

Meeting Summary
Buffalo & White Oak Bayous Bacteria TMDL Stakeholder Group

August 18, 2005

STAKEHOLDERS PRESENT: Latrice Babin; Neil Bishop; Del Cannon; Claire Caudill; Bob Hunt; Tom Ivy; Steve Johnston; Trent Martin; Todd Running; Linda Shead; Mary Ellen Whitworth;

STAKEHOLDERS ABSENT: Catherine Elliott (represented by Joy Myers); Shane Hunt; Gwang Pyo Ko (resigned); Helen Lane; Paul Nelson (represented by Jack Sakolosky); Colleen O'Brien (resigned); Kim Phillips (resigned); Kerry Whelan

SUPPORT TEAM PRESENT: Paul Jensen Carl Masterson (H-GAC); Mary Jane Naquin; Tina Petersen; Hanadi Rifai; Ron Stein; Gian Villarreal;

OTHERS PRESENT: Jim Coody (Greater Houston Builders Assoc.); Richard Cron (GHBA); Linda Pechacek (TCB); Nick Russo (Harris County); Alisa Max (Harris County); Cindy Contreras (TPWD); Mary Purzer (TCB); Carol Ellinger (City of Houston); Alem Gebriel (TCB); Sharon Crabb (TCB); Randy Palachek (Parsons); Linda Broach (TCEQ 12); Bob Adair (Ecosystems); Mel Vargas (Parsons); Lynne Johnson (BPA); Kathlie Bulloch (City of Houston); Roger Whitney (City of Houston); Steve Lewis (City of Houston); Jon Paul Komar (Harris County); Susan Mittka (Assoc. General Contractors); Kim Laird (TCEQ 12); Carol Lenz (Harris County Pct. 3).

WELCOME & INTRODUCTIONS

Facilitator Mary Jane Naquin welcomed the stakeholders and audience at 4:15 PM and there followed self introductions.

AGENDA REVIEW

Ms. Naquin then reviewed the agenda giving a brief description of each item.

ADOPTION OF July 19, 2005 MEETING SUMMARY

There were no suggested changes to the meeting summary and it was adopted by consensus.

KEY ISSUES AND SCIENTIFIC CONCLUSIONS DISCUSSION

Discussion began with the question "What does the Technical Summary tell us and what we still need to know?" Linda Shead reported that the Technical Team put together a summary of all the work that has been done to date with conclusions and the End Game Strategy group has met several times to review the summary. She reported that the summary is reasonably good and that the group has only a couple of small things – outstanding questions that did not get addressed. The group has worked hard to get a document that will allow the stakeholder group to move forward because the next step in the process is to figure out what are the remaining questions, what do we know and not know based on all the work, because in the next steps of the TMDL we don't want to make recommendations for controls based on something we don't know. The group wants to change its name because it has caused consternation and confusion and it is not looking to recommend strategies, etc., but rather how does the stakeholder group get to that point, hence asking for the technical summary and having a phased discussion of results and that was the task from the larger stakeholder group. The smaller group still has a purpose – such as developing a draft of implications and summarizing other things and bringing things forward to the full group, sort of like an executive committee for the group.

Suggestions, questions and points coming out of the discussion included:

- It would be a good thing to have both metric and English numbers in the technical summary to have benefit for the general public.
- The next step is what the summary tells us and what do we still not know.
- Some of the links that are being made are not clear or understandable, such as resuspended solids and bacteria levels, but what are the implications for BMPs – does reducing solids reduce bacteria?
- A stakeholder commented that it is a pretty good summary but where do we go from here?
- Do we have an amount of bacteria above the standard – 2x, 100x? The response was roughly 10x the standard.
- What is the real problem? How bad is it in terms the general public will understand?
- Can the criteria be achieved? We haven't got to that point yet, that's a later step.
- Need a bullet page to clearly state what was learned from all the work.
- More water quality information is needed for the segments that were added.
- Need to know more about source tracking and BMPs available. Are there a range of benefits people have experienced from using specific BMPs?
- No clear understanding of what contribution of bacteria is coming from solids discharges from wastewater treatment plants. What is the proportion of the problem from this source compared with other sources? How much of the problem can we solve attending to that source? Someone added that this could come from regulatory actions. A response was that a certain degree of understanding will come during the implementation phase where monitoring of the effectiveness of BMPs happens. A lot of information available is anecdotal only.
- Not clear on how we get from here to making specific recommendations on controls that people are going to have to spend money on to do if we don't have some sense of the relativeness of the different loads.
- The Implementation plan will not only identify control strategies but what has to be done to better understand what strategies are effective and which ones have to be changed.
- The conclusion regarding bacteria re-growth was read and the question was asked 'what does this say about what strategy would be effective to control this as a source'? What is the implication if we have re-growth after point source discharge - what does it mean – should we do nothing to address this? Can this be tackled in any way at all? This was called a distracter issue. A response from the technical team was Regrowth/die-off is a characteristic of the bayou environment and is not a source of load to the bayous. It just describes what happens to the bacteria once they get into the bayous.
- Regarding wastewater discharge, from Houston's point of view yes, there are times when there will be a system failure at a wastewater treatment plant, but the City has a compliance rate of about 99.8% and if the bacteria source study shows a split of 80% bacteria contribution from non-human sources, and 20% from human sources, then this is a small matter.
- There seems to be a paucity of water quality data from the many tributaries of Buffalo and White Oak Bayous. All wastewater treatment plants have been studied and monitoring data in the tributaries is not all that different from the main stems.
- We know there is no single smoking gun but there seems to be no sense of whether we can get to a level of bacteria the TMDL determines we need to be.
- Does the technical summary have a statement of whether sample results from an announced visit to a wastewater treatment plant compared favorably or not to samples from an unannounced visit by the technical team and Harris County Pollution Control? The data from Harris County and the Technical Team show violations about 10% of the

time. Data on sewage overflows and manholes and Infiltration/Inflow will be available later on.

ADDITIONAL QUESTIONS & RECOMMENDATIONS

There will be another meeting of the 'Process Planning Group' to discuss this issue.

NEXT STEPS FOR EGS GROUP

There was consensus to change the name of the End Game Strategy Group to better reflect its purpose. The name offered and accepted was 'Process Planning Group'.

BEST MANAGEMENT PRACTICES EVALUATION PROJECT

Ron Stein told the group that TCEQ has secured about \$100,000 in 319 grant funds over the next two years to conduct an investigation of existing BMPs in the Houston Metro area to figure out what kinds of reductions in bacteria are being achieved. TCEQ is looking for an entity to take on this project and wants to know if the stakeholders know of someone willing to do this project, or if one of the stakeholder agencies would be willing, and this has to happen quickly. The Joint Task Force is doing something similar and this could be added on and include BMPs in addition to detention. Harris County Storm Water Quality representatives expressed interest and will explore the possibility of doing the project. This will be an inventory and a program for sampling and determining effectiveness.

DEVELOPMENT OF TMDL ALLOCATIONS

Dr. Hanadi Rifai distributed information materials for her presentation including a copy of the slide show, a paper on median flow analysis using contact and non-contact recreation criteria, allocation assumptions, and an analysis using output from the Buffalo and White Oak (this is the correct spelling) models. *If you do not have a copy of these materials, send your request to carl.masterson@h-gac.com.* Dr. Rifai reviewed the water quality standards for bacteria, the TMDL allocation equation and the individual factors that were put into the model (including the margin of safety) and the three allocation points – mouth of White Oak, mouth of Buffalo and Buffalo Bayou at Dairy Ashford Road (one equation for each allocation point). Wasteload allocation (WLA) sources include: wastewater treatment plant (WWTP) discharges, WWTP biosolids releases; wet weather loads due to exceeding capacity of the WWTP system; dry weather storm sewer discharges, storm water system discharges; wastewater collection/conveyance system leaks and overflows; and on-site septic systems. Load allocation (LA) sources (nonpoint source) include direct deposition into the bayous and stream sediment. In addition to the WLA and LA there is a 5% margin of safety (MOS) to account for future growth. All WLA will have an allocation number of 0 and the LA sources will have to have reductions in bacteria content. In this desk top effort, a reduction of 96% in both bayous is necessary to meet the contact recreation standard and 81% reduction in both bayous is necessary to meet the non-contact standard.

There were a number of points of discussion included: septic systems, sheet runoff flow that goes over the land directly to the bayous and doesn't go through a conveyance that would make it a point source (may be too small to consider, and we may not know the percentage – does this mean it is ignored? And if we don't know it we need to know we don't know it), the bacteria standard itself (a question TCEQ Standards staff would best answer), the average flows used in the model (average, high flow, safe flow), and the ability to ever meet the standards.

OBSERVER COMMENTS

Someone asked about the 80-20 split between non-human and human generated bacteria and when the final bacteria source tracking report would be available. Dr. Rifai responded that the

source tracking report would be included in the final report to TCEQ. That report will be made available through the H-GAC Web Site at www.h-gac.com/bacteriatmdl.

GUEST OBSERVER REQUEST

Jim Coody presented a written statement on behalf of the Greater Houston Builders Association. A copy of this statement is attached. There was no discussion following his presentation.

MEMBERSHIP ISSUES

Carl Masterson reviewed the current situation with the group - there are seven vacancies of the total 24 possible positions, there is a request by the Greater Houston Builders Association and that TCEQ has instructed the group to add the GHBA. Masterson recommended that the group evaluate all the existing vacancies and deliberate on which groups not now represented should be brought to the table as members of the stakeholder group. He reviewed the current makeup and balance of the group including definite and possible resignations. There followed some discussion emphasizing the importance of balance in representation and being able to achieve consensus and the concept of consensus itself. A subgroup was formed with Claire Caudill, Latrice Babin and Tom Ivey volunteering to serve and look at the membership gaps and make a list of groups who should be considered and bring this back to the full stakeholder group. This group agreed to meet quickly.

NEXT MEETING

It is anticipated that the next meeting may be in late September or early October.

ANNOUNCEMENT

Paul Jensen announced that at the end of the current contract PBS&J will not return as a subcontractor, due to conflict of philosophy.

ADJOURN

The meeting was adjourned at approximately 7:15PM.