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## TENTATIVE AGENDA

Tuesday, July 19, 2011, 1:30 PM  
H-GAC Meeting Room A  
(3555 Timmons Lane, 2nd Floor)

1. **Call to Order/Welcome/Introductions**

Welcome by H-GAC

Introductions of BIG members & staff

Review Agenda. Each agenda item shall provide time for discussion by the BIG followed by comments from the audience.

2. **Certification of Quorum**

3. **Approval of Proposed Alternates & Members**

HANDOUT 1: Bacteria Implementation Group Roster

4. **Approval of March 15, 2011, Meeting Summary**

HANDOUT 2: March Meeting Summary Draft

5. **Public Comment**

The public may sign up at the beginning of the meeting to make an informal comment of no more than three minutes.

6. **Review of Solicitation of Formal Support**

Staff will provide a report on activities related to soliciting formal support for the I-Plan. Discussion will include a list of entities who have formally supported the I-Plan and progress toward the goals identified in the Proposal for Formal Support.

HANDOUT 3: List of entities who have provided resolutions of support, or similar.

7. **Review of Concerns, Comments, and Minority Reports**

Staff will provide a report on any concerns, comments, or minority reports identified since the last meeting. The BIG will be asked to address these issues.

**8. Additions to the I-Plan**

Staff will lead a discussion of additions to the I-Plan: signature page, an acknowledgements section, an endorsements section, an appendix for minority reports, and an appendix for formal support. BIG members will be asked to sign the signature page at the August meeting.

HANDOUT 4: Drafts of proposed additions.

**ACTION:** The BIG will be asked to approve the proposed additions to the I-Plan.

**9. TCEQ Process for I-Plan Review**

Ron Stein will provide information about the process TCEQ will use to review the Implementation Plan.

**10. Proposed Annual Report and Meeting Format**

Staff will lead a discussion of a format for the annual report and meeting.

**11. Other Business/Roundtable**

**12. Next Meeting Date**

Tuesday, August 16, 2011

All meetings are in H-GAC's Conference Room A (2<sup>nd</sup> Floor) from 1:30 – 3:30 PM.

**13. Adjourn**

In compliance with the Americans with Disabilities Act, H-GAC provides for reasonable accommodation for persons attending H-GAC functions. Requests should be received by H-GAC 24 hours prior to the function.

## BACTERIA IMPLEMENTATION GROUP

### Roster

Name	Representing	Affiliation	Alternate 1	Alternate 2
Michael Bloom	Ag/Business	PBS&J, Greater Houston Partnership	Jason Maldonado	
John Blount	County	Harris County Planning & Operations Division	Alisa Max	Nick Russo
Pat Buzbee	County	Montgomery County Environmental Health	Mike Lindsey	Frank Green
Marilyn Christian	County	Harris County Public Health & Environmental Svcs.	Snehal Patel	
Joe Clark	Municipal	City of Conroe	Greg Hall	
Robert W. Collins	County	Montgomery County	Mike Lindsey	
Catherine Elliott	County	Harris County Flood Control District	Carolyn White	*Robert Snoza
*Shannon Hicks	Municipal	City of Webster	Jesse Espinoza	Pam Guillory
Mike Garver	Buffalo/Whiteoak TMDL	Buffalo Bayou Partnership	Jessalyn Ballard	Linda Shead
Carol Ellinger Haddock	Municipal	City of Houston	Richard Chapin	
Teague Harris	Municipal	Pate Engineers, Inc.		
Bruce Heiberg	Conservation	Bayou Preservation Association	Steve Hupp	
Jason Iken	Metro TMDL	City of Houston	Carol LaBreche	Richard Chapin
Tom Ivy	Public	Texas Stream Team	Jim Williams	
Ron Kelling	Ag/Business	San Jacinto River Authority	Michael Mooney	
Helen Lane	Conservation	Houston Audubon	Gina Donovan	
Craig Maske	Metro TMDL	Dodson & Associates, Inc./HCEC	Scott Saenger	
Cathy McCoy	Ag/Business	Harris County Soil & Water Conservation Dist. #442		
Michael Mooney	Lake Houston TMDL	The Woodlands Joint Powers Agency	Ron Kelling	
Jack Murphy	Municipal	City of League City	Susie Blake	Brian Craig
Becky Olive	Ag/Business	AECOM	Mary Purzer	Liz Stone
Mitchell G. Page	Lake Houston TMDL	Schwartz, Page & Harding, LLP	Michael Page	
Raymond Pavlovich	Wildcard	Nottingham Country Municipal Utility District	Michael Thornhill	Mark Stendahl
Linda Pechacek	Public	Citizen, Civil Engineer	Fred Lazare	Steve Archer
Ceil Price	Buffalo/Whiteoak TMDL	City of Houston	Michael Schaffer	Guyneth Williams
Kathy Richolson	Clear Creek TMDL	Gulf Coast Waste Disposal Authority	Phyllis Frank	
Jim Robertson	Conservation	Cypress Creek Flood Control Coalition	Richard "Dick" Smith	
Linda Shead	Conservation	Texas Coastal Partners	Mary Ellen Whitworth	Carolyn White
Brian Shmaefsky	Public	Lone Star College, Kingwood	Dr. John Connolly	
Robert Stokes	Clear Creek TMDL	Galveston Bay Foundation	Lisa Miller-Marshall	Scott Jones
Michael Turco	Resource Agency	US Geological Society	Michael Lee	Jeannette Oden

\*not yet approved



**Draft Meeting Summary  
Tuesday, March 15, 2011**

**Members Present:**

Teague Harris  
Tom Ivy  
Ron Kelling (on phone)  
Craig Maske

Jack Murphy (on phone)  
Mitchell G. Page  
Linda Pechacek  
Ceil Price

Kathy Richolson  
Brian Shmaefsky

John Blount was represented by Alisa Max  
Marilyn Christian was represented by Snehal Patel  
Catherine Elliott was represented by Jonathan Holley  
Bruce Heiberg was represented by Steve Hupp  
Carol Haddock was represented by Richard Chapin  
Jason Iken was represented by Richard Chapin  
Michael Mooney was represented by Ron Kelling  
Becky Olive was represented by Liz Stone  
Raymond Pavlovich was represented by Michael Thornhill

**Members Absent:**

Michael Bloom  
Pat Buzbee  
Joe Clark  
Robert Collins

Joe Ferro  
Mike Garver  
Helen Lane  
Cathy McCoy

Jim Robertson  
Linda Shead  
Robert Stokes  
Michael Turco

**Guests Present**

Mike Bagstad (Zarinkelk Engineering), Tom Beck (TxDOT), Russell Cosbey (Huitt-Zollars), Ron Drachenberg (Fort Bend County), Angie Hallimore (R.G. Miller Engineering), Anita Hunt (Hunt & Hunt Engineering Corp.), Joanne Jarreau (Jarreau, Inc.), Brian Koch (TSSWCB), Kim Laird (TCEQ), Patrick Lee (City of Houston), Carole Lamont (Harris County Precinct 3), Scott McDonald (Harris County), Chip Morris (TCEQ), Mary Purzer (AECOM), Marc Reid (Texas Coastal Watershed Program), Scott Saenger (Jones & Carter), Carol Serna (AEI Engineering), Chavonne Slovak (Harris County Precinct 1), Robert Snoza (HCFCD), Guyneth Williams (City of Houston), Maggie Yancey (Greater Houston Builders Association),

**H-GAC Staff Present**

Todd Running, Rachel Powers, Jeff Murray, Will Merrell, Justin Bower (on phone)

## **1. Welcome and Introductions**

Rachel Powers called the meeting to order at approximately 1:40. Rachel welcomed and thanked everyone for coming. She initiated self-introductions of BIG members, those on the phone, TCEQ, TSSWCB, and H-GAC staff. Rachel then reviewed the agenda.

## **2. Certification of Quorum**

Sixteen members or alternates were present or on the phone, forming a quorum.

## **3. Approval of Proposed Alternatives and Members**

Greg Hall was approved as an alternate for Joe Clark. Jonathan Holley was approved as an alternate for Catherine Elliott.

## **4. Approval of February 15, 2011, Meeting Summary**

Meeting notes were approved with the following correction: Bruce Heiberg was present at the meeting.

## **5. Public Comment on Draft Implementation Plan Report**

No public comment was given.

## **6. Draft Implementation Plan Public Comment**

Rachel began by thanking the members of the ad hoc committee to formulate responses to the public comments: Catherine Elliott, Ceil Price, Marilyn Christian, Steve Hupp, Alisa Max, Mary Purzer, Jonathan Holley, Catarina Cron, and Maria Stone, and additional help from Mitchell Page and Pat Buzbee. Rachel stated that, in general, there was agreement about how to respond and confidence in the responses. Ceil Price echoed that sentiment, explaining that the goal was to create a useful document, there was reasonable give and take, respect for participants with different opinions, and the process was a tribute to the more than two years of effort with the BIG.

Stakeholders presented 206 comments on the plan, many of which were received while the BIG was meeting in February. Most comments were general in nature or addressed the sections on wastewater treatment facilities, storm water and land development, and related appendices. Seventy-three of the comments resulted in recommended changes to the document. Rachel pointed out a few responses to which she had added missing information since the proposed responses were first posted.

The ad hoc committee had recommended that one topic be referred to the BIG for further discussion: comments 135 to 137, which address the topic of smart growth as a research topic. Rachel asked that the BIG address this issue first. Harris County recommended that the reference to smart growth be stricken from the document, various BIG committee members expressed support for the recommendation, and the BIG indicated approval of the change. The BIG also agreed to add the following sentence to the fourth bullet of Research Priority 10.4: Additional Research Topics  
“Consideration should be given to evaluating the per-capita contribution of bacteria in relative compact

mixed use developments versus lower density developments.” The responses shall be updated to reflect the conversation.

Q: Where will this document summarizing comments and responses go? In an appendix, administrative record, on a website, or as a paper record? How will people be able to access the document?

A: The BIG decided that it should be included as an appendix in the I-Plan.

The following topics were discussed:

- Comment 29: The exact permit language will be used in the proposed change to the I-Plan.
- Comment 124: This comment probably refers to an ordinance that allows neighborhood associations in the City of Houston to choose to require that parking facilities must be on impervious cover. The response will be updated to refer to the appropriate ordinance.
- Comment 39: The phrase “and operated” shall be removed from the definition of a subscriber system.
- Comment 59: There is a growing concern that, when homeowners are responsible for maintaining their own aerobic OSSF, there is a high probability that the system will be failing. One recent study found a 90% failure rate. Aerobic systems will fail every month if they are not maintained, while conventional systems might only fail a few months each year. A suggestion was made to require that a conventional system be used if the homeowner will be providing maintenance. No changes will be made to the comments or the document, which includes provisions for such considerations by authorized agents.
- Comment 28: In order not to suggest that operators can have complete faith in laboratories, the final sentence of the first paragraph in the response shall be changed to “...and labs *should* be adequately knowledgeable...” Labs that provide data to regulated entities must be certified by NELAC, but operators are still required to be knowledgeable enough to oversee the contracted services, including sample collection.

The BIG indicated with a showing of thumbs up that it approved the responses to the response document with the changes discussed, and including resolution of errors such as typos.

H-GAC will update the response document and make the changes to the I-Plan as specified in the response document. In addition, H-GAC will propose additional changes to the I-Plan—mostly fixes to errata such as typos—to the ad hoc committee for approval. Once those changes have been approved and made to the document, it will be sent to the BIG for formal approval. The goal is to have the updated document to the BIG within two weeks.

## **7. Approval of Draft for Solicitation of Formal Support**

With a showing of thumbs up, the BIG resolved that the draft has been arrived at by consensus and that it is appropriate for the purpose of soliciting formal support in accordance with the guidelines discussed at the February 15, 2011, meeting.

H-GAC will contact BIG members and other stakeholders about how to solicit formal support from their organizations. The goal is to have most of this done by early July so that any concerns can be resolved.

## **8. Timeline**

Once the changes are made, the BIG will have two weeks to review the I-Plan to make sure changes were made in accordance with the response document. As long as there are no objections, the document will be finalized and H-GAC will begin soliciting formal support.

On July 19, 2011, the BIG will meet to review progress on soliciting formal support, resolve any issues that may have arisen, approve the signature page, approve additions pertaining to acknowledgements, public involvement, minority reports, and the appendix that will include formal support resolutions.

On August 16, 2011, the BIG will be asked to approve the document for submittal to TCEQ. The I-Plan will be submitted to TCEQ by August 31, 2011.

Once submitted, the plan will go through review by TCEQ, including a 30-day public comment period. It is possible that the plan will be approved by January 2012.

Q: Will EPA receive a copy?

A: EPA does not have to approve the document, but the document will be available for EPA to provide comments.

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

Members of the audience introduced themselves.

H-GAC is hosting a workshop on Landscaping to Prevent Non-Point Source Pollution on March 23, 2011. More information on H-GAC's Clean Waters Initiative webpage:

<http://www.h-gac.com/community/water/cwi/default.aspx>.

On March 15, a draft of the Basin Summary Report will be posted on H-GAC's Clean Rivers Program website: <http://www.h-gac.com/water>. The 686-page document is an in-depth, five-year summary of water quality within the San Jacinto River Basin, the Trinity-San Jacinto Coastal Basin, the San Jacinto-Brazos Coastal Basin, and the Brazos-Colorado Coastal Basin.

H-GAC's Basin Steering Committee is soliciting recommendations pertaining to the ambient monitoring schedule for the next fiscal year.

Trash Bash will be on March 26, 2011. <http://www.trashbash.org/>

## **11. Next Meeting Date**

The next meeting will be Tuesday, July 19, 2011.

## **12. Adjourn**

The meeting concluded at about 3:00 PM.

# Status of Support for BIG Implementation Plan

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## Goals

- Counties (5)
- Large Cities (5)
- Small Cities (10)
- Special Purpose Districts (50)
- Other Organizations (11)

## Notice of support received

- Nottingham Country Municipal Utility District
- Houston-Galveston Area Council
- Houston Audubon Society (letter pending)
- City of Houston (letter pending)
- Greater Houston Partnership
- Harris County Soil & Water Conservation District #442 (letter pending)
- Buffalo Bayou Partnership
- North Houston Association

## Action to support scheduled

- July 20: Galveston Bay Council
- July 20: The Woodlands Joint Powers Authority
- July 25: Harris County Flood Control District Task Force
- July 25: Montgomery County
- July 26: Harris County
- On agenda for almost 100 districts

## Other action in process

- Counties: Waller, Walker, Fort Bend, Galveston, Brazoria
- Large Cities: Pasadena, Conroe, League City, Missouri City
- Small Cities: Multiple
- Special Purpose Districts: On agenda for almost 100 districts
- Other Organizations: Bayou Preservation Association, Sierra Club, Houston Council of Engineering Consultants, Gulf Coast Waste Disposal Authority, Galveston Bay Foundation, Galveston County Health District, Citizens' Environmental Coalition



29 March 2011

Ms. Rachel Powers  
Houston Galveston Area Council  
PO Box 22777  
Houston, Texas 77227

RE: Responses to Comments  
Bacteria Implementation Group

Dear Ms. Powers:

On behalf of the Greater Houston Builders Association I am writing to make a few additional comments on the HGAC responses to our initial comments. Our original general comments in our letter dated 15 February 2011 still stand.

Items 18, 19, and 20, reference nutrients. A discussion of nutrients and their relationship to bacteria should not be a part of this document. Further, because the relationship between nutrient and bacteria levels is unknown, HGAC should not have jurisdiction over this topic.

Reference "136" in Item 144 should be removed. The reference to a document that does not discuss bacteria should not be included. Further there is no proof of a connection between bacteria and any of the pollutants in the referenced document.

Again, we appreciate the time and effort this document represents and we appreciate the opportunity to comment and be involved in the process.

Sincerely,

Kathryn "Toy" Wood  
CEO