

## **STAKEHOLDER COMMITTEE MEETING MINUTES - Final**

A meeting of the Stakeholder committee was held as follows:

### **MEETING INFORMATION**

Meeting Date and Time: **Wednesday, February 16, 2005, at 6:00 pm**

Meeting Location: **Oak Hill United Methodist Church**, located at 7815 Hwy 290 West, Austin, Texas 78736, on the south side of Hwy 290, west of the Y in Oak Hill, and opposite to the entrance to the ACC Pinnacle Campus, in Travis County, Texas.

### **ATTENDEES**

<b>Present</b>	<b>Member</b>	<b>Present</b>	<b>Member</b>
<b>X</b>	Andrew Backus		Bryan Jordan
<b>X</b>	Jon Beall	<b>X</b>	Gene Lowenthal
	Alan Bojorquez	<b>X</b>	Nancy McClintock
<b>X</b>	Robert (Robbie) Botto	<b>X</b>	Charles O' Dell
<b>X</b>	Henry Brooks	<b>X</b>	Jim Phillips
	S. Tim Casey		Randy Robinson
<b>X</b>	Colin Clark	<b>X</b>	Hank Smith
<b>X</b>	Joe C. Day	<b>X</b>	J. T. Stewart
<b>X</b>	Karen Ford	<b>X</b>	Donna Tiemann
	David Fowler		David Venhuizen
<b>X</b>	Mark Gentle		Michael Waite
<b>X</b>	Karen Hadden	<b>X</b>	Hugh Winkler
<b>X</b>	Rebecca Hudson	<b>X</b>	Ira Yates
<b>X</b>	Charles Johnson		
<b>Present</b>	<b>Alternate</b>	<b>Present</b>	<b>Alternate</b>
<b>X</b>	Jack Goodman		Chris Risher
<b>X</b>	Dana Blanton	<b>X</b>	S.H. (Tary) Snyder
<b>X</b>	Carlotta McLean	<b>X</b>	Randall Thomas
<b>X</b>	Bret Raymis		
<b>Present</b>	<b>Staff/Consultants</b>	<b>Present</b>	<b>Staff/Consultants</b>
<b>X</b>	Terry Tull – Executive Director	<b>X</b>	Tom Brown – NEI
<b>X</b>	Grant Jackson – NEI	<b>X</b>	David Fusilier – NEI

**[TABLE BELOW IS FROM 2/16/05 MEETING AGENDA DOCUMENT]**

**AGENDA - for the February 16, 2005 Stakeholder Committee Meeting:**

<b>Time</b>	<b>Activity</b>
6:00 pm	Convene Stakeholder Committee Meeting, Opening Remarks, Roll Call – Terry Tull.
6:05 pm	Open Public Comment.
6:10 pm	Discussion and Action to approve Minutes of the February 2, 2005 Stakeholder Committee Meeting – Terry Tull <b>(See attachment 1)</b> .
6:15 pm	Review, Discuss and Approve Updated Project Schedule and Milestones – Terry Tull/NEI <b>(See attachment 2)</b>
6:30 pm	Review and Discuss 2 <sup>nd</sup> Draft of Stakeholder Committee Preface to the Regional Water Quality Protection Plan – Terry Tull <b>(See attachment 3)</b> .
7:00 pm	Break
7:10 pm	Present the 5 <sup>th</sup> Draft Version of the Regional Water Quality Protection Plan - NEI <b>(See attachment 4)</b>
8:00 pm	Break
8:10 pm	Discuss the following issues as they relate to the 5 <sup>th</sup> Draft of the Regional Water Quality Protection Plan and provide input to the Consulting Team: <ul style="list-style-type: none"> <li>▪ Stream Buffer Zones</li> <li>▪ Transferable Development Rights (TDR)</li> <li>▪ Implementation Details</li> <li>▪ Economic Implications</li> </ul>
9:20 pm	Other Business (next meeting agenda, etc...)
9:30 pm	Adjourn

## **CALL TO ORDER**

Executive Director Terry Tull served as Coordinator. Coordinator Tull called the meeting to order at approximately 6:00 p.m. Mr. Tull performed a roll call of members present, as outlined in the table above.

### **1. Open Public Comment Period.**

Suzanne Pierce, a doctoral graduate student in Geological Sciences at The University of Texas at Austin Jackson School of Geosciences spoke to the SHC. Her announcement is summarized as follows:

A team of researchers at the University of Texas at Austin are looking at ways of creating tools that can enhance a stakeholder decision making process. Ms. Pierce presented information related to a request for stakeholder participation in the design and development of an interactive decision support tool that could possibly aid groundwater management practices. The tool is an integrated, systems model that is based on Texas Water Development Board Groundwater Availability Model (GAM) for hydrologic performance, linking GIS, and stakeholder preferences with a relational database. Her announcement ended with a request for any stakeholders interested in the simulation process to contact Terry Tull to confirm an interest in possible participation. As plans progress updates will be communicated to the stakeholder group.

It was requested by a SHC member that Ms. Pierce summarize what would be expected of potential participant (number of meetings, time involved, etc...) and forward this summary to Executive Director Tull so he could in turn distribute the information to the SHC members for their consideration.

### **2. Discussion and Approval of Meeting Minutes from the February 2, 2005 Stakeholder Committee Meeting (Meeting Attachments No. 1).**

Coordinator Tull stated that the minutes from the February 2, 2005 SHC meeting had been posted on the web site yesterday, 2/15/05. The SHC requested that this item be continued to the next SHC meeting in order to give the members adequate time to review the draft minutes.

### **3. Review, Discuss and Approve Updated Project Schedule and Milestones (Meeting Attachments Nos. 2a and 2b).**

Coordinator Tull and Grant Jackson/NEI presented the latest Project Schedule that showed the tentative dates of the remaining meetings.

Coordinator Tull stated that a meeting location for the SHC meeting tentatively scheduled for next week (Wednesday, February 23, 2005) had not been finalized, but that the Oak Hill UMC was not available. Coordinator Tull stated that he would let the SHC members know of the proposed meeting location as soon as possible.

Coordinator Tull also stated that due to schedule conflicts of some of the Executive and Core Committee members, he was attempting to reschedule the next EC/CC Meeting tentatively from Wednesday, March 9, 2005 to a date the following week. Coordinator Tull said that he had requested that the EC/CC members advise him on which dates were preferred from March 15, 16, and 17. SHC members pointed out that this was Spring Break week for most school children and some requested that the meeting be scheduled for another week.

#### **4. Review and Discussion of the Draft Stakeholder Committee Preface to the Regional Water Quality Protection Plan (Meeting Attachments No. 3).**

Coordinator Tull presented the 2<sup>nd</sup> draft of the SHC Preface to The Plan. Coordinator Tull again stated that the intent of the preface was to summarize the message that the SHC believes will be important for the EC/CC to consider.

SHC members had the following comments on the current draft Preface:

- If we recommend set asides (natural areas, conservation areas, etc...) we should put that recommendation in the Preface (other SHC members recommended putting this into the Executive Summary);
- We should detail in the Preface, by the use of bullets, what the benefits are to adopting The Plan.
- We should not clutter up the Preface with a lot of details, let the details be outlined in the Executive Summary and The Plan itself.

Grant Jackson/NEI, asked if it would be acceptable for this draft Preface to be put into any subsequent draft of The Plan. The SHC members did not object to the inclusion of the latest draft Preface in the latest draft version of The Plan.

#### **5. Presentation of the 5<sup>th</sup> Draft of the Regional Water Quality Protection Plan (Meeting Attachments No. 6).**

Grant Jackson/NEI stated that the 5<sup>th</sup> Draft of the Regional Water Quality Protection Plan had been posted to the web site.

#### **6. Discussion of Issues Relating to the 5<sup>th</sup> Draft of the Regional Water Quality Protection Plan.**

Grant Jackson/NEI led the discussion of the 5<sup>th</sup> Draft of The Plan. The discussion focused on economic implications, transferable development rights (TDRs), implementation details, and stream buffer zones.

The SHC members were given an opportunity to comment on the issues. The comments received from the individual SHC members in attendance at the meeting are summarized below:

##### **General Comments**

- It may be a good idea to invite the Technical Review Committee (TRG) to the next SHC meeting, so they can help provide input on some portions of the plan.
- The unintended consequences of The Plan are a concern.
- The Plan does not include enough details on commercial development, including “Big Box” developments.

### Economic Implications

- Economic analysis needs to consider that there are current rules in place within the planning region (Cities of Austin, Dripping Springs, etc...; TCEQ; USFWS; LCRA; etc...).
- What are our current criteria to determine whether to incur a cost for implementation of The Plan. Who bears this cost? Need to address cost of infrastructure to serve new development.
- Would like the economic analysis to consider the loss of the use of Barton Springs.
- The Plan should state why we have not considered the infrastructure cost into the economic analysis, if we are not going to do so.
- The Plan should show the economic “savings” that result from limiting impervious cover and promoting more dense (clustered) developments (i.e., more density results in less infrastructure, therefore less infrastructure cost, etc...).
- We need to find a way to encourage commercial development, since commercial development helps the tax base.
- The City of Austin’s SOS ordinance has not negatively impacted property values. We should present a better picture of the value of the land. BMP costs are minor compared to other costs associated with the land.
- Local developers should be consulting to find out realistic numbers for the economic impacts.
- The costs for projected toll roads to be constructed in the Barton Creek watershed should be considered. Under their current planned, CAMPO (Capitol Metropolitan Planning Organization) will construct approximately \$1.5 billion worth of toll roads in the Barton Creek watershed.
- If money was used to purchase land currently earmarked for development, the costs for future infrastructure would be reduced.
- Buying up land currently set aside for future develops would push developments further out and increase the needs for roads and other infrastructure.
- Need to add information that quantifies the damages caused by the degradation of water quality (similar to how studies have quantified the damages caused by the degradation of air quality in the Big Bend area).

### **Economic Implications (cont.)**

- Need to quantify and summarize the cost of the various BMP approaches (e.g., structural vs. non-structural).
- How can we judge the cost of this Plan and its effect on affordable housing?

### **Implementation Details**

- The cost of implementation could be simulated by estimating the cost to a local government entity to implement the plan (e.g., Travis or Hays County). You could use current labor costs and estimate the number of staff members necessary to implement a program under The Plan. [one SHC member commented that this would be a very difficult undertaking; another commented that this would at least be an attempt to quantify the expected cost and could be used for comparison purposes].
- Local entities within the planning region will implement this plan differently. Until we get a unified approach in place, implementation will be fragmented.
- TDRs – Is there a problem with someone acquiring TDRs outside of another local governments jurisdiction (e.g., developing a project in City of Austin, and acquiring TDRs in Hays County)? How will The Plan control this?
- Has The Plan been written so that local entities can implement The Plan under current laws? [Grant Jackson/NEI – yes.]
- Cost of implementation would be more valuable if we had a variety of different scenarios.

### **Transferable Development Rights (TDRs)/ Impervious Cover**

- Table 10 (Recommended Impervious Cover Limits) – Add rows to Table 10 – inside “preferred conservation areas”.
- Recommend defining “preferred conservation areas” as being inside the recharge zone. “Preferred development areas” should be defined as inside City Limits.
- Leave TDR methodology open-ended – The Plan should just define the basics (i.e., TDRs should follow the guiding principles, etc...).
- Have we, or are we going to, define “preferred conservation areas”?
- As Table 10 is currently drafted, Cities over the recharge zone will be severely limited on commercial development. We should increase the allowable impervious cover limits shown in the table (based on the 5<sup>th</sup> Draft version of the table). [another SHC member commented that higher impervious cover numbers will create densities that are too high and destroy the character of the Hill Country and degrade water quality.]

### **Transferable Development Rights (TDRs)/ Impervious Cover (cont.)**

- The ability of public officials to administer a “preferred conservation area” system is a “showstopper” issue.
- Plan does not adequately address construction on steep slopes.
- The risk of failure is from BMPs. The impervious cover table (Table 10 of 5<sup>th</sup> Draft) is the heart of The Plan.
- How about breaking out commercial developments in the table and give them their own impervious cover limits?
- The impervious cover table as drafted is pretty good, and already accommodates commercial development
- Maybe we could increase impervious cover numbers for commercial development inside “preferred growth areas”.
- The Plan should put in place recommendations to encourage environmentally sensitive developments (for parking lots, etc...).
- BMPs could be used to increase the allowable impervious cover limits allowed by The Plan.

### **Irrigation Areas as Impervious Cover**

- Grant Jackson/NEI – current input from SHC and TRG members has indicated that if a site specific analysis was conducted to determine proper irrigation rates and locations on a site, then it would be permissible to not count the irrigation area as impervious cover.
- Nothing is more labor intensive than the proper operation and maintenance of an irrigation system. Against not counting this area as impervious cover.
- The irrigation area should be deducted from the gross site area, prior to determining the impervious cover percentage.
- The 5<sup>th</sup> Draft includes the BMP areas as impervious cover. This area should not be considered impervious cover.
- Current TCEQ wastewater drip irrigation rules are inadequate.

## **NEW BUSINESS ITEMS**

### **1. Proposed February 23, 2005 Stakeholder Committee Meeting.**

Coordinator Tull stated that the meeting location for February 23, 2005 has not been finalized and that the he would notify the SHC when the location had been determined.

## **ADJOURNMENT**

The meeting was adjourned at approximately 10:00 pm.

## **APPROVAL**

These minutes were approved, with no changes, at the Stakeholder Committee meeting on March 2, 2005.