

STAKEHOLDER COMMITTEE MEETING MINUTES - draft

A meeting of the Stakeholder committee was held as follows:

MEETING INFORMATION

Meeting Date and Time: **Wednesday, February 2, 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

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

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

AGENDA - for the February 2, 2005 Stakeholder Committee Meeting:

Time	Activity
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 January 11, 2005, January 19, 2005, and January 26, 2005 Stakeholder Committee Meetings – Terry Tull (See attachments 1, 2 and 3).
6:15 pm	Review and Discuss Draft Stakeholder Committee Preface to the Regional Water Quality Protection Plan – Terry Tull (See attachment 4).
6:45 pm	Review, Discuss and Approve Updated Project Schedule and Milestones – Terry Tull/NEI (See attachment 5)
6:55 pm	Present the 4 th Draft Version of the Regional Water Quality Protection Plan - NEI (See attachment 6)
7:40 pm	Break
7:50 pm	Discuss the following issues as they relate the 4 th Draft of the Regional Water Quality Protection Plan and provide input to the Consulting Team: <ul style="list-style-type: none"> ▪ Performance Measures ▪ Implementation Details ▪ Economic Implications
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.

No comments were made during the Open Public Comment Period.

2. Discussion and consensus Approval of Meeting Minutes from the January 11, 2005, January 19, 2005, and January 26, 2005 Stakeholder Committee Meeting (Meeting Attachments No. 1, 2, and 3).

Coordinator Tull stated that the minutes from these three meetings had been posted on the web site, and asked if anyone had any suggested changes for the meeting minutes. No changes were suggested. The minutes were approved by consensus.

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

Coordinator Tull presented a three page handout of a draft of the preface for The Plan. Coordinator Tull 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. Coordinator Tull requested that the SHC members review this preface and be ready to discuss and offer suggestion at the meeting on Wednesday, February 9 2005. It was requested that the SHC members e-mail suggestions if they were going to be unable to attend the meeting.

4. Review, Discuss and Approve Updated Project Schedule and Milestones (Meeting Attachment No. 5).

Coordinator Tull stated that Grant Jackson/NEI had requested that the next SHC Meeting scheduled for Wednesday, February 9, 2005 be postponed until Wednesday, February 16, 2005 in order to give the Consulting Team additional time to incorporate changes necessitated by SHC and TRG comments, and to complete, as much as possible, the entire plan. Mr. Jackson stated that the Consulting Team proposed that the next draft of The Plan would be posted to the web site by the end of the day, Friday, February 11, 2005.

Coordinator Tull suggested that the full SHC meet on Wednesday, February 9, 2005 to work on the SHC Preface for The Plan.

Coordinator Tull also stated that it was his intent to request of the Executive and Core Committees that the EC/CC Meeting currently scheduled for February 23, 2005 (presentation of The Plan to the EC/CC) be postponed until Wednesday, March 9, 2005. Coordinator Tull said that this request had not yet been made to the EC/CC, because he wanted to be sure that the SHC was in general agreement with this schedule prior to making the request.

After a brief discussion, the SHC agreed to the schedule outlined above.

5. Presentation of the 4th Draft of the Regional Water Quality Protection Plan (Meeting Attachments No. 6).

Grant Jackson/NEI stated that the 4th Draft of the Regional Water Quality Protection Plan had been posted to the web site. Mr. Jackson distributed a six page handout that provided additional details on buffer zones, impervious cover limits, and mitigation with respect to the current draft of the plan

6. Discussion of Issues Relating to the 4th Draft of the Regional Water Quality Protection Plan.

Grant Jackson/NEI led the discussion of the 4th Draft of The Plan. The discussion focused on buffer zones, impervious cover, and mitigation.

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:

Buffer Zones [Stream Offsets/Buffer Zones section, including Table 1]

- Consensus at the last meeting was to offset the buffer zone from the stream centerline. Need to clarify in the Stream Offsets/Buffer Zones section in The Plan that this is the basis for the stream offsets.
- Why is the minimum contributing drainage area for establishing buffer zones based on 5 acres? Why does off-site contributing drainage areas of less than 5 acres matter, but not on-site contributing areas of less than 5 acres?
- It was unclear to several of the SHC members that the buffer zone widths specified in Table 1 were total width of the buffer zone centered on the stream, and not an offset from the centerline [e.g., for a contributing drainage area of 120-300 acres, the 150 feet width specified in Table 1, means an offset of 75 feet from the centerline of the stream]. It was requested that this fact be clarified.
- SHC consensus was to approve eliminating the first line of Table 1 (for contributing areas “Up to 5 acres from off-site”. The SHC deemed it impractical to establish contributing drainage areas of less than 5 acres.
- What is the science behind these numbers?
- [Grant Jackson/NEI stated that the Consulting Team would review the basis for the current stream buffer zone requirements and report back to the SHC at the next meeting. Draft #5 would also be updated to include the latest recommendation from the Consulting Team. The Consulting Team may also consult with members of the TRG on this issue.]

Impervious Cover Limits [Table 2 from handout (updated for inclusion in The Plan)]

- Where did we get the idea of no professional review? There should always be a professional review. [After a discussion by the SHC, the consensus of the group was to eliminate the second column of Table 2 (Max. Impervious Cover (%) – with TDR & No. Prof. Review)].
- BMP Removal Efficiencies. Does the current plan set the numbers for BMP removal efficiencies? [Grant Jackson/NEI – no]. Experts say not to use set removal efficiencies. How will the engineer design his system? How does The Plan provide guidance on this issue? What will keep one local entity in the planning region from doing something different than everyone else? How are we going to resolve this?
- We should embrace the “smart growth” concept, some of which is already in the plan (like TDRs, the notion of preferred growth areas, etc...). Clustering development on a regional level is a good idea that should be encouraged. TDRs should be a “one-way” street – landowners outside the preferred growth areas sell TDRs to developers inside preferred growth areas.
- The Plan should limit (some said prohibit) the ability to trade up if you are outside the preferred growth areas.
- Table 2 – for the first two rows, the impervious cover limits should be the same across the row (i.e., for the Recharge Zone – the impervious cover limit should be the same in each column [No TDRs & TDRs w/ Prof. Review]).
- For column 3, recommend the following limits (1st row – 15%, 2nd row – 20%, 3rd row – 25%).
- For column 3, recommend the following limits (1st row – 15%, 2nd row – 30%, 3rd row – 45%). We want very little risk in the recharge zone
- For column 1, use 10% in all the rows. Why should the impervious cover limits be any different for the recharge zone vs. contributing zone? What is the justification for this?
- For the TDR example given (at the bottom of page 4 of the handout), it should be clarified whether this is for the recharge zone or contributing zone. [Grant Jackson – the example is for the Contributing Zone].
- Would like to see direction from the SHC as to why they think that preferred growth areas are a good idea. What are the criteria of the preferred growth areas? Also, would like to see something on public policy guidance on this subject
- How are we going to define preferred growth areas? [Grant Jackson/NEI – someone, or some entity outside the current planning process would do that.]. The Plan should at least define the concept and give some guidance for establishing preferred growth areas.
- We should encourage entities (like the City of Austin) to “sell” preferred growth land (outside the current planning region) in exchange for not developing land on the recharge zone.
- [Grant Jackson – TDRs are in the plan to address the equity issue.]

- Let Cities be flexible in establishing maximum impervious cover limits within the preferred growth areas.
- Current plan will encourage “big box” developments, since small developers (“Mom & Pop” stores) will be unable to afford to develop with the impervious cover limits set by the current plan.
- Why is irrigation area considered impervious cover? What is the science behind this issue? This requirement forces you to keep the irrigation area as small as possible, and also discourages the use of irrigation altogether.

Mitigation

- The concept of mitigation was discussed by the SHC in terms Transferable Development Rights (TDRs). This discussion was included in the discussion on impervious cover limits. Please see above summary on impervious cover limits.

NEW BUSINESS ITEMS

1. Proposed February 9, 2005 Stakeholder Committee Meeting.

Coordinator Tull, at the suggestion of Grant Jackson/NEI, proposed that the SHC meet on Wednesday, February 16, 2005 to discuss the 5th Draft of The Plan. To allow the Consulting Team more time to work on The Plan, Grant Jackson suggested that the NEI Team skip any meeting scheduled for Wednesday, February 9, 2005. Coordinator Tull suggested that the SHC meet on February 9, 2005 to work on the SHC Preface to The Plan. After a show of hands, it was decided that the next SHC Meeting would be a Workshop held on Wednesday, February 9, 2005 to discuss the Preface to The Plan (w/o the NEI Team present), and that the SHC would then meet again on Wednesday, February 16, 2005.

2. New Draft of Regional Water Quality Protection Plan

Grant Jackson of NEI stated that the 5th Draft of the Regional Water Quality Protection Plan would be posted by the end of the day, Friday, February 11, 2005.

ADJOURNMENT

The meeting was adjourned at approximately 10:00 pm.

APPROVAL

These minutes were approved, with no changes, at the Stakeholder Committee meeting on _____.