

**Bacteria Implementation Group
Meeting Summary**

Tuesday, November 18, 2008

Members Present:

Michael Bloom	Tom Ivy	Linda Pechacek
John Blount	Ron Kelling	Ceil Price
Pat Buzbee	James Tynan Kelly	Kathy Richolson
Marilyn Christian	Helen Lane (by phone)	Jim Robertson
Robert W. Collins	Craig Maske	Brian Shmaefsky
Carol Ellinger	Michael Mooney	Robert Stokes
Catherine Elliott	Mitchell Page	
Joe Ferro	Raymond Pavlovich	

Jason Iken was represented by Richard Chapin.

Jack Murphy was represented by Susie Cavazos.

Becky Olive was represented by Nancy Sullins.

Linda Shead was represented by Carolyn White.

Members Absent:

Mike Garver	Teague Harris	Jim Meley
Melvin Solomon		

Guests Present:

Stephen Archer (Archer Environmental), Steve Barry (Jones & Carter), Amy Branom (TCEQ), Linda Broach (TCEQ), Kimberly Coleman (SWWC), Catarina Cron (Harris County Judge), Jennifer Davis (Parsons), Winston Denton (TPWD-Dickinson), Helen Drummond (GBEP), Ingrid Fairchild (HCFCD), Brian Koch (TSSWCB), Mark Lowry (AECOM), Charles Maguire (TCEQ), Ed Matuszak (URS Corporation), Alisa Max (Harris County Watershed Protection Group), Sarah Metzger (City of Pasadena), Maria Modelska (University of Houston), Chip Morris (TCEQ), Joe Myers (HCFCD), Kerry Niemann (TCEQ), Snehal Patel (HCAO), Allen Peach (URS), Tina Petersen (CDM, Inc.), Mary Purzer (AECOM), Nic Ramirez (AEI Engineering), Nick Russo (Harris County), Scott Saenger (Jones & Carter, Inc.), Robert E. Snoza (HCFCD), Ron Stein (TCEQ), Barbara Sullivan (TCEQ), Michael Thornhill (Southwest Water Company), Ashley K. Wadick (TCEQ)

H-GAC Staff Present:

Jeff Taebel, Carl Masterson, Rachel Powers, Erin Anderson

1. Welcome & Introductions

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

Rachel then reviewed the agenda.

2. Certification of Quorum

Twenty-six members were present, forming a quorum.

3. Approval of October 28, 2008, Meeting Summary

Meeting notes were approved with the following changes:

- Nancy Sullins was representing Becky Olive.
- Tom Ivy was at the meeting not Jim Williams.

4. Approval of Proposed Alternates

In addition to the list of alternates provided in the handout, the following nomination was approved as an alternate:

- Richard Chapin for Jason Iken.

5. Workgroups

Workgroup summaries were verbally provided to the BIG by either the BIG liaison from the workgroup or H-GAC staff if no BIG member had been present at the workgroup meeting. The source workgroups reported that potential sources of bacteria and **implementation activities (IAs)** were discussed at each meeting. Some additional items that developed during the source workgroup meetings were as follows:

- Construction and Land Development decided to meet concurrently, but will still produce two sets of recommendations.
- At the Land Development meeting no actual representatives from the land development community were present. The group discussed outreach to get individuals from this community involved.
- Again at the Land Development meeting the question of whether or not nutrients should be addressed in the IAs was brought up. The group felt that nutrients should be looked at. The BIG concurred and it was decided that all source workgroups should consider nutrients as they apply to each source. TCEQ reported that they are looking at nutrient criteria for the future.
- The Stormwater workgroup, in addition to discussing sources and IAs, created a list of stormwater facilities so that IAs could be directed at the appropriate portions of the stormwater system.
- The Animal workgroup identified transient populations as a potential source of bacteria, but did not know in which group this source should be considered. It was discussed during the BIG meeting and potential workgroups mentioned included: Residential, Stormwater, Illicit Discharges and Dumping (IDD), and Animals (but with a new name for the workgroup). After some consideration it

was determined that transient populations and any instance of public defecation would be included in the IDD workgroup.

The two non-source related workgroups that met prior to the BIG meeting focused their discussions as follows:

- Watershed Outreach focused their discussion on the development of criteria to prioritize segments geographically for IAs.
- Coordination & Policy developed a recommendation for consideration by the BIG: to have a workgroups liaison meeting composed of a few representatives from each workgroup prior to the January BIG meeting. The objective would be to focus the vision on criteria and activities identified to date. The purpose for the meeting is to help avoid duplication and conflict. No objections were expressed by the BIG and so the meeting will proceed. Each workgroup should discuss prioritization criteria.

Three workgroups--Research, Monitoring and IDD-- had not yet met at the time of the BIG meeting.

6. Report Contents and Structure

Rachel provided an overview of the method used for developing the I-Plan outline. H-GAC staff included items obtained from the EPA that need to be included in the I-Plan. Staff additionally reviewed bacteria Implementation Plans from across the country and other implementation plans not specific to bacteria from within Texas and included appropriate elements from these documents into the outline.

EPA's items to include

- Reasonable assurances that load allocations will be achieved using incentive based non-regulatory or regulatory approaches.
- Public participation process.
- Recognition of other watershed management processes and programs such as local source water protection and urban stormwater management programs as well as the States Section 303(e) continuing planning process.
- The nine elements of a Watershed Protection Plan as these are required to get 319 funding.

A general overview of the document format was then reviewed. Some of the information would be pulled from the TMDL documents, but that the substance of the document would be in the section describing the IAs. Activities would be arranged by source, watershed/segment, and community/stakeholder group. Discussion followed. Several people recommended that information regarding the IAs be sliced only one way in the document and that slicing the IAs in additional ways would be more appropriate in supplemental material or in a web application. When creating the document, we must remember that there will be some IAs that will be implemented through permits and some that will be voluntary for a community. TCEQ staff advised that, while there

will have to be a formal enough document produced so that the bureaucracy can acknowledge and adopt it (a paper document), the group should endeavor to create a product with great communication value, instructive value, and inspirational value.

The idea was introduced that maybe the Coordination and Policy workgroup should work on the outline. Input was given that this group could come up with a list of things to possibly be added, but that the BIG members should ultimately decide on the outline. It was stated that perfecting the document outline is the most important part of the I-Plan process.

Q: Should the EPA be involved in the I-Plan creation process, and if so what degree of involvement is appropriate?

This question produced much discussion. Most felt that the EPA should be involved in some way, but the perceived optimum level of involvement varied.

Reasons for involving the EPA included the fact that, although the EPA does not have to officially approve the I-Plan, as this is done by the TCEQ, the EPA will ultimately need to approve some elements of the I-Plan. One view was that some of the IAs that will be proposed will likely need to be implemented through permits and the EPA has approval powers over some permits. Additionally, some of the IAs will likely become part of TCEQ's Water Quality Management Plan which has to be approved by the EPA. There is some precedence that, although the nine required elements for a Watershed Protection Plan will be included, the EPA will require additional information if funding is to be obtained.

Some cautioned the group on too much EPA involvement and that the development of the I-Plan shouldn't be an EPA driven process. It was stated that the group has the EPA's checklist of items to include and that if something needs to be added later on it can be done. It is still very early in the process and it is not likely that the EPA would give any sort of approval at this time. Additionally, someone from the Region 6 office would not really be speaking for those in Washington, D.C.

Middle of the road comments included the statement that there is a difference between asking for EPA input and asking for EPA approval. Asking for input would not be bad at this point. The question could be phrased to the EPA as follows, "is there anything you can't live with?" Additionally it was stated that asking the EPA to answer specific questions seemed reasonable.

One name that was mentioned as someone from the EPA to possibly invite was Claudia Hosch, as she is in charge of permit conditions and TMDLs at Region 6. It was suggested that this topic should be revisited after there has been more development of the outline and document.

7. Other Business/Roundtable

- Some signatures are still needed on the Ground Rules document.
- The State of the Bay Symposium will be January 12-14, 2009, in Galveston
- Houston Metro TMDL meetings were recently held and went well. It was announced that if there are any groups interested in having a presentation on the TMDL projects H-GAC will be happy to coordinate.
- The National Research Council has published a new book Urban Stormwater Management in the United States. It provides a detailed discussion of what does and doesn't work in regards to the management of urban stormwater. It additionally makes suggestions to the EPA on changes that should be made to the stormwater permitting program. There is currently a link for a free download under EPA publications.
- On December 16, 2008, PBS will be broadcasting a documentary called "Liquid Assets." The program will cover water, wastewater, and stormwater infrastructure and the needs nationwide. The goal of the program is to increase investment in the infrastructure systems.

8. Next Meeting Date

The next regularly scheduled meeting will be on January 20, 2008. The primary items for discussion will be reviewing the outline for the Implementation Plan document and Workgroup summaries.

The December meeting was been canceled to allow the workgroups to further their progress which will assist the BIG members in understanding the format of and information to be included in the Implementation Plan document.

9. Adjourn

The meeting was adjourned at 3:23 PM.