

**Bacteria Implementation Group  
Meeting Summary**

**Tuesday, March 17, 2009**

**Members Present:**

Michael Bloom	Tom Ivy	Ceil Price
John Blount	Ron Kelling	Kathy Richolson
Pat Buzbee	Helen Lane	Jim Robertson
Marilyn Christian	Michael Mooney	Linda Shead
Carol Ellinger	Jack Murphy	Melvin Solomon
Catherine Elliott	Mitchell Page	
Jason Iken	Linda Pechacek	

James Tynan Kelly was represented by Bruce Heiberg

Craig Maske was represented by Scott Saenger

Becky Olive was represented by Nancy Sullins

Raymond Pavlovich was represented by Michael Thornhill

**Members Absent:**

Robert W. Collins	Teague Harris	Brian Shmaefsky
Joe Ferro	Jim Meley	Robert Stokes
Mike Garver		

**Guests Present:**

Charlie Adams (TCEQ), Steve Barry (Jones & Carter), Tony Bennett (AECOM), Susie Cavazos (City of League City), Richard Chapin (City of Houston), Lawrence Childress (City of Houston), Jediah Coreenfield (City of Houston), Rick Felan (TCEQ), Pam Guillory on phone (City of Webster), Nicole Hausler (PHA), Terry Hershey (Public), Ngamy Hoang (City of Houston), Brian Koch (TSSWCB), Mike Lindsey (MCEHS), Ward Ling (TCEQ), Charles Maguire (TCEQ), Ed Matuszak (URS), Sarah Metzger (City of Pasadena), Maria Modelska (University of Houston), Jarl Molander (KLP), Philip Moore (Montgomery County), Chip Morris (TCEQ), Katherine Nelson (TCEQ), Sam Okonkwo (TCEQ), Tina Petersen (CDM, Inc.), Nic Ramirez (AEI Engineering), Todd Running (H-GAC), Nick Russo (Harris County), Richard D. Smith (CCFCC), Robert E. Snoza (HCFCD), Barbara Sullivan (TCEQ), Kristi Tompkins (H-GAC)

**H-GAC Staff Present:**

Jeff Taebel, Rachel Powers, Erin Anderson

### **1. Welcome & Introductions**

Rachel Powers welcomed and thanked everyone for coming. She initiated self-introductions of BIG members and H-GAC staff. Rachel then reviewed the agenda.

### **2. Certification of Quorum**

Twenty-three members were present, achieving a quorum.

### **3. Approval of Proposed Alternates**

The following nomination was approved as an alternate:

- Pam Guillory for Joe Ferro.

Q: It seems there are some alternates who are becoming the regular. At what point do we deal with that?

A: As long as the alternate participates, the representative continues to be a representative. If neither the participant nor alternate attends consistently, there will be a discussion regarding their continued participation.

### **4. Approval of February 17, 2009, Meeting Summary**

Rachel began by explaining that there had been some confusion at the February meeting regarding the Implementation Plan (I-Plan). In response to the confusion, Chip Morris, of TCEQ, forwarded a response from Ron Stein, of TCEQ, to provide clarification. This clarification was subsequently included in the meeting summary.

Meeting notes were approved with two changes:

- Names were removed from the discussion regarding the requirements of an I-Plan.
- The phrase “will not include implementation activities for a particular entity that they are not willing to do” was removed.

### **5. Public Engagement Plan Phase I**

H-GAC proposes to begin the three-month public engagement process in April. H-GAC will let people know about the work the BIG is undertaking and implications for stakeholders. The two primary objectives of the public engagement process are 1) to inform communities and the public—especially those that will be responsible for implementation—what may be occurring in the future, and 2) to give stakeholders the opportunity to participate in the planning process before we ask them to sign a resolution for the I-Plan. A description is provided in the handout, which is largely the same as the one provided at the February meeting.

Q: What are we doing for non-governmental agencies that are involved to express their support?

A: Many non-governmental agencies can pass resolutions or provide letters of support, and we will be asking for those.

H-GAC anticipates sending informational letters and emails and making phone calls to many communities to inform and involve them. H-GAC will meet individually with counties and with cities with a population greater than 25,000 people. Many of these communities are represented on the BIG, and we will request that BIG members communicate much of the information to their communities.

For the cities with populations less than 25,000, we will not be able to conduct individual meetings, but we will provide opportunities to meet and discuss what is occurring. H-GAC will contact and seek input from other organizations and stakeholders, including utility districts, river authorities, agricultural interests, and developer and builder groups. We will be using a phased approach for public engagement: public officials will be contacted before we conduct broad public engagement activities.

Q: Who is to be involved in the meetings and will the agenda be approved by the BIG beforehand?

A: We did not anticipate that the agenda would be preapproved by the BIG, but the talking points are included in the document provided in the handout. Individuals on the BIG may participate, but H-GAC staff will be responsible for most of the meetings.

Rachel then asked for suggestions regarding contacts and speaking opportunities. The following additions were suggested:

- The Farm Bureau
- West Houston Association
- North Houston Association
- Greater Houston Partnership
- American Society of Civil Engineers
- Developers (under Special Districts)
- Urban Land Institute
- GHBA has a developers council
- Texas Association of Builders
- UDAQ (development advisory community)
- American Institute of Architects
- AgriLIFE Extension
- Port of Houston Authority
- TAEP
- Harris County-Houston Ship Channel Navigation District
- Harris County Flood Control Task Force

Rachel asked that everyone review the “BIG Public Engagement Message: Phase I.” Generally, we want people to know is that there is a bacteria problem in many of the region’s waterways and that actions are being taken to reduce these bacteria levels. Talking points will include a list of implementation activities of particular interest. A preliminary list was provided in the handout, but the actual list would be developed later in the meeting during the “Prioritization Exercise” during this meeting. The list would provide an idea of what kinds of activities are being looked into.

Q: Will the wording of the message be approved by the BIG before going out to the public?

A: Yes

Q: What is the timeline for getting this done?

A: We will continue working on the public engagement message until we get to something for which there are no objections. We will take as much time as is needed.

A suggestion was made to delay public engagement activities so that Texas legislative activities would not interfere. As there was general support for the suggestion, public engagement activities will not start until May. This allows for further review and input from the BIG regarding messaging.

Q: Should we come up with some likely questions so that everyone can agree what the answers should be?

A: Yes. Likely questions should be submitted to Rachel. Answers, if available, would be helpful.

Comments on the "BIG Public Engagement Message: Phase I":

- Drinking water should be left out of the message. We don't want them to think drinking water is unsafe. Change to "help insure clean water and allow...".
- The second sentence needs clarification. It needs to describe what this means, how the I-Plan becomes binding on certain people, and what we are talking about in terms of permitting. The relationship between the I-Plan, TCEQ action, and resulting permits could be briefly and clearly articulated and the fact that local entities will be responsible for doing the things in the I-Plan.
- Should add that these bacteria are used to indicate the level of fecal load to our water. The plan is to reduce these fecal loads.
- We need to put the message in common terms. Most people do not know what state bacteria standards are.
- We need to list the contact recreation activities and state the risk of illness. It should say that there is an effort being made to reduce the risk of individuals becoming sick. Using words like *E.coli*, fecal matter, and bacteria will confuse the message.
- Intestinal bacteria might be good wording.
- Bacteria could make the seafood dangerous to eat. (oysters)
- We should keep food safety warnings out of our message.
- We should try not to be alarmist about the risk of illness. We should communicate that there is a risk, but that people should not panic.
- Instead of saying Greater Houston region we should say "our" region.

## **6. Timeline**

We will delay the public engagement efforts by a month. We will continue to work on refining the implementation activities (IAs), and the rest of the timeline should not be affected.

## **7. Prioritization Exercise**

Rachel explained the prioritization exercise instructions. Large Post-It notes listed a source at the top and related IAs underneath. BIG members were each given one blue sticker to indicate their choice for top bacteria source and three green stickers to indicate their top three implementation activities. Audience members were provided one yellow sticker (source) and three red stickers (IAs).

Following the exercise, it was noted that many stickers were next to Wastewater Treatment Facilities, Sanitary Sewer Systems, Stormwater, and Illicit Discharges and Dumping. The results of the exercise would be compiled and sent out to everyone. The results would be used to update the “Major Sources of Bacteria and Potential Prevention Measures” document that would be used in the public engagement process.

Q: This list will go out to the public and they will have the opportunity to make comments, which could include additional sources and IAs. Will we then have to go through this prioritization process again?

A: Comments will be gathered and distributed to the appropriate workgroup. Ultimately, the BIG will prioritize the activities.

Comment: The public engagement message should be presented in a way that summarizes what we have done and seeks concurrence and minor suggestions, rather than a brainstorming activity.

It is important that those providing comments know the process and don't expect their comments to be included in the final plan no matter what.

## **8. Workgroup Reports**

Six workgroups met since the February BIG meeting. The BIG liaison for each of these workgroups gave a verbal summary to the BIG. Workgroup discussions have focused as follows:

- Wastewater Treatment Facilities – The first topic of discussion was to develop and review the list of top sources. At the previous meeting, the effluent was identified as the number one source. Stormwater runoff from a wastewater treatment plant was also discussed as a major source. The group decided that bacteria regrowth, after the outfall, was outside of the group's purview, but that regrowth between final treatment and the outfall did fall under the scope of this group. The workgroup also debated an appropriate *E.coli* limit for wastewater treatment plant effluent. TCEQ is currently deciding this and seems to be heading for half the stream standard as the limit. The workgroup also discussed the priority IAs, which included monitoring the effluent for *E.coli*, imposing stricter bacteria limits than those currently proposed by TCEQ, and improving compliance and enforcement, among other things. The group was introduced to and began using the IA screening tool developed by the Coordination and Policy workgroup.

- On-site Sewage Facility – Focused on mainly the older, unpermitted systems and their failure rates. Lack of maintenance, particularly on the aerobic systems, was also discussed. In some counties, homeowners are allowed to conduct their own maintenance activities. The priority IAs included an inventory of all septic systems and a determination of those that are failing. Discussion also focused on how these IAs would be accomplished. The workgroup did begin to use the IA screening tool, but did not get very far in the process.
- Sanitary Sewer Systems – The group began by listing their top sources, which included aging systems, I/I (inflow and infiltration), FOG (fats, oils, and grease), and sanitary sewer overflows. The top IAs were then discussed with the top one being making currently voluntary programs, CMOM and the SSO initiative, mandatory. The workgroup was introduced to the IA screening tool, but did not get a chance to use it.
- Research – The workgroup discussed a number of research ideas. Each attendee submitted their top five research topics to H-GAC. The final ranking has not yet been sent out to the group. Some of the top items discussed included BMP effectiveness, the water quality standard, the health risk issue, indicator organisms, and persistence in regrowth.
- Stormwater – The group began by discussing the scope of the workgroup and decided that the entire stormwater collection system should be included. IAs discussed by this group were not limited to the collection system or areas with an MS4 permit. It was apparent that once bacteria enters the stormwater system, it continues to grow. This needs to be addressed. Three basic approaches to the problem are possible: legislative, structural, and policy. IAs will need to be evaluated on a site specific basis. During implementation, we might have to try things because we don't have sufficient effectiveness data. More information and evaluation is needed.
- Coordination & Policy – The workgroup continued to work on the screening tool. The weighting element was deleted. The group worked through the screening tool with an IA and as a result some editorial changes were made to the tool. The utility of a flexible framework was briefly discussed and more discussion will follow at future meetings.

#### **9. Other Business/Roundtable**

- Rachel mentioned that the H-GAC website now has a shared information webpage for which individuals can submit links to be posted of relevant research or other information that might be of interest or use to others participating in the I-Plan process.
- A brief report was given regarding the previous week's webinar on the topic of the regrowth study conducted by National Sanitation Foundation (NSF)/Harris County. In the study, wastewater effluent was put in ambient conditions and completely disinfected. The water was then inoculated with known amounts of bacteria to determine the amount of regrowth. It was determined that *E.coli* regrows extremely quickly in sterilized wastewater effluent. The study suggested

that *E. coli* may not indicate regrowth of other pathogens. NSF is looking at doing a second study to identify which nutrients are limiting factors for regrowth.

**10. Next Meeting Date**

The next regularly scheduled meeting will be on April 21, 2009.

**11. Adjourn**

The meeting was adjourned at 3:30 PM.

DRAFT