be made in response to this comment.
85	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.3.2	52	How much of the program area is not already covered by an MS4 with a stormwater permit? A list and a map should be put together showing the existing permit holders, and their area of authority. I think that it will be found that most of the developed areas regulated by these permits already is covered under SWQ permits. This is again an expansion of government that will not provide much gain but require a huge amount of regulatory overview.	See Figure 5 . For clarity, color of phase II communities will be changed in Figure 5. Appendix G will be modified in indicate which permitted communities are within the BIG project area.
86	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.5	54	Is this not another continuing education program? Why duplicate program elements?	The BIG intends that this program is additive rather than duplicative, and may be more effective for some communities within the BIG project area than for others. No changes to the text will be made in response to this comment.
87	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.6	54	We need more research on the amount of bacteria in stormwater discharge as compared to the increase caused by non-point sources.	The BIG concurs. Please see Implementation Strategies 9.0 and 10.0 . No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
88	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 4.0: Storm Water and Land Development, Activity 4.6	54	It is not clear why BIG and TCEQ would aim to interpret policies so that developers would be reimbursed for implementing storm water quality features, which ought to be a part of standard practice to reduce bacterial loading.	<p>Through the financial mechanisms available to special purpose districts such as MUDs, districts are able to issue bonds to pay for required infrastructure such as water and sewer lines, water and sewer treatment facilities, and storm sewer lines, drainage and detention facilities. In many cases, a district will contract with a developer of land within the district such that the developer will construction this infrastructure and the district will later purchase (or “reimburse”) the infrastructure from the developer with proceeds from a district bond issue. Before a district may issue bonds, however, TCEQ must evaluate the economic and engineering feasibility of the proposed bond issue and the infrastructure projects to be funded.</p> <p>As part of TCEQ’s review of the engineering feasibility of a proposed district bond issue, TCEQ has not been interpreting its rules in a manner that would allow the district to pay for certain water quality features (e.g., wet-bottomed detention ponds) that it may construct, or that a developer may construct on behalf of the district. Instead, TCEQ has considered many water quality features to be part of an amenity and not subject to reimbursement as a water quality feature. Because of this, districts have fewer options for funding water quality features and, as a result, both districts and developers may be less likely to incorporate water quality features as part of development. The BIG hopes that, if TCEQ approves the use of district bond proceeds for funding a more expanded list of water quality features in developments, then more districts and developers would include such features in development. No changes to the text will be made in response to this comment.</p>
89	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 5.0	55	That stormwater construction sites with adequately protected sanitary facilities cause increased bacteria is all speculation. The existing regulations under TXR150000 already address this. Remove this item from the recommendations.	<p>The concern is not with 'adequately protected' sanitary facilities.</p> <p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
90	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	Implementation Strategy 5.0: Construction	55	Enforcement of SWPPPs is difficult. The folks (developers and construction workers) from Harris County seem to understand stormwater requirements (even if they don’t like it), but the folks who don’t work in Harris County often do not understand or are not aware of requirements.	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
91	Tom Ivy Comment Meeting 2/7/2011	Implementation Strategy 5.0: Construction	55	I would like to see rewards for contractors doing a good job with construction (e.g., the contractors at Piney Point Elementary).	<p>The concept is incorporated into <u>IA 4.4: Promote recognition programs for developments that voluntarily incorporate bacteria reduction measures.</u></p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
92	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 5.0: Construction, Activity 5.1	55	"quality" in the title should be "pollution prevention"	The TCEQ Construction General Permit, a storm water quality permit, requires the development of Storm Water Pollution Prevention Plans for certain construction sites. No changes to the title will be made in response to this comment.
93	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 5.0: Construction, Activity 5.1	55	Please provide the references that connect turbidity to bacteria. If there is no defensible support for a relationship, remove the references to turbidity.	The stakeholders believe at this point a potential relationship between turbidity and bacteria levels may exist. Future monitoring and research will either prove or disprove this hypothesis. No changes to the text will be made in response to this comment.
94	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 5.0: Construction, Activity 5.1	55	Both HC & COH have enforcement activities under construction permits. Lets try to keep inspections as local as possible for cost and enforcement consistencies.	Comment noted. No changes to the text will be made in response to this comment.
95	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 5.0: Construction, Activity 5.1	55	It is true that enforcement of construction site regulations is the issue, but the BIG recommendation should be that local government should develop and inspection program – not “evaluate” the need to do so.	MS4 permittees are required to have a construction inspection and enforcement program. In some instances, enforcement of existing construction requirements might benefit from additional resources. This activity recommends evaluating the possible need for additional resources and subsequent action as appropriate. No changes to the text will be made in response to this comment.
96	Harris County Flood Control District Email received 11/2010	Implementation Strategy 5.0: Construction, Activity 5.1, fourth sentence	55	The second to last sentence referencing turbidity limits being added to CGPs is no longer accurate since EPA has issued a stay to reconsider the numeric limits. http://water.epa.gov/scitech/wastetech/guide/construction/index.cfm We suggest deleting this sentence or updating it to reflect this recent change.	The fourth sentence shall be changed to read, “ <i>As of February 1, 2010, EPA proposed to add turbidity limits to construction general permits at the time of their renewal. However, EPA’s action is stayed as of this publication.</i> ”
97	Harris County Flood Control District Email received 11/2010	Implementation Strategy 5.0: Construction, first sentence	55	In the opening sentence, what is the difference between “ <i>new structures and infrastructure?</i> ” We suggest changing to “ <i>new and expanded infrastructure.</i> ”	The opening sentence shall be modified to read, “ <i>The rapid population growth in the BIG project area has created a demand for new structures and expanded infrastructure.</i> ”

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
98	Harris County Flood Control District Email received 11/2010	Implementation Strategy 5.0: Construction, third and final sentences	55	Does data exist to support the conclusion that construction runoff is a source of nutrients? If so, this should be referenced. If not, we suggest deleting the last sentence and reference to "nutrients" in the third sentence.	<p>The third sentence shall be modified to read, "<i>...they can contribute sediments and nutrients...</i>"</p> <p>For the purpose of brevity and clarity, the final three sentences in the first paragraph will be replaced with the following:</p> <p><i>Runoff from construction sites may also contain constituents, such as nutrients, soils, fine particles, and other solid material, that could potentially influence in stream bacteria levels.</i></p> <p>While not explicitly identified in this comment, the relationship between nutrients and instream bacteria levels seem to be at issue. To address this question, the following shall be added as an additional topic for research under IA 10.4:</p> <p>* Nutrients and other constituents: <i>Waterways in the project area contain constituents such as nutrients, fine particles, sediment, soil, and other solid materials. Studies and research should examine how such constituents influence instream bacteria levels.</i></p>
99	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 5.0: Construction, Activity 5.1.1	56	Use local inspectors if possible.	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
100	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 5.0: Construction, Activity 5.1.1	56	TCEQ is too limited in their corrective abilities. Only real power is big fine. Need to change this.	<p>Comment noted and will be shared with the TCEQ.</p> <p>No changes to the text will be made in response to this comment.</p>
101	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 5.0: Construction, Activity 5.1.3	57	May want to develop a voluntary certification program for responsible parties who do the inspections. 8 hours every 2 years (make those people responsible).	<p>The following sentence shall be added to the end of IA 5.1.3: "<i>These educational activities should be developed in such a way that they could be incorporated into a voluntary certification program.</i>"</p>
102	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	Implementation Strategy 6.0: Illicit Discharges and Dumping	58	I see that people are dumping 55-gallon drums in the middle of the night. Same for tires, lawnmowers...	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
103	Tom Ivy Comment Meeting 2/7/2011	Implementation Strategy 6.0: Illicit Discharges and Dumping, Activity 6.1	58	It is important to walk the channels and identify problems.	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
104	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Implementation Strategy 6.0: Illicit Discharges and Dumping, Activity 6.1, first sentence	58	Add phrase so that sentence reads: <i>Jurisdictions shall devise and implement a program , as they deem practicable, to detect and eliminate illicit discharges that assist them in identifying sources for further enforcement action.</i>	Text will be changed as recommended.
105	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Implementation Strategy 6.0: Illicit Discharges and Dumping, third paragraph, first sentence	59	Add phrase so that sentence reads: <i>Next, the program will seek to eliminate illicit discharges to the extent allowable under state and local law and as resources allow.</i>	Text will be changed as recommended.
106	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Implementation Strategy 6.0: Illicit Discharges and Dumping, Activity 6.3, third sentence	60	Modify so that the sentence reads: <i>Under this implementation activity, individual communities will seek to control bacteria control will occur through the development of monitoring and control programs by individual communities and /or by a pilot program to monitor waste hauler fleets , as the communities deem practicable .</i> Instead of: <i>Under this implementation activity, bacteria control will occur through the development of monitoring and control programs by individual communities and by a pilot program to monitor waste hauler fleets.</i>	Comment noted. No changes to the text will be made in response to this comment.
107	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 6.0: Illicit Discharges and Dumping, Activity 6.3.1	60	Caught illicit dischargers need to have their trucks confiscated as evidence until their day in court. This would eliminate a lot of problems. Publish the enforcement information.	Comment noted. No changes to the text will be made in response to this comment.
108	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Implementation Strategy 6.0: Illicit Discharges and Dumping, Activity 6.3.1, second sentence	60	Add phrase so that the sentence reads: <i>Jurisdictions will, according to their need s and as practicable , create or update a program designed to monitor and control waste hauler activities.</i>	Phrase will be added as suggested.
109	Comment meeting 2/10/2011	Implementation Strategy 7.0: Agriculture and Animal Sources	62	Runoff from agricultural sources should have more attention. The rancher downstream is screaming the loudest. Aren't there regulatory measures that can be enforced against agriculture? The plan passes the buck to voluntary activities.	Yes, there are regulatory measures available, and the BIG recommends enforcement of these existing measures as appropriate. <u>See activity 7.1: Promote increased participation in existing programs for erosion control, nutrient reduction, and livestock management.</u> No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
111	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 7.0: Agriculture and Animal Sources	62	Why are they worried? The population statistics indicate 1 cow per 50 ac in Clear Creek, and 1 per 10 ac in Lake Houston areas. It would be prudent to develop some green space requirements around waters of Texas, and fencing setbacks so that cattle and chickens cannot directly foul the waters, but more than that is spending a lot of money to solve a small problem. (Clarification from GHBA: "The question of applicability is specific for agricultural activities, especially with respect to livestock and plowing.")	The workgroup felt that voluntary measures to address land conservation and water protection were more appropriate in agricultural settings. No changes to the text will be made in response to this comment.
112	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 7.0: Agriculture and Animal Sources	62	Wildlife management of only hogs. Hogs make a nasty mess of everything they touch, but do they cause more bacteria than the thousands of geese, ducks and deer?	The workgroup felt that feral hogs were of particular concern not only because of the documented bacteria loading attributed to feral hogs, but also because they are a non-native, invasive, nuisance species. A growing number of resources is available to help address feral hogs. No changes to the text will be made in response to this comment.
113	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 7.0: Agriculture and Animal Sources	64	The agency list does not indicate who is responsible for regulating wildlife? Texas Fish and Wildlife should probably be listed.	Additional sentences will be added that reads, " <i>Additional agencies may be able to facilitate voluntary actions pertaining to wildlife and property management activities. Agencies include Texas Parks and Wildlife Department, the U.S. Fish and Wildlife Service, wildlife management associations and co-ops, and other entities.[footnote to read "The Private Landowner Network maintains a comprehensive list of resources available to private landowners at http://www.privatelandownernetwork.org/grantprograms/."</i> "
114	Comment meeting 2/10/2011	Implementation Strategy 7.0: Agriculture and Animal Sources, Activity 7.2	66	Feral hogs are overemphasized in the plan; they are a red herring.	The workgroup felt that feral hogs were of particular concern not only because of the documented bacteria loading attributed to feral hogs, but also because they are a non-native, invasive, nuisance species. A growing number of resources is available to help address feral hogs. No changes to the text will be made in response to this comment.
115	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 7.0: Agriculture and Animal Sources, Activity 7.2	66	See previous notes on page 62. Wildlife management needs to include all wildlife.	Additional sentences will be added that read, " <i>Additional agencies may be able to facilitate voluntary actions pertaining to wildlife and property management activities. Agencies include Texas Parks and Wildlife Department, the U.S. Fish and Wildlife Service, wildlife management associations and co-ops, and other entities.[footnote to read "The Private Landowner Network maintains a comprehensive list of resources available to private landowners at http://www.privatelandownernetwork.org/grantprograms/."</i> "

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
116	Bettie Moss League City resident Phone Conversation 2/7/2011	Implementation Strategy 8.0: Residential	67	Once we pick up after our dog, what do we do with it? If we put it in the garbage, it just goes to a landfill. What happens to it then?	One could flush the waste, throw it in the garbage, or compost it, depending on the situation. Landfills are designed to accommodate such waste and are usually lined to prevent seepage. No changes to the text will be made in response to this comment.
117	Bettie Moss League City resident Phone Conversation 2/7/2011	Implementation Strategy 8.0: Residential	67	Agrees that fertilizer should not be applied at rates greater than those specified in the instructions for the fertilizer. Fertilizer can often be used less frequently than that.	Comment noted. No changes to the text will be made in response to this comment.
118	Comment meeting 2/10/2011	Implementation Strategy 8.0: Residential	67	I hadn't thought about the number of pets that might be contributing to water quality problems.	Comment noted. No changes to the text will be made in response to this comment.
119	Comment meeting 2/10/2011	Implementation Strategy 8.0: Residential	67	People don't value the waterways, or recognize that they are something worth saving. We need to help people understand the value of our waterways. The majority of public opinion is that the waterways are only for drainage.	The BIG shares concerns that people don't understand the value of our waterways. Please see <u>Implementation Strategy 8.0: Residential</u> , which recommends public education efforts addressing why waterways are important to the region. No changes to the text will be made in response to this comment.
120	Comment meeting 2/10/2011	Implementation Strategy 8.0: Residential	67	Animals in residential areas may be a problem.	Comment noted. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
121	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 8.0: Residential	67	Note 2 about nutrients needs to be removed. Provide a reference to how nutrient level and bacteria harmful to humans are linked scientifically.	<p>On page 67, the second bullet shall be removed and the two remaining bullets in the list shall be rewritten in a sentence as follows:</p> <p><i>"Residential contributions to bacteria loading in waterways include bacteria discharging from a residential site either during runoff events or directly and fats, oil, and grease clogging sanitary sewer lines and resulting in overflows."</i> This should become the first sentence of the following paragraph.</p> <p>The second sentence of the second paragraph shall be changed to read, "<i>...lawn care practices may enhance...</i> "</p> <p>The following shall be added as an additional topic for research under IA 10.4:</p> <p><i>* Nutrients and other constituents: Waterways in the project area contain constituents such as nutrients, fine particles, sediment, soil, and other solid materials. Studies and research should examine how such constituents influence instream bacteria levels.</i></p>
122	Greater Houston Builders Association Letter dated 2/15/2011	Implementation Strategy 8.0: Residential	67	"FOG"...Do not use acronym.	<p>See <u>Table of Acronyms and Abbreviations</u>.</p> <p>No changes to the text will be made in response to this comment.</p>
123	John Jacob Texas Coastal Watershed Program E-mail dated 2/15/2011	Implementation Strategy 8.0: Residential	67	Some effort should be made to coordinate educational efforts amongst water conservation and water pollution mitigation (including nutrients) efforts. To have a program solely devoted to bacteria reduction would not make much sense. I have proposed elsewhere a Water Conservation Corps, which could be funded for a fraction of the cost of one of the proposed dams in the Region H water plan, and which could easily provide the same or greater number of acre-ft/year in waters savings as would be provided by one of the dams. The point is that there might be more money for water conservation, but that one water education effort could cover a lot of bases.	<p>The BIG recognizes the value of water conservation, and recommends that residential education efforts pertaining to reducing bacteria should be coordinated with efforts pertaining to water conservation.</p> <p>No changes to the text will be made in response to this comment.</p>
124	Anonymous Comment meeting 1/18/2011	Implementation Strategy 8.0: Residential general comment/question	67	Didn't the City [of Houston] recently begin requiring parking to be on impervious cover?	<p>Proposition 1, recently passed by the City of Houston, may present opportunities related to storm water quality. However, there does not appear to be anything specific to parking requirements. No changes will be made based on this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
125	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 9.0: Monitoring and Plan Revision	71	Per the draft, the I-Plan is to address a period of 25 years, with re-evaluation every 5 years, "as resources are available". Since the vast majority of the recommendations involves encouragement and volunteer action, there is not enough of an action plan, especially if funds aren't available after 5 years.	Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable. No changes to the text will be made in response to this comment.
126	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 9.0: Monitoring and Plan Revision, Activity 9.1	71	The monitoring sites for the Clean Rivers Program are shown in Figure 8. How do the sites correlate to stream segments identified in Table 3? How often are the sites sampled?	More detailed information regarding the correlation between stream segments and monitoring locations can be found on H-GAC's Water Resources Information Map, or WRIM, which can be found at http://webgis2.h-gac.com/CRPflex/ . The following information shall be added inside the parentheses at the end of page 71, in <u>IA 9.1.1</u> : "More detailed information regarding monitoring data can be found on H-GAC's Water Resources Information Map, or WRIM, which can be found at http://webgis2.h-gac.com/CRPflex/. "
127	Harris County PID-A&E 2/14/2010	Implementation Strategy 9.0: Monitoring and Plan Revision, Activity 9.2 Implement Targeted Monitoring	74	Please add to the bulleted list: * Changes in bacteria levels throughout the day in our bayou systems This is relevant due to the University of Houston research that concluded that bacteria levels in the bayous are significantly higher in the morning hours than they are in the afternoon hours. As all Clean Rivers Program samples are taken in the morning hours, this could have considerable impact on our area. Efforts should be made to confirm the results and use that understanding to better describe the impairment and instream dynamics.	On page 74, the following bullet shall be added: "* Changes in instream bacteria levels throughout the day "
128	Harris County Flood Control District Email received 11/2010	Implementation Strategy 9.0: Monitoring and Plan Revision, Activity 9.2.2	74	HCFCFCD is directing and funding the development of the regional BMP effectiveness database and has retained the services of PBS&J as a consultant to assist in developing this database. However, PBS&J is operating under HCFCFCD's direction and is not responsible for this new database. Therefore, we suggest deleting reference to PBS&J in this section.	The phrase, "and PBS&J" will be removed.
129	Harris County Flood Control District Email received 11/2010	Implementation Strategy 9.0: Monitoring and Plan Revision, Activity 9.2.3	75	Replace the word "feasible" with " practicable " to maintain consistency with our MS4 permit terminology.	The word "feasible" shall be replaced with " practicable " to maintain consistency with language in MS4 permits.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
130	Harris County Flood Control District Email received 11/2010	Implementation Strategy 9.0: Monitoring and Plan Revision, Activity 9.3	75	It should be clarified that MS4 permit holders may provide their Annual Report to update the tracking of activities implemented each year rather than developing a separate report. We suggest inserting the following sentence after "Each year, the individual stakeholders will provide a report...regarding the activities": "MS4 permit holders may provide their Annual Report submitted to TCEQ."	Because the second paragraph in this section addresses the same concern, the additional sentence will not be added. No changes to the text will be made in response to this comment.
131	Anonymous	Implementation Strategy 10.0: Research	78	Please indicate that, while the three research priorities are presented in a numerical order, this is not a rank order.	The following sentence shall be added: " <i>In the following text, although the research priorities are presented in a numerical order, this is not a rank order.</i> "
132	Harris County Flood Control District Email received 11/2010	Implementation Strategy 10.0: Research	78	Replace the word "feasible" with " <i>practicable</i> " to maintain consistency with our MS4 permit terminology.	Because neither "feasible" nor "practicable" accurately reflects the intent of the BIG, the sentence will be changed to read, " <i>It is unlikely that any one local entity will find it appropriate to conduct this research alone.</i> "
133	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	Implementation Strategy 10.0: Research	78	The recommendations raise useful questions, especially regarding bacterial persistence and re-growth and determination of indicator species.	Comment noted. No changes to the text will be made in response to this comment.
134	Steve Hupp e-mail dated 2/16/2011	Implementation Strategy 10.0: Research	78	Do we have answers to these questions: --Do we know of any references where the recreational benefits of bacteria below the standards (or conversely the cost when bacterial is above standards) are qualified on the basis of population? --Do we know of any references where the public health benefit is quantified? We know that sickness related to water-borne bacteria from contact recreation is a difficult item to monitor locally. Are there any studies that quantify illness in some way related to contact recreation? Is this then tied to some population basis for risk? --The struggle to make sense of such figures is transferring them to our population and exposure patterns.	Perhaps the best known study is one that quantifies the relationship between contact recreation and the risk of 'highly credible gastrointestinal illness,' the report on which the water quality standard is nominally based. The study indicates that the higher the level of bacteria, the higher the risk of illness. Many questions have been raised regarding the study, especially how it relates to the Houston environment. The following website provides some background information: http://water.epa.gov/scitech/swguidance/waterquality/standards/criteria/health/recreation/upload/2009_04_13_beaches_1986crit.pdf . To oversimplify--the criteria is set so as to not exceed 8 illnesses per 1000 people engaging in contact recreation. Because of a paucity of data, it is difficult to apply this figure to contact recreation use, exposure, and locally identified illness related to contact recreation in the project area. The EPA is in the process of reevaluating the water quality standard: http://water.epa.gov/scitech/swguidance/waterquality/standards/criteria/health/recreation/update.cfm . This most recent study is referenced in <u>Research Priority 10.3: Determine appropriate indicators</u> , on p. 80. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
135	Harris County Flood Control District Email received 11/2010	Implementation Strategy 10.0: Research, Priority 10.1, fourth sentence	79	We believe that reference to “ <i>smart growth</i> ” should be removed since it does not apply to this bacteria I-Plan.	The BIG shall be consulted regarding this change.
136	Harris County PID-A&E 2/14/2010	Research Priority 10.1: Evaluate the Effectiveness of Storm Water Implementation Activities	79	Please remove discussion of <u>smart growth</u> as a storm water implementation activity as it does not apply to this bacteria I-Plan. Or at a minimum, the inclusion of this element should be reverted to the Land Development Committee for discussion as this really is a land development issue.	The BIG shall be consulted regarding this change.
137	John Jacob Texas Coastal Watershed Program E-mail dated 2/15/2011	Research Priority 10.1: Evaluate the Effectiveness of Storm Water Implementation Activities	79	Consideration should be given to evaluating the per-capita contribution of bacteria in relative compact mixed use developments versus lower density developments. Care should be taken that stormwater implementation recommendations do not inadvertently encourage sprawl.	The BIG shall be consulted regarding this change.
138	Greater Houston Builders Association Letter dated 2/15/2011	Appendix C: Allocated Loads for TMDLs, Table 10	101	Appendix C needs to include a table of abbreviations used in the titles for Tables 11 through 18.	A <u>Table of Acronyms and Abbreviations</u> is provided on page 10. No changes to the text will be made in response to this comment.
139	Harris County PID-A&E 2/14/2010	Appendix E: Local OSSF Amendments	119	<u>Changes to Harris County’s local order</u> for OSSF’s were just approved and adopted by TCEQ last week. The appendix will need to be updated with our new rules when they go into effect. Once we get it in the mail from TCEQ and ensure they didn’t change anything, we’ll get you a copy.	The update will be made once the new order is provided.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
140	Harris County Flood Control District Email received 11/2010	Appendix F: Local Examples of Stormwater Programs	132	Add information about HCFCD stormwater program: “As a member of the JTF, the District participates in a variety of storm water programs with the other co-permittees and manages programs associated with the District’s flood damage reduction infrastructure. The District’s Storm Water Management Program includes regular assessments of water quality impacts by flood control projects, and requires that new flood control structures be designed and constructed to provide pollutant removal to the maximum extent practical. The District maintains channels to reduce erosion, remove debris and litter (including floatables), control nuisance species, and sustain flood damage reduction. Monitoring of floatables within flood control facilities is conducted on an annual basis. The District also maintains an ongoing water quality monitoring program within detention basin sites throughout the County to study BMP effectiveness, and within channels to monitor ambient and wet weather flows. In order to track BMP effectiveness, the District is developing a Regional BMP database to store, share, and analyze water quality monitoring data. Additionally, the District works closely with Harris County to support programs for Construction Site Runoff Control, Illicit Discharge Detection and Elimination, and Public Education. More information can be found at http://www.hcfcd.org/ .”	The change shall be made as recommended.
141	TxDOT via e-mail	Appendix F: Local Examples of Stormwater Programs	132	Add information about TxDOT’s role in the JTF: “As with other JTF members, the Texas Department of Transportation monitors stormwater run-off and collects stormwater samples for laboratory analysis from specified locations. TxDOT also monitors its outfalls for illicit discharges, and TxDOT has some control over the volume and flow of third party discharges to its MS4. TxDOT also offers training in preventive work practices to its personnel. However, unlike other JTF members, TxDOT does not have direct enforcement authority, so our main tools are education and preventive measures. TxDOT’s “Don’t Mess With Texas” public education effort is well known and proven. The Adopt a Highway program for public involvement is emulated nationwide and in other countries. Both programs are effective in education and prevention. More information is available at http://dontmesswithtexas.org/ and http://www.dot.state.tx.us/trv/aah/ .”	The change shall be made as recommended.
142	Gerhard Meinecke Comment Meeting 2/1/2011	Appendix I: Maps	149	Would like a map that shows the locations of WWTF 10 MGD or larger, for example the 69 th Street plant and the Sims Bayou Plant.	The map of WWTF will be added showing the size of WWTF, corresponding with the sizes shown in tables 4, 5, and 6.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
143	Sims Bayou Coalition (Evelyn Merz) Comment meeting 1/31/2011	Appendix I: Maps	149	Would like to see a map of the project area that shows segment numbers and assessment units in addition to names.	A map will be added with labels included to identify segment numbers.
144	Greater Houston Builders Association Letter dated 2/15/2011	Appendix J: Load Reduction Value Information, Implementation Strategy 4.0	165	Reference "136" never talks about bacteria. Why is it a source to demonstrate treatment efficiency?	Sentence should be reworded to read: Add " <i>In the absence of better data, analogous studies pertaining to other constituents in large scale development, as documented in [provide title of document], suggest....</i> "
145	Greater Houston Builders Association Letter dated 2/15/2011	Appendix J: Load Reduction Value Information, Implementation Strategy 4.0	165	The goal for residential is 99% removal based upon a reference that does not address bacteria. The last sentence indicates that a 20% reduction per year is the goal. However the last sentence indicates that the reductions will be less substantial over time. Reductions are no therefore compounded. Additionally the plan only addresses continuing education as a method for existing development. With way less than 1% development per year, there is no hope that a program addressing treatment using LID on new development will ever achieve anything approaching 99% reduction.	Paragraph will be rewritten to match load reduction narrative in table 24, column c, p. 176.
146	Greater Houston Builders Association Letter dated 2/15/2011	Appendix J: Load Reduction Value Information, Implementation Strategy 4.0	165	The cost to implement this program of 20% reduction per year is trillions of dollars per year. The formula is actually a power function, not an additive function.	Paragraph will be rewritten to match load reduction narrative in table 24, column c, p. 176.
147	Anonymous	Appendix K: I-Plan Matrix	168	The term " <i>I-Plan Matrix</i> " is not adequately descriptive. Recommend specifying, " <i>I-Plan Matrix comparing implementation activities to the nine elements of a Watershed Protection Plan</i> "	Change shall be made as recommended throughout document.
148	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Appendix K: I-Plan Matrix, row one, column (j)	169	Add phrase to first statement so that it reads: <i>TCEQ: conduct a workload analysis to determine the necessary number of staff, allow for focused sampling investigations and unannounced inspections at all WWTFs, contract with local programs upon approval by the local program to perform additional inspections and reviews if additional TCEQ staff cannot be obtained</i>	The sentence will be rewritten as follows: <i>An alternative to hiring additional TCEQ employees would be for TCEQ to consider contracting with a local program, as is done for its air quality and waste management programs.</i>
149	Harris County Flood Control District Email received 2/15/11	Appendix K: I-Plan Matrix, Table 21, Row IA 1.4, Column (i)	169	<i>"Reports collected from stakeholders."</i> We believe the "reports" referenced here refer to Discharge Monitoring Reports (DMRs) since WWTPs do not have annual reports, but if another report is intended then it should be clarified.	The reports refer to the annual reports provided by stakeholders to the BIG that detail activities pertinent to the I-Plan, and this implementation activity in particular. The term does not refer to DMRs in particular. No changes to the text will be made in response to this comment.
150	Harris County Flood Control District Email received 2/15/11	Appendix K: I-Plan Matrix, p. 170, Table 21, Row IA 1.6, Column (j)	170	<i>"HGAC: collect progress reports,..."</i> We believe the intent is to collect "reports" from TCEQ and/or annual reports from local governments and other stakeholders. We suggest changing <i>progress reports</i> to <i>annual reports and reports from TCEQ</i> .	The text shall be changed as follows: <i>...H-GAC: collect progress reports , which may be in the form of existing reports, ...</i>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
151	Jennifer Wheeler Harris County Public Health and Environmental Services E-mail received 2/15/2011	Appendix K: I-Plan Matrix, p. 174, row one, column (j)	174	Add phrase to first statement so that it reads: <i>Authorized Agents and TCEQ: Identify, seek to require replacement and/or repair of failing systems...</i>	Change will be made as requested.
152	Harris County Flood Control District Email received 2/15/11	Appendix K: I-Plan Matrix, Table 24, All rows, Column (i)	176	<i>"HGAC will collect reports from..."</i> We believe the "reports" referenced here refer to Annual Reports that MS4 permitted communities regularly submit to TCEQ.	The following phrase shall be added: <i>...,which may be in the form of existing reports,....</i>
153	Harris County Flood Control District Email received 2/15/11	Appendix K: I-Plan Matrix, Table 24, All rows, Column (j)	176	<i>"HGAC: collect progress reports..."</i> We believe the "progress reports" referenced here refer to Annual Reports that MS4 permitted communities regularly submit to TCEQ.	The following phrase shall be added: <i>...,which may be in the form of existing reports,....</i>
154	Harris County Flood Control District Email received 2/15/11	Appendix K: I-Plan Matrix, Table 24, Row IA 4.1, Column (h)	176	<i>"Reports provided by stakeholders..."</i> We believe the "reports" referenced here refer to Annual Reports that MS4 permitted communities regularly submit to TCEQ.	The following phrase shall be added: <i>...,which may be in the form of existing reports,....</i>
155	Harris County Flood Control District Email received 2/15/11	Appendix K: I-Plan Matrix, Table 24, Row 4.4, Column (i)	177	<i>"Two Communities each year modify regulations to accommodate participation"</i> We do not believe the intent was to make communities modify their regulations in order to make voluntary bacteria reduction measures mandatory, however, the wording suggests this may be the case. Alternatively, it may be read that communities must modify regulations to accommodate participation in the recognition program, which we also do not believe was the intent of this statement. We suggest deleting this milestone or reword to read " Two communities adopt new storm water management programs to accommodate participation. "	"Two Communities each year modify regulations to accommodate participation" shall be modified to read: <i>"Two Communities each year analyze regulations and programs to accommodate participation in existing programs"</i>
156	Harris County Flood Control District Email received 2/15/11	Appendix K: I-Plan Matrix, Table 26, All rows, Column (j)	180	<i>"HGAC will collect reports from..."</i> We believe the "reports" referenced here refer to Annual Reports that MS4 permitted communities regularly submit to TCEQ.	The following phrase shall be added: <i>...,which may be in the form of existing reports,....</i>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
157	"ABC" (received via e-mail) 2/11/2011	General		<p>I went to the BIG page and have these comments/questions (for starters) concerning the TMDL/Bacteria Implementation Group:</p> <p>1. how is the term "public" ("representing" column) defined? how did that come about (process)? Most names in the column represent "entities/companies with the exception of "Tom Ivy" who is a Water Quality Volunteer.</p> <p>2. does this plan work to complement any other TMDL/Bacteria plan available (be it in draft or not) in the (surrounding) area, by any other entity? I believe there is 1 on the TCEQ Commissioners' desk since last summer (with comments)... If there are more than 1, who is the overseer/coordinator/central point of contact to be sure we can all share the "lessons learned"?</p> <p>Thanks, A Galveston County citizen</p>	<p>Stakeholders for the TMDL projects suggested categories, including 'public,' for members of the BIG. The ad hoc subcommittee to the Natural Resources Advisory Council of the H-GAC recommended that Tom Ivy was an appropriate representative for the public on the BIG.</p> <p>The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate.</u></p> <p>A variety of forums in Texas provide opportunities for networking among watershed coordinators, notably the Texas Coordinators Roundtable, facilitated by the Texas Water Resources Institute.</p> <p>No changes to the text will be made in response to this comment.</p>
158	"ABC" (received via e-mail) 2/11/2011	General		<p>how are citizens being made aware of this effort? In Galveston County, there's just minimum effort, I am not sure of the reasons.....</p>	<p>An appendix will be added that summarizes outreach efforts and stakeholder involvement.</p>
159	Anonymous Comment meeting 2/1/2011	General		<p>What does this mean for special purpose districts? I am in a drainage district in Galveston County.</p>	<p>Many special purpose districts have TPDES permits. If the district is within the BIG project area, the I-Plan will apply to it.</p> <p>No changes to the text will be made in response to this comment.</p>
160	Anonymous Constant Contact Respondent 2/7/2011	General		<p>General Comment:</p> <p>I know this is a consensus document and no one wants to shoulder any added costs, but it seems too relaxed. The Clean Water Act has been around for more than 40 years and after all that time we get a lot of "if resources are /become available" someone maybe will undertake to conduct an educational program. The IA for WWTF is stronger and that's good, also the IA for sanitary sewer systems but those are IA's where there are permit holders and it is easier to gain their cooperation - in theory. 25 more years is too long and no one I fear will give these IAs another thought until year 20 and then we'll start over and the bayous will be no better. I hope not but that's my fear.</p>	<p>Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
161	Anonymous/ Constant Contact Respondent 2/15/2011	General		<p>Missing?</p> <ol style="list-style-type: none"> 1. The implementation plan is short on setting timelines. 2. Two of the largest waste water treatment facilities, 69th Street and Sims Bayou, are not included in the implementation plan. 3. Sanitary Sewer System and On-site Sewer Facilities recommendations are weak. 4. Funding for the plan is not addressed. 5. Enforcement is not addressed. 	<p>Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable.</p> <p>The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate.</u></p> <p>Enforcement is addressed throughout the plan. See <u>IA 1.3</u> and <u>IA 5.1</u> as examples.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
162	Anonymous/ Constant Contact Respondent 2/15/2011	General		<p>General Comment:</p> <ol style="list-style-type: none"> 1. The implementation plan is short on setting timelines for accomplishing recommendations or setting an action plan. 2. Two of the largest waste water treatment facilities, 69th Street and Sims Bayou, are not included in the implementation plan. 3. Sanitary Sewer System and On-site Sewer Facilities recommendations are particularly weak. Collecting information and sharing progress is not an adequate action plan for SSSs. Remedying failing septic systems requires more than a one time permit fee when the system is installed. This could be addressed by an inspection when the property is transferred or a periodic permit renewal coupled with an inspection. 4. In general, funding for the plan is not addressed. 5. Enforcement is not addressed. 	<p>Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable.</p> <p>The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate.</u></p> <p><u>Implementation Activity 3.3.3</u> recommends a biennial review of legislation, rules, policies and guidance pertaining to OSSF. The OSSF issues described could be addressed in such a forum.</p> <p>Enforcement is addressed throughout the plan. See <u>IA 1.3</u> and <u>IA 5.1</u> as examples.</p> <p>No changes to the text will be made in response to this comment.</p>
163	Anonymous/ Constant Contact Respondent 2/15/2011	General		<p>How satisfied are you with the draft Implementation Plan?</p> <p>Neutral</p>	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
165	Bayou Preservation Association Letter dated 2/14/2011	General		<p>We understand the reasons these features were not incorporated into the I-Plan is that more research is needed to justify such measures. The Foundation's support is based on the promise of effective implementation of the adaptive management plan and continued enhancement of standards as all parties gain experience and data from the active management process.</p>	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
166	Bayou Preservation Association Letter dated 2/14/2011	General		<p>Bacteria are naturally occurring in the environment and essential for the decomposition of naturally occurring contaminants in the environment. Health risks to humans increase when levels of indicator bacteria exceed natural amounts. For this reason, standards established by EPA and TCEQ need to be strictly enforced. Cleaning up our waterways will continue to be costly. We acknowledge intense competition for limited tax dollars makes environmental concerns seem a low priority. Still we reject arguments that cleaning up our waterways is infeasible and not practicable.</p>	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
167	Bayou Preservation Association Letter dated 2/14/2011	General		Sediment transport of bacteria is a problem in our natural streams because storm surge inflows caused by development exceed natural levels and accelerate erosion along the banks. Efforts to detain storm surges are helping, but more work is still required. We propose using nature as model to restore our waterways. A particular problem exists on Buffalo Bayou where discharges from Addicks and Barker Reservoirs are held artificially high for prolonged times. Plants that would normally stabilize the lower portions of the soil, large areas frequently slough off into the bayou. Efforts should continue to reduce the effects of development that accelerate runoff rates. These include detention and retention facilities and Low Impact Development features.	Comment noted. No changes to the text will be made in response to this comment.
168	Bayou Preservation Association Letter dated 2/14/2011	General		BPA will continue to participate as a stakeholder in the BIG. We look forward to the research and monitoring that will be reported in the annual reviews as opportunities to revise the I-Plan and add these measures essential to improving water quality. As the I-Plan goes forward, BPA will be attentive to seeking funding opportunities that will assist the BIG with further water quality monitoring and research.	Comment noted. No changes to the text will be made in response to this comment.
169	BIG meeting 2/15/2011	General		Stakeholder involvement should be discussed. Meetings, press, e-mail, letters, phone calls, presentations, etc. Should also indicate that the number of responses is not necessarily indicative of how many people have been reached. Often, when folks are not concerned, they will not comment. We will continue to take comments, even though the comment period ended February 15.	An appendix will be added that summarizes outreach efforts and stakeholder involvement.
170	Brazoria County Drainage District No. 4 E-mail received 2/3/2011	General		Good report. What is the cost going to be to a utility to implement these suggestions to be passed on to the consumer?	Information regarding costs will be addressed in IA 9.4.4 . A sentence shall be added to the end of the first paragraph in IA 9.4.4 : "At the end of five years, the BIG shall identify costs for the implementation activities. "

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
171	Brian Shmaefsky E-mail received 2/15/2011	General		<p>We should have some type of Cost-Benefit measurement to ensure that whatever goals that are achieved are truly sustainable and practicable before continuing any components of the plan is past its 5-year mark. For example:</p> <p>Costs: --Financial --Stakeholder resources --Environmental risks associated with implementation --Restrictions on water resource availability</p> <p>Benefits: --Bacterial load --Improved usage of water resources and classification of quality --Improved public health --Improvements in public perception of water quality</p> <p>I am sure HGAC, our BIG, and our partners or stakeholders can come up with parallel models or other cost-benefit measurables. Quantitative and qualitative data are both acceptable in the model. Thank you and feel free to share my thoughts with the BIG and the HGAC staff.</p>	<p>The BIG agrees that a cost-benefit measurement is desirable. Unfortunately, at this time, the BIG agrees that insufficient information is available to develop a meaningful financial estimate of either costs or benefits.</p> <p>A sentence shall be added to the end of the first paragraph in IA 9.4.4:</p> <p>"At the end of five years, the BIG shall identify costs for the implementation activities. "</p>
172	Comment meeting 2/10/2011	General		In Terry Hershey Park, the wastewater facility has a strong, foul odor. (referring specifically just west of Beltway 8)	<p>Comment noted and will be shared with the TCEQ.</p> <p>No changes to the text will be made in response to this comment.</p>
173	Comment meeting 2/10/2011	General		I kayak and surf, but won't go in the water in the summer. I didn't realize you shouldn't go in the water after a rain event.	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
174	Comment meeting 2/10/2011	General		I think it is great that this project is in the works. I'd like to know that I could go swimming and not get a rash. If there is a way to clean up the waterways, then I'm all for it.	<p>Comment noted.</p> <p>No changes to the text will be made in response to this comment.</p>
175	Comment meeting 2/10/2011	General		Are there opportunities for MUDs to get together and discuss issues?	<p>Yes. In addition to existing forums and professional organizations, such as AWBD, the I-Plan provides for opportunities for a variety of forums for stakeholder interaction. See IA 4.2.2: Coordinate Networking Meetings as an example.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
176	Comment meeting 2/10/2011	General		The lack of zoning in Houston is a problem.	Comment noted. No changes to the text will be made in response to this comment.
177	Comment meeting 2/10/2011	General		The plan should focus on protecting the natural jewels—the ones that aren't polluted. Would love to see some of the waterways reforested—there is too much clearcutting along waterways.	Comment noted. No changes to the text will be made in response to this comment.
178	Comment meeting 2/10/2011	General		Is there a relationship between observed diurnal patterns in bacteria levels and flushing patterns?	On page 74, the following bullet shall be added: "* <i>Changes in instream bacteria levels throughout the day</i> "
179	Comment meeting 2/10/2011	General		Is reducing bacteria as popular as reducing chemicals in the water?	<u>Implementation Strategy 8.0: Residential</u> addresses the importance of providing public education on topics including the extent of bacteria impairments in the project area. No changes to the text will be made in response to this comment.
180	Comment meeting 2/10/2011	General		Is there public reporting or public education to report offenders?	Yes. <u>Implementation Strategy 8.0: Residential</u> addresses the importance of providing public education on this topic. No changes to the text will be made in response to this comment.
181	Comment meeting 2/10/2011	General		Are bacteria levels effected by stagnant vs. moving water? Does the operation of the reservoirs affect bacteria levels?	Maybe. These types of questions are addressed in <u>Research Priority 10.4</u> . No changes to the text will be made in response to this comment.
182	Davis Bonham Smith, Murdaugh, Little & Bonham, L.L.P. Comment Meeting 1/27/2011	General		Seems to make sense	Comment noted. No changes to the text will be made in response to this comment.
184	Galveston Bay Foundation's Board of Trustees Letter dated 2/14/2011	General		We understand the reasons these features were not incorporated into the I-Plan is that more research is needed to justify such measures. The Foundation's support is based on the promise of effective implementation of the adaptive management plan and continued enhancement of standards as all parties gain experience and data from the active management process.	Comment noted. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
186	Gerhard Meinecke Comment Meeting 2/1/2011	General		Why aren't all of the areas working together? The solutions to these problems will have many common elements. I live in the Dickinson Bayou watershed, and I do not want to start over. Would like to explore the possibility of using the draft I-Plan as a starting point.	<p>The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate</u>.</p> <p>No changes to the text will be made in response to this comment.</p>
187	Gerhard Meinecke Comment Meeting 2/1/2011	General		The plan would benefit from timelines, funding, and additional enforcement.	<p>Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable.</p> <p>A sentence shall be added to the end of the first paragraph in 9.4.4:</p> <p><i>"At the end of five years, the BIG shall identify costs for the implementation activities."</i></p> <p>Enforcement is addressed throughout the plan. See <u>IA 1.3</u> and <u>IA 5.1</u> as examples.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
188a	Grace Martinez Phone Conversation 2/9/2011	General		<p>--Not much background information is provided in the plan—specifically how high the bacteria levels are, what sort of risk the bacteria levels represent, and what defines contact recreation</p> <p>--how do people know about the bacteria in the water?</p> <p>--Should people with compromised immune systems be swimming in the water?</p>	<p>More detailed information regarding bacteria levels can be found on H-GAC's Water Resources Information Map, or WRIM, which can be found at http://webgis2.h-gac.com/CRPflex/.</p> <p>Perhaps the best known study is one that quantifies the relationship between contact recreation and the risk of 'highly credible gastrointestinal illness,' the report on which the water quality standard is nominally based. The study indicates that the higher the level of bacteria, the higher the risk of illness. Many questions have been raised regarding the study, especially how it relates to the Houston environment. The following website provides some background information: http://water.epa.gov/scitech/swguidance/waterquality/standards/criteria/health/recreation/upload/2009_04_13_beaches_1986crit.pdf. To oversimplify--the criteria is set so as to not exceed 8 illnesses per 1000 contact recreators. Because of a paucity of data, it is difficult to apply this figure to contact recreation use, exposure, and locally identified illness related to contact recreation in the project area.</p> <p>The EPA is in the process of reevaluating the water quality standard: http://water.epa.gov/scitech/swguidance/waterquality/standards/criteria/health/recreation/update.cfm. This most recent study is referenced in <u>Research Priority 10.3: Determine appropriate indicators</u>, on p. 80. People with compromised immune systems should talk with their health care provider to determine whether it is appropriate to swim in the water.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
188b	Grace Martinez Phone Conversation 2/9/2011	General		<p>--There needs to be money to test the sanitary sewer systems to see if they are leaking.</p> <p>-- if the plan gets approved/accepted by TCEQ, will it do anything?</p> <p>--what are major milestones?</p> <p>--how much will it cost?</p> <p>--the plan contains little concrete information about costs and major milestones.</p>	<p>The BIG agrees that resources should be directed towards Sanitary Sewer Systems. See Implementation Strategy 2.0.</p> <p>Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable.</p> <p>Please see Appendix J in the plan for information about milestones and timeframes.</p> <p>The BIG intends that the monitoring and periodic review process will identify any shortcomings and recommend improvements. See IA 9.4: Assess monitoring results and modify I-Plan. The BIG hopes that immediate improvements will be realized in some areas as a result of implementation.</p> <p>No changes to the text will be made in response to this comment.</p>
189	Greater Houston Builders Association Letter dated 2/15/2011	General		<p>The science around stormwater effluent bacteria being dangerous to humans is not well defined. There needs to be a concerted effort to fund all TMDLs with science that better quantifies the harmful bacteria in stormwater, and to identify better indicators of human risk. There is no doubt that the indicator bacteria increases dramatically when stormwater flows occur. How much of the bacteria that is bad for humans is not understood well. This science needs to be developed prior to regulating to achieve a very high standard.</p>	<p>The BIG agrees that research should be done to better understand the nature of bacteria impairments. Please see Implementation Strategy 10.0: Research, in particular Research Priority 10.3: Determine Appropriate Indicator.</p> <p>No changes to the text will be made in response to this comment.</p>
190	Greater Houston Builders Association Letter dated 2/15/2011	General		<p>There are several outstanding issues, but none seem more glaring than the fact that the science used to determine where we need to be and how to get there is questionable. A key example of this is that bacteria thrive in our waterways; therefore we need to find better ways to test.</p>	<p>The BIG agrees that research should be done to better understand the nature of bacteria impairments. Please see Implementation Strategy 10.0: Research, in particular Research Priority 10.2: Further Evaluate Bacteria Persistence and Regrowth and Research Priority 10.3: Determine Appropriate Indicator.</p> <p>No changes to the text will be made in response to this comment.</p>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
191	Greater Houston Builders Association Letter dated 2/15/2011	General		Another issue would be that there is a tremendous amount of investment involved in the process with minimal or no gain. Many operators and participants from our community do everything they can to ensure that they are in compliance.	Comment noted. No changes to the text will be made in response to this comment.
192	Greater Houston Builders Association Letter dated 2/15/2011	General		Finally, there has to be more flexibility in enforcement. The only enforcement on the books is a large fine. Since the goal is to reduce bacteria we need to work with violators to get them on board, not just issue large fines. Additionally, given the current state of the economy and budget shortfalls it may be difficult to ramp up or increase the size of government programs without transferring the entire cost to new applicants.	A variety of enforcement tools are available to address bacteria. They ranging from criminal penalties (such as jail time); to negotiated or court-ordered penalties; to Supplemental Environmental Projects, forced regionalization, and technical assistance programs such as SSOI; etc. Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable. No changes to the text will be made in response to this comment.
193	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	General		In general, the I-Plan is short on setting timelines for accomplishing any of its recommendations or setting an action plan to implement the I-plan.	The BIG intends that the monitoring and periodic review process will identify any shortcomings and recommend improvements. See IA 9.4: Assess monitoring results and modify I-Plan . The BIG hopes that immediate improvements will be realized in some areas as a result of implementation. No changes to the text will be made in response to this comment.
194	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	General		In general, funding the plan is not addressed.	A sentence shall be added to the end of the first paragraph in 9.4.4: "At the end of five years, the BIG shall identify costs for the implementation activities. " No changes to the text will be made in response to this comment.
195	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	General		Enforcement is not addressed, although it is noted in several instances that enforcement is a problem.	Enforcement is addressed throughout the plan. See IA 1.3 and IA 5.1 as examples. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
196	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	General		The tidal areas of several streams are not part of the BIG study area and there is no indication of preparing and implementation/action plan for them.	The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate</u> . No changes to the text will be made in response to this comment.
197	Houston Sierra Club Evelyn Merz by letter dated 2/15/2011	General		Recommendations for Sanitary Sewer Systems and On-site Sewage Facilities are particularly weak. Recommendations are phrased in terms of collecting and evaluating progress for the SSSs and to “Encourage” change and public education for OSSFs. Collecting information and sharing progress is not an action plan for SSSs.	For SSS, the I-Plan includes a requirement for the inclusion of UAMP in WWTF permits. See <u>IA 2.1.1: Require a UAMP Plan as part of wastewater permits</u> . Comments regarding OSSF noted. No changes to the text will be made in response to this comment.
198	Huitt-Zollars Comment meeting 1/27/2011	General		Why isn't Carpenter's Bayou in the project area? We help utilities down there, and they are among the oldest utilities they work with.	The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate</u> . No changes to the text will be made in response to this comment.
199	Jack Murphy City of League City 2/1/2011	General		What can you do, realistically? The plan answers that question in a way that everyone can agree.	Comment noted. No changes to the text will be made in response to this comment.
201	Maria Modelska 1/31/2011	General		There is no information about the BIG on the EPA's Surf Your Watershed website (http://cfpub.epa.gov/surf/locate/index.cfm). You may want to share information through this forum.	Comment noted. H-GAC is working with EPA to have the BIG added to the website. No changes to the text will be made in response to this comment.
202	Panelists CFH Symposium 1/28/2011	General		[General comments from panelists will be transcribed/summarized here once the video is available. Comments generally positive.]	Comment noted. No changes to the text will be made in response to this comment.

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
203	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	General		Could landfills be a source of bacteria loading? A landfill (Permit no. MSW1505A) upstream of the Shadow Creek neighborhood near Pearland has a permit that does not reference federal or state waterways in the permit application, yet all of the stormwater drains into the Clear Creek watershed. (The community gets its drinking water from wells right now, and the community has concerns that the landfill may be leaking benzene.)	Landfills are not supposed to leak. Commenter has been referred to the H-GAC solid Waste Program for more information. No changes to the text will be made in response to this comment.
204	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	General		I would like to participate in citizen surface water quality testing. (Said in the context of WWTF.)	Comment noted. Mr. Carreon was referred to Texas Stream Team volunteer coordinator. No changes to the text will be made in response to this comment.
205	Rodrigo Carreon, Fort Bend County Citizen Comment Meeting 1/31/11	General		Concerns regarding Fort Bend County MUDs 23, 24. (Do these drain to Chocolate Bayou?)	Comment noted. H-GAC will address questions pertaining the MUDs and Chocolate Bayou outside of the BIG process. No changes to the text will be made in response to this comment.
206	Sims Bayou Coalition (Evelyn Merz) Comment meeting 1/31/2011	General		The draft is not specific enough to be a useable action plan. The lack of real deadlines and specifics regarding funding will make this a "shelf-sitter."	Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable. No changes to the text will be made in response to this comment.
207	South Montgomery County Stormwater Coalition Comment Meeting 1/27/2011	General		Very comprehensive.	Comment noted. No changes to the text will be made in response to this comment.
208	TAEP conference, Aston Hinds, Port of Houston Authority	General		How much will this plan cost?	A sentence shall be added to the end of the first paragraph in 9.4.4: <i>At the end of five years, the BIG shall identify costs for the implementation activities.</i>

Comments Received and Proposed Responses

#	Organization	Reference	Page	Comment	Response
209	Tom Ivy Comment Meeting 2/7/2011	General		Are regulations and consequences sufficient to make sure these activities occur? What can be done to make these enforceable?	Most of the activities in the plan represent or build on activities that are already required in some way. Many stakeholders are already accountable at some level for the activities in the plan, for example, through TPDES permits for WWTF and MS4. Furthermore, through the reporting and review process, if various activities are not being done or are not successful, the plan requires that the BIG contemplate additional solutions and hold those stakeholders accountable. No changes to the text will be made in response to this comment.
210	Tom Ivy Comment Meeting 2/7/2011	General		Why are some areas—for example, lower portions of Sims or Cedar Bayou—not included in the plan?	The BIG determined that the project area covered by this I-Plan would have the same boundaries as the four TMDL projects identified in the I-Plan. In anticipation of the initiation of future TMDL projects or expansions in and near the BIG project area, the BIG included provisions for incorporating new areas for which a TMDL is adopted by TCEQ. See <u>Implementation Activity 9.4.5: Expand the geographic scope of the I-Plan as appropriate</u> . No changes to the text will be made in response to this comment.
211	TXPatriotGal, Chron.com commenter 1/25/2011	General		Sometimes PUBLIC COMMENT is the only thing standing between BigBro and the citizenry. Everyone might want to check this out and find out what exactly the plan entails, and what, if any costs to the taxpayers/customers are attached to it. Gov't is doing a LOT behind-the-scenes right now -- it's a good idea to stay INFORMED.	Comment noted. No changes to the text will be made in response to this comment.
212	Watch4Us2, Chron.com commenter 1/25/2011	General		This sounds vague, expensive, and governmental. A trifecta of trouble.	Comment noted. No changes to the text will be made in response to this comment.
213	writerdude, Chron.com commenter 1/25/2011	General		Artificial wetlands, catchments, and green roofs are a few good places to start. All passive treatment methods.	Comment noted. No changes to the text will be made in response to this comment.