

Judge Jim Powers, Hays County
111 East San Antonio Street
San Marcos, Texas 78666

Mayor Todd Purcell, Dripping Springs
P.O. Box 384
Dripping Springs, Texas 78620

Councilmember Daryl Slusher, City of Austin
P.O. Box 1088
Austin, Texas 78767

May 22, 2003

Dear Local Official:

We, the undersigned, invite you to participate in a planning effort designed to develop implementable standards for protection of water quality within the Barton Springs watershed (the "Project"). This process will be a continuation of the discussions begun at the Regional Summit convened by Judge Powers and Councilmember Slusher on December 6, 2002.

The signatories have agreed to the following goals for this endeavor:

- a regional approach involving entities from both Hays and Travis counties must be used, with wide involvement of stakeholders and the public;
- the process must have a reasonable probability of leading to implementable ordinances or rules to be adopted by entities having jurisdiction within the study area;
- the entities that could enact those ordinances or rules must be involved, the goal would be to reach consensus on water quality protection measures; and
- there must be a reasonable likelihood that at the end of the process U. S. Fish and Wildlife Service (FWS), and other regulatory agencies if appropriate, would sign off on any such enacted ordinances as providing sufficient protection for the Barton Springs salamander.
- The effort should also focus on voluntary, cooperative regional approaches that will lead to water quality and water quantity protection.

We believe that these are acceptable guidelines and wish to convene a core group to finalize the approach and establish the administrative details of how this effort would move forward.

It is our belief that entities that have regulatory authority to enact ordinances or rules governing activities within the regional area will comprise the Core Committee. This will include Hays County, Travis County, the City of Dripping Springs, Buda, the Barton Springs Edwards Aquifer Conservation District, the Hays Trinity Groundwater District, and the City of Austin, among others. This planning effort will be focused on the communities and governing entities within the Barton Springs watershed, and will not include the entirety of Hays and Travis counties.

All other non-governmental entities or individual members of the public wishing to participate would do so as members of one or more Stakeholders Committees, and would serve in an advisory role. Broad public participation will be encouraged and is considered essential to a successful plan.

We propose the following organizational structure:

The creation of three committees, namely; the Executive Committee, the Core Committee and the Stakeholders Committee. Each committee shall be proscribed the following rights and duties:

Executive Committee

The Executive Committee shall be composed of three members: the Hays County Commissioners Court representative, the Austin City Council representative and the Dripping Springs City Council representative. The principal duties of the Executive Committee shall be to (i) identify and create the membership of the Core Committee, (ii) appoint a facilitator of the Project who will serve at the pleasure of the Executive Committee, (iii) appoint an administrative body for the Project, (iv) oversee the progress of the Core Committee, and (v) recommend the implementation of ordinances to their respective governing bodies

The Executive Committee is charged with the duty of shepherding the Project to completion and thus will have the authority to schedule, set deadlines and other powers to keep the process moving forward.

Core Committee

The Core Committee shall be comprised of members whose governmental organizations have ordinance powers or rule making authority over the regional area or other forms of governmental responsibility. The facilitator appointed by the Executive Committee shall be the presiding officer of the Core Committee. The initial principle duties shall be to develop a scope of work designed to achieve the goals of the Project and hold public meetings to gather input from Stakeholders and others affected by the proposed ordinances. This Core Committee will recommend to the Executive Committee qualified consultants to assist in the Project. The Core Committee shall also define criteria for membership in the Stakeholder Committee to insure adequate representation. In later stages of the Project, it is envisioned that the Core Committee will consider information gathered from staff and various stakeholders, then work with the Executive Committee to help develop and recommend implementable ordinances. Further responsibilities of the core committee will be discussed when it is convened.

Stakeholder Committee

The Stakeholder Committee shall be made up of those persons or entities with a substantial interest or concern in the future of the area and/or citizens who will be

substantially affected by actions of the Project. The Stakeholder Committee shall be a forum through which those persons or entities may voice their opinions and concerns and offer suggestions. The overall process goal would be to insure that all interested parties are represented and aware of the process.

In order to implement the Project, the Executive and Core Committees will work through three (3) phases:

Phase 1- The Executive Committee will identify and convene the Core Committee whose task will be to develop an approach for a regional plan. Further discussion of core committee composition can occur once it is convened by the Executive Committee.

Phase 2 – The Core Committee will discuss the process for choosing a qualified consultant(s) to develop a scope of work designed to achieve the goals of the Project. The Core Committee will recommend a qualified consultant to carry out this task. The consultant's efforts would include the involvement of the Stakeholder Committee, including groups or individuals who desire to participate and have input through individual work activities, public meetings, and other forums yet to be decided.

Phase 3 – Execute the agreed upon scope of work through the Executive Committee. Preliminarily, this scope would include development of draft ordinances, rules and/or guidelines for use and adoption by entities having jurisdiction within the study area and other suggested approaches for protecting water quality and water quantity.

The City of Dripping Springs will serve as the administrative body of the Project. Additionally, the facilitator chosen by the executive committee will manage the day-to-day affairs of the Project and work with the administrative body. The City of Dripping Springs will have no special status conferred on it by performing the function of administrative body. The Executive Committee will make all fiscal decisions with the input of the Core Committee.

The LCRA has agreed to fund a portion of the costs of this effort. We suggest that up to \$25,000 of the \$100,000 offered by LCRA be used to fund the scoping effort (Phase 2) that would be designed to lay out the ground rules for stakeholder participation, control of the process, goals, etc. The \$75,000 remainder would be reserved for the actual planning effort.

As one might imagine, the funding offered by LCRA will likely be insufficient to perform the tasks that will be required if a reasonable chance of success is to be expected. Therefore, Phase 2 would include a significant fund raising effort wherein both cash and in-kind services from participating entities would be sought and expected.


We have discussed this approach and agree that it would have the support of our governing entities. We further agree to work in good faith to adopt rules consistent with the results of the planning process for the common good of the regional area. Each entity would have the right to review and modify any ordinances or rules to fit their respective jurisdictional area although the goal is that agreement will be reached on a common approach to protection of water resources.

The goal of this effort is to see if we as a region can approach a common problem in an open and forthright manner in the hope that we can partner on a successful solution.

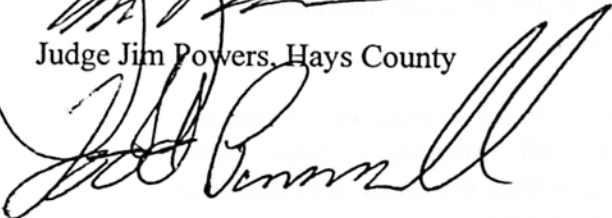
Therefore, we invite you to begin this process by participating on the Phase 1 meeting to be held at Dripping Springs City Hall, Dripping Springs, Texas on June 17, 2003 from 1:30 p.m. until 4:30 p.m. Dripping Springs City Hall is located at 550 East Highway 290 West.

Please RSVP to Ginger Faught, City of Dripping Springs, (512) 858-4725 or email at dscityhall@zeecon.com.

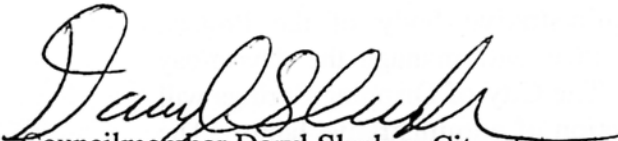
Sincerely,



Judge Jim Powers, Hays County



Mayor Todd Purcell, Dripping Springs



Councilmember Daryl Slusher, City of Austin

Xc: File

Enclosure: Map

Participation Letter.doc