

Meeting Summary
Buffalo & White Oak Bayous Bacteria TMDL Stakeholder Group

December 12, 2007

STAKEHOLDERS PRESENT: Claire Caudill; Marilyn Christian; Catherine Elliott; Robert Hauch; Terry Hershey; Jason Iken; Steve Johnston; Trent Martin; Carol Ellinger; Michael Schaffer; Linda Pechacek; Todd Running; Brenda Thorne; Mary Ellen Whitworth;

STAKEHOLDERS ABSENT: Neil Bishop; Craig Bourgeois; Del Cannon (represented by Cathy McCoy); Tom Ivy; Linda Shead;

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

OTHERS PRESENT: Cindy Contreras (TPWD); Paul Jensen (PBS&J); Jennifer Davis (Parsons); Guyneth Williams (Houston); Dorene Hancock (Houston); Karen Atkinson (TCEQ Houston); Bob Adair (Construction Eco Services); Tony Bennett (TCB); Deborah January-Bevers (Center for Houston's Future); Lisa Groves (Houston); Phil Welp (Houston); Ceil Price (Houston); Linda Broach (TCEQ Houston); Nancy Sullins (TCB); Mark Lowry (TCB); Jeff Taebel (H-GAC); Maria Modelska (U of H);

WELCOME & INTRODUCTIONS

AGENDA REVIEW

There were no additions to the agenda.

ADOPTION OF OCTOBER 24, 2007 MEETING SUMMARY

The October meeting summary was still under development and will be sent to the group via email.

EXPECTATIONS FOR THIS MEETING:

Ron Stein, TCEQ, noted that as the stakeholders proceed to develop an implementation plan, certain requirements have to be met for TCEQ to approve the plan. There is no longer a limitation on the number of people who can participate in an implementation planning group but requirements still exist for achieving a balance of representation and open access of meetings and information (utilize H-GAC and TCEQ web sites) to the general public. It will be important to document the efforts to achieve balance and open access to show that earnest efforts were made. One lesson learned from the recent spate of public meetings for the Houston Metro and Lake Houston Bacteria TMDLs is that intense efforts don't always get the results anticipated. Mr. Stein encouraged the stakeholders to consider the large number of bacteria TMDLs and work toward a more inclusive Implementation Plan. He also noted that TCEQ's role will become more advisory than anything else.

WORKING GROUPS

M.J. Naquin and Carl Masterson then gave the group some basic ground rules and led discussion on how the stakeholders would be broken out into groups that would then begin to deliberate and arrive at recommendations for the structure of a Steering Committee – should it be large and encompass all bacteria TMDLs or should there be smaller groups in each watershed; potential organizations and participants in the implementation process (who else needs to be brought into the program); what are the challenges and issues that need to be resolved to achieve consensus on an Implementation Plan; and who should be named to any Steering Committee. The stakeholders then moved into their groups and began discussion. The support team was available to answer questions.

Following the group breakout session, everyone re-joined and each group presented their thoughts and recommendations. The results of the individual breakout sessions have been included with this report.

INDIVIDUAL GROUP RESULTS

Blue Group – initially consisted of stakeholders who represented various forms of business. (Michael Schaffer, Claire Caudill, Cathy McCoy, joined by Jeff Taebel, Jennifer Davis, Tina Peterson, Deborah January-Bevers).

Proposed Structure: Super large group for the entire area that coordinates TMDL for Metropolitan area, all jurisdictions; matrix – major entities: Harris County, Houston, HCFCD, representatives from each of the watersheds (certain % from each); cluster of neighborhood/environmental/government entities, business interests; different working groups that focus on different issues such as neighborhoods, commercial treatments, infrastructure; a large group would make some standards across the 8 metro bayous area; small expert groups that flesh out solutions:

Citizen Actions; Technical group for treatment & collection system; development practices such as Low Impact Development; onsite/structural BMPs; agriculture;

Who participates?: Harris County; Houston; HCFCD; TXDOT; Environmental interests (3); Business (3); citizens (3); From the TMDL watersheds = Brays (2); Buffalo/White Oak (3); Clear Creek (2); East Houston (2); Greens (2); Halls (2); Lake Houston (2); Sims (2) that contains 5 government, 5 business, 3 citizens/environmentalists and 2 agriculture reps.

Challenges/Issues: how to foster open discussion between different perspectives; reverse engineer – rather than the topic specific groups sending information to Steering Committee (SC), SC does strategic planning, create consensus and send to specific groups for refinement; bring outside experts to table to work with local groups to bring new ideas to play;

Constraints: bottom line is money – must consider the costs involved and how to fund new infrastructure requirements; the fear that requirements will be expensive and that cost effectiveness is unknown; make sure you have new ideas being brought to discussions.

Red Group - initially consisted of stakeholders who represented cities. (Jason Iken, Carol Ellinger, joined by Terry Hershey, Ceil Price, Dorene Hancock, Karen Atkinson, Paul Jensen, Brenda Thorne, Mark Lowry, Nancy Sullins, Phil Weldy).

Proposed Structure: Larger rather than smaller (1-3 SC) (group agreement) with representative membership with work groups of specialists (ad hoc).

Who participates?: Direct Users – recreational (kayak, canoe, wading kids) and drinking water government entities (cities, counties, river authorities); Indirect Users – birders, general public; Sources – identified in TMDL; Owners (?) – HCFCD, private property owners, ACE, Port of Houston, City of Houston (owns Lake Houston); Affected parties – PR/media; regulators; solution funders (may be related).

Challenges/Issues: Jurisdictions/authorities (overlapping, gaps); funding; Balance/focus (staying on target/priorities – group dynamics); converting brainstorm ideas into action; measurement - what to measure (quantitative/qualitative, incremental progress); size/geographic area/participants; public perception; source uncertainties; regulatory; population growth; consensus (not unanimity); water quality standards (changes);scientific uncertainty.

Constraints: regulatory/authority; funding (political/legislative); technology (cost of treatment); time; existing systems (political infrastructure); balancing flood damages with water quality; private property mind set.

Green Group - initially consisted of stakeholders who represented counties. (Marilyn Christian, Catherine Elliott, Cindy Contreras, Trent Martin, joined by Cindy Contreras, Jim Coody, Toni from TCB).

Proposed Structure: Large structure (limited resources; plan for whole area)

Who participates?: Greater Houston Builders Assoc.; Montgomery County Builders Assoc.; Bay Area Builders Assn; Ft. Bend County builders; Carry-over groups that are already involved; Government (Montgomery County officials; Conroe; cities, counties, subdivisions, civic groups, environmental groups environmental health; public health); Sand and gravel miners assoc.; MUDs; River Authority Assoc. of Water Board Directors; recreational users (Houston Paddlers Club); Texas Watch volunteer monitors; TCEQ representatives other than TMDL team

Challenges/Issues: travel to too many meetings; bacterial action plans being mandated; jurisdiction; finances; group too big to get work done; getting participation; distance to meetings.

Constraints: Educating new people; travel to too many meetings; how to disseminate information.

Yellow Group - initially consisted of stakeholders who represented fed, state or regional organizations. (Robert Hauch, Steven Johnston, Todd Running, joined by Guyneth Williams, Lisa Groves).

Proposed Structure: Regional approach to SC with work groups - Point Source (large & small wastewater treatment plants; Phase I and II storm water; industrial storm water; construction/developer; TCEQ) NPS Urban (citizen, non-profits; cities; counties; TCEQ); NPS Rural (Corps of Engineers; Ag producers; county reps; Texas State Soil & Water Conservation Board); Science/Technical Advisory (TCEQ; TMDL; U of H; Clean Rivers; Galveston Bay Estuary Program; Public Health; Clean Rivers Partners;); Education/Outreach (storm water – Harris County Watershed Protection; H-GAC, GBEP; Houston; Galveston Bay Foundation; Texas Watch; non-profits); Citizens/Watershed Work Groups – one representative of each watershed (citizens; non-profits).

Who participates?: also see proposed structure; Steering Committee – Implementers (Houston; Harris County; TxDOT; Small City (Phase II); Ag producer; developers/construction;

Corps of Engineers; Montgomery County; Galveston County; Brazoria County; Fort Bend County; Waller County; Chambers County; Liberty County); Interested Parties (citizens; non-profits; small wastewater; large wastewater); Resource Agencies (TPWD; TCEQ Region 12; TSSWCB; GBEP; Clean Rivers; GCWDA; USFWS); Academic (U of H; Rice; Texas A&M)

Challenges/Issues: who is running the SC? Funding; participation from public; accountability (monitoring success)

Constraints: Technical knowledge

Purple Group - initially consisted of stakeholders who represented conservation organizations. (ME Whitworth, Linda Pechacek, joined by Linda Broach & Bob Adair).

Proposed Structure: Largish SC - include other watersheds as much as feasible; SC 25 or less; Work Groups – Education/Outreach; Science (bacteria, sediment dynamics); Point Sources; Storm Water – wet weather point sources; NPS; BMPs; Policy – political (driving change) & regulatory (standards; EPA)

Who participates?: permit holders; (e.g. WWTP, TCEQ MS4 Phase I & II, general permit holders, cities, MUDs); cities; counties; developers/builders; environmental groups; engineers/technical/scientific/civil; facilitator; process manager; great communicator/

Challenges/Issues: participation low; complexity (bacteria dynamics & risk); funding; social/political differences in goals; magnitude of problem;

Constraints: scientific uncertainties plus all of the challenges/issues.

NEXT STEPS

M.J. Naquin thanked all of the participants, noting that all contributed. She asked if the identifying of resources that the Steering Committee might need should be postponed until the next meeting and all agreed. Ron Stein asked if he could have 30 minutes at the next meeting to bring the group up to date on the BMP work being done by U. of Houston and all agreed. A list of elements that must be addressed by the work groups for the implementation plan was distributed. The next meeting will be scheduled for January 2008.

MEMBERSHIP

There were no membership issues – these will be covered as discussion go forward on the implementation planning. The next meeting will be scheduled for January 2008.

ADJOURN

The meeting was adjourned at approximately 6:40 PM.