



Meeting Summary
Tuesday, July 21, 2009

Members Present:

Michael Bloom	Craig Maske (phone)	Ceil Price
Pat Buzbee	Cathy McCoy (phone)	Jim Robertson
Marilyn Christian	Michael Mooney (phone)	Linda Shead
Robert Collins (phone)	Mitchell Page (phone)	Brian Shmaefsky
Carol Ellinger	Raymond Pavlovich	
Catherine Elliott	Linda Pechacek	

John Blount was represented by Alisa Max.
Mike Garver was represented by Jessalyn Ballard.
Jason Iken was represented by Richard Chapin.
Tom Ivy was represented by Jim Williams (phone).
James Tynan Kelly was represented by Bruce Heiberg.
Jack Murphy was represented by Brian Craig (phone).
Becky Olive was represented by Mary Purzer.
Robert Stokes was represented by Scott Jones.

Members Absent:

Joe Ferro	Ron Kelling	Kathy Richolson
Teague Harris	Helen Lane	Melvin Solomon

Guests Present:

Nathan Adams (AEI Engineering), Steve Archer (Archer Environmental), Thomas Barnett (TCEQ), Daniel Bowen on phone (Eastex Environmental Laboratory), Linda Broach (TCEQ), Bryan Eastham (TCEQ), Rick Felan (TCEQ), Jedediah Greenfield (City of Houston), Nicole Hausler (PHA), Diane Humes (Texas Stream Team), Brian Koch (TSSWCB), Ken Kramer on phone (Sierra Club), Kim Laird (TCEQ), Ward Ling (TCEQ), Evelyn Merz on phone (Sierra Club), Maria Modelska (University of Houston), Philip Moore (Montgomery County), Chip Morris (TCEQ), Nwachukwu Sam Okonkwo (TCEQ), Allen Peach (URS), Carlton Peltic (HCFCD), R. D. Smith (CCFCC), Robert E. Snoza (HCFCD), Brenda Templeton (City of Houston), Lauri Thanheiser on phone (Environmental Infrastructure Planning)

H-GAC Staff Present:

Om Chawla, Erin Livingston, Carl Masterson, Rachel Powers, Jeff Taebel, Todd Running, Andrea Tantillo, Kristi Tompkins

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-four members and alternates were present, achieving a quorum.

3. Approval of Proposed Alternates

Mary Purzer was approved as an alternate for Becky Olive.

4. Approval of June 16, 2009, Meeting Summary

Rachel reviewed changes she had received and made prior to the meeting. The most substantial change was a correction to the next meeting date. One other requested change was proposed:

- Add a statement about URS doing a literature review and working on the table, with the scheduled completion in August.

The notes were accepted with these changes.

5. Public Engagement Plan Phase I

To date, approximately 150 letters have been sent to elected officials and senior managers of counties and large cities. H-GAC staff is preparing to send out letters to small cities. There will be a few hundred letters in that group.

In general, comments received have been supportive of the BIG's efforts. Specific comments include the following:

- Community-specific information such as locations with high OSSF failure rates and troublesome wastewater treatment facilities
- BIG concerns overlap with local community concerns
- Technical and financial assistance is preferred to regulation
- Development in rural counties should not be hindered by in order to address problems created by already developed areas.

Questions include:

- What are we going to have to do?
- What can we do to help?

Q: Can we get a list of individuals that have already been sent letters and those that will be sent letters?

A: Yes.

Q: When an individual submits a comment, what response do they receive?

A: The commenters have been told that their concerns are understood and that they will be addressed by the appropriate workgroup.

Q: Are the workgroups being tasked with responding to the comments?

A: We are going to wait until we have received all comments from the initial public engagement phase.

Q: Once we have answers to the comments, will those be sent to those that made comments or to everyone?

A: It will depend on how many comments are received. Based on the number of comments we have received so far, we should be able to respond directly to each commenter.

Q: I think it is good to wait until the end so that we can group the comments. Perhaps we could send a letter to each commenter saying something like “and as you mentioned in our meeting in June of 2009 you raised the question of ... It has been addressed in part” “We don’t want them to feel like they went through the exercise and didn’t get a response. Is this possible?

A: So far it seems like it would be very possible. We’ll see later on. We might get more responses than is reasonable to respond to individually. A response of some sort will definitely be provided.

Comments: If we cannot send responses to each commenter, we could put together a response paper of some sort. “We received 15 comments stating a preference for technical and financial assistance over regulations and we have accommodated for this concern” or “unfortunately we have been unable to accommodate your concern.....” If the I-Plan is in tabular form they can be referred to a certain section.

Q: Which commissioner requested the meeting?

A: Commissioner Morrison with Fort Bend County.

6. Workgroup Report

One workgroup—Sanitary Sewer System Sources--met since the June BIG meeting. As no BIG liaison was present at the workgroup meeting, Rachel Powers gave a verbal summary to the BIG, as follows:

Sanitary Sewer Systems

Rachel Powers reminded all present that the top implementation activity identified by the BIG was require a Capacity, Management, Operations, and Maintenance (CMOM) plan or a CMOM-like program for each sanitary sewer system. The workgroup discussed how this could be implemented and developed an outline. Discussion also focused on the best method for presenting the ideas to a larger audience to try to get buy-in from stakeholders. Currently, only about a dozen communities in our region participate in the Sanitary Sewer System Initiative, the TCEQ’s CMOM program.

In general, the idea was to require, through a phased approach, permits for sanitary sewer systems and subscriber systems. The first permit cycle would require a map of the

coverage area, a list of subscriber systems connected to each system, reporting of SSOs in a TCEQ database that already exists, and fully developed CMOM plans for new systems. The second permit cycle would require implementation of different elements of CMOM. Permittees would be required to meet point requirements, selecting from a menu of activities. A flexible program is desirable in order to help ensure smaller communities can meet the requirements. In addition to the minimum requirements, incentives, such as reduced fines for violations, would be granted to permittees that exceed minimum requirements.

Q: Is the program headed up by TCEQ?

A: The SSO Initiative is through TCEQ. CMOM is highly recommended by the EPA and is popular in other parts of the country.

Other states require sanitary sewer systems be permitted and so it **can** be done, but we need to decide if we **want** to do it. We need to bring the proposed plan to a broader audience, including the AWBD, GHBA, Operators, and others. The workgroup felt that a meeting, preceded by a few educational webcasts, could be an appropriate forum for discussion.

Comment: EPA headquarters has been considering a national regulation for CMOM and SSO issues.

Q: Does anyone present represent a community that participates in CMOM or the SSO Initiative?

A: The City of Houston has a CMOM program as required by an Agreed Order with TCEQ. The City is in year four of a ten-year CMOM plan to renew the collection system and is spending approximately \$75 million per year. Previously, collection systems were rehabilitated on a 30 year rotation (or never). Now, systems will be rehabilitated every six years. The city has prioritized work in areas that have the greatest risk for human health hazard. To determine these areas, the city is looking at locations with recurring street flooding and repeat SSOs, focusing on one collection basin at a time.

Q: Will MUDs need to participate in CMOM?

A: If they have a sanitary collection system they will be required to participate. Subscriber systems will also be required to participate.

Q: Will MUDs receive a letter during phase I of the Public Engagement efforts?

A: Yes. Within the next month or so.

7. Staff Presentations

GIS and Setting Geographic Priorities

Carl Masterson reported on the progress made in the GIS efforts. At the June BIG meeting, the idea of a risk index map was introduced. The map showed the stream assessment units coded to a risk index. Resulting scores were depicted on the map by ribbons of color covering the ½ mile buffer of the waterway. The factors for the risk index include:

- The number of people who live within ½ mile of an assessment unit (au)
- Geometric mean bacteria level for the au
- The correlation between mean bacteria level and incidence of illness, as calculated in the regression equation from EPA's 1984 Health Effects Criteria for Freshwater Recreational Waters.

The risk index was normalized to a scale of 100, with zero being no risk and 100 being the highest risk. For various reasons, these risk levels are shown as relative values, not absolute values.

Because of the vagaries of GIS, some of the assessment units were not mapped, but that is being resolved.

Additionally, H-GAC staff sent an email to Clean Rivers partners and Texas Stream Team volunteers asking for information on contact recreation occurring at their sampling locations. We hope to incorporate responses into the risk index.

Q: Why is Brays Bayou shown as red, with the highest risk index? The area does not seem to be either the most densely populated or the most impaired.

A: The score for this assessment unit is higher than the others because it contains a larger geographic area. Population was factored as an absolute number for the segment, not as population per stream mile. H-GAC will revise the map to consider population.

Q: How did you come up with the "index"?

A: The highest result was set at 100 and then the rest were pro-rated.

Q: Why isn't the index based on quintiles?

A: One Brays Bayou assessment unit had a result more than double the next highest risk index. It seemed inappropriate to group that one segment with others that were not particularly similar.

Comment: From my perspective, the idea of looking at the geomean of a station and combining that with another dimension is a lot like what the World Health Organization recommends in the Annapolis Protocol. PBS&J has used that approach in Florida. PBS&J used a combination of watershed assessments, water quality, and windshield surveys. Watersheds were characterized into quintiles. From that matrix, you end up with a

prioritization of action items that makes sense. Maybe we could get to a generalized accessibility score derived from the anecdotal data and aerial photos.

Carl pointed out that the East Fork of the San Jacinto is no longer designated as impaired on the map, due to its geomean being below the standard of 206 that has been proposed. TCEQ is removing it from the TMDL project, although it is still included in the BIG project area.

In response to questions, Charles Maguire, of TCEQ, explained that the East Fork is still on the 303(d) list and still requires action to remove it from the list, such as a standards rule revision. Due to the limited resources at TCEQ, they are not concentrating on TMDLs and watersheds that could be affected by the standards rule change. It was more a question of established priorities.

Volunteer opportunities with Texas Stream Team

Todd Running reported on Texas Stream Team, a TCEQ program of volunteer water quality monitors. H-GAC has been a project partner for 16 years and coordinates volunteer monitors in thirteen counties and four river/coastal basins. H-GAC currently oversees 77 active volunteers and 68 monitoring sites. Fourteen new volunteers are in the process of becoming certified. Certified volunteers must go through rigorous training and are required to attend a quality-assurance session annually. Some of the certified volunteers are teachers supervising students, meaning that more than 77 individuals are actually participating.

Volunteers monitor chemical parameters and make field observations. Field observations are often the most important data gathered. The H-GAC Stream Team program is focusing on areas where there is a watershed protection plan or a TMDL for bacteria. Data gathered helps establish trends and supplements special studies on specific rivers and watersheds.

How do volunteer monitors make a difference?

- They have unparalleled knowledge of the waterway
 - One volunteer on Spring Creek noticed that frogs and turtles were no longer present at his site. TCEQ was notified of the situation and determined that two wastewater treatment plants upstream were releasing high levels of chlorine. The issue was resolved and the frogs and turtles have begun to return.
- They often monitor at a frequency and in areas that professionals do not
 - Professionals monitor quarterly, volunteers monitor monthly
- Some volunteers monitor in a group, which promotes environmental stewardship
- Volunteers let elected officials and policy makers know that people do care and want to be involved

Anyone interested in volunteer monitoring can contact Kristi Tompkins.

Q: Can you speak specifically to the comment made at the previous BIG meeting that the Mason Park Stormwater Treatment Wetland data is questionable?

A: That project was done by the Texas AgriLife Extension Service. A review of their procedures indicates that the methods used are very similar to those of the Texas Stream Team program, but the data has not been quality-assured through the Texas Stream Team. Split bacteria samples were sent to NELAC accredited laboratories and the data came back good. We have confidence in the data.

Comment: Harris County felt the term *stormwater* treatment wetland might be misleading, as there was some evidence that the water being sampled might have been sanitary sewage, and not stormwater. Harris County also pointed out that the wetland is relatively large compared to the drainage area being treated, and would be difficult to replicate. There probably are some benefits of the treatment wetland, but it may not be what is being presented.

Comment: The bottom line is that bacteria levels were reduced. Exactly what is being monitored can be debated.

Q: How are the kits funded?

A: The Clean Rivers program pays for some of the kits each year with program funds from TCEQ. Other kits are purchased by organizations or companies that want to be involved.

8. Other Business/Roundtable

- Kim Phillips, from the City of Houston, brought some items used to test Clean Rivers and drinking water samples for E.coli and Enterococcus. She gave a brief explanation the IDDEX method, and its relationship to the measurement of “most probable number” (MPN). MPN is being used now instead of colony forming units, or cfu, for measuring bacteria levels. Kim is an advocate of the IDDEX method, stating that it produces fewer false positives than the colony counting method that used to be used to measure fecal coliform.

Q: How does MPN correlate to colony count?

A: They are different types of tests. CFU of fecal coliform bacteria is closely, but not directly, correlated to MPN for *E. coli*.

Everyone was invited to view the samples under the black light after the meeting.

- Jedediah Greenfield reported on the City of Houston’s activities at the dog show the previous weekend. The City had a booth at the event and distributed thousands of brochures to people who ought to be picking up after their dogs. A positive response was received from many individuals. It was estimated that 20,000 people were in attendance.

- Michael Bloom reported that the Water Environment Federation will be having their TMDL conference in Minneapolis, August 9-12. Bacteria will be the topic of whole session.
- Rachel Powers reported H-GAC is hosting a Getting-in-Step workshop on September 22. The workshop will discuss outreach for Watershed Protection Plans and TMDLs.
- Todd Running reported that there will be a CWI workshop on August 11 at H-GAC on public outreach activities and things people can do as part of their Phase II stormwater permits.

9. Next Meeting Date

The next regularly scheduled meeting will be on August 18, 2009.

Anju Chalise, with TCEQ's NPS program, has asked to make a 15 minute presentation at the next BIG meeting on their 319 fund solicitation program. The group showed interest in the presentation.

10. Adjourn

The meeting was adjourned at 3:00 PM.