

STAKEHOLDER COMMITTEE MEETING MINUTES - draft

A meeting of the Stakeholder committee was held as follows:

MEETING INFORMATION

Meeting Date and Time: **September 15, 2004, at 6:00 pm**

Meeting Location: Oak Hill United Methodist Church, 7815 U.S. Highway 290 West, Austin, Travis County, Texas 78736.

ATTENDEES

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

OPTIONAL - Informal Roundtable Discussion on Water Quality Planning Goals and Objectives:

Prior to the official Stakeholder Committee Meeting an optional, informal Roundtable Discussion on Water Quality Planning Goals and Objectives Within the Planning Region was convened at approximately 5:15 pm. This roundtable discussion was open to all interested stakeholders. The guest speaker was Dr. Michael Barrett from The University of Texas at Austin Center for Research in Water Resources. Dr. Barrett’s research interests are focused on the quality, impacts, and mitigation of urban, agricultural, and construction site stormwater runoff and he has conducted numerous studies nationwide on this subject. The informal roundtable discussion was ended at approximately 5:55 pm.

CALL TO ORDER

Executive Director Terry Tull served as Coordinator for the meeting, and Grant Jackson of the NEI Consulting Team served as the Secretary for the meeting. Coordinator Tull called the meeting to order at approximately 6:05 p.m. Mr. Tull performed a roll call of members present, as outlined in the table above.

AGENDA ITEMS

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 August 18, 2004 Stakeholder Committee Meeting – Terry Tull (See attachment 1)
6:20 pm	Discussion and Action to approve Minutes of August 26, 2004 Process Subcommittee, including Subcommittee’s recommendations - Terry Tull (See attachment 2)
6:30 pm	Review and Discuss Draft Presentation of the Goals and Objectives for the Regional Water Quality Protection Plan – NEI (See attachment 3)
7:30 pm	Break
7:40 pm	Review and Discuss Draft Presentation of the Goals and Objectives for the Regional Water Quality Protection Plan (Continued)
8:00 pm	Review and Discuss Updated Project Schedule and Milestones – presentation and discussion of current project schedule - NEI (See attachment 4)
8:20 pm	Review and Discuss Draft “Areas of Focus” for the Regional Water Quality Protection Plan – NEI (See attachment 5)
8:45 pm	Other Business (next meeting agenda, etc...)
8:55 pm	Break
9:05 pm	Presentation on Governmental Authority Matrix with Discussion of gaps and overlaps – NEI (See attachment 6)
9:20 pm	Presentation on Technical Bibliography – discussion of proposed bibliography (See attachment 7)
9:30 pm	Adjourn

1. Open Public Comment Period.

Mr. Ron Fiesler of the Blanco-Pedernales Groundwater District was introduced by Coordinator Tull. Mr. Fiesler stated that a small portion of the planning area extends into the District's boundary. As a result, he would continue to attend meetings and participate as a stakeholder.

2. Discussion and Action to Approve Minutes from the August 18, 2004 Stakeholder Committee Meeting (Meeting Attachment No. 1).

Coordinator Tull reviewed the previously posted copies of the minutes from the August 18, 2004 Stakeholder Committee (SHC) Meeting. The minutes were approved by consensus with no changes.

3. Discussion and Action to Approve Minutes from July 26, 2004 Schedule Review Subcommittee Meeting (Meeting Attachment No. 2).

Coordinator Tull reviewed the previously posted copies of the minutes from the July 26, 2004 Schedule Review Subcommittee Meeting. The minutes were approved by consensus, with the addition of the "Standard Operating Procedure for Achieving Consensus" document.

4. Review and Discussion of Draft "Goals and Objectives for the Regional Water Quality Protection Plan" document presented by the NEI Consulting Team (Meeting Attachment No. 3).

Prior to the discussion of the Draft "Goals and Objective for the Regional Water Quality Plan" Coordinator Tull distributed two handouts: (1) excerpts from selected documents relating to the Regional Water Quality Plan; and, (2) "Section 4.0 – Work Statement and Technical Specifications" from the project's RFP. Mr. Tull summarized the handouts and let the SHC members know they were provided by the Executive Director as an FYI.

Tom Brown with NEI introduced the Draft "Goals and Objectives for the Regional Water Quality Plan" document. Mr. Brown emphasized that the goal of this planning process is to produce an "implementable plan". Mr. Brown then read the goal statement from the draft document.

Grant Jackson with NEI completed the initial review of the document by reading the six objective statements included in the document, and providing brief explanations on the rationale behind each objective.

Each member of the SHC was then asked to provide their comments on the document. The comments were requested by the eight SHC groups. The comments are summarized as follows:

Development Interests

- How do you determine what is legitimate research and data, and what is not?
- Objective #2 (*What standards do we apply?*) – The range of data will lead to it being difficult to say exactly what the baseline water quality is.
- Objective #2 (*What standards do we apply?*) - How define the standards without spending lots of money?
- Objective #5 (*What new measures are needed?*) – The phrasing appears to assume that new measures are needed, but that has not yet been determined.

Public Interest Organizations

- Goal Statement - had problems with the use of the word “impair” in the goal statement.
- Goal Statement - Water quality definition should include stormwater runoff rate and volume.
- Objective #2 (*What standards do we apply?*) – in Bullet #4 include aquatic species. Also, how about damage due to increased runoff (volume and rate). How about the dissolved substances? Should we add a reference to the salamander?
- Objective #5 (*What new measures are needed?*) – Bullet #2 should include opportunities to protect vacant land (finance open space).
- Objective #5 (*What new measures are needed?*) – the thrust appears to be BMPs. The best way to protect water quality is to leave land undeveloped.
- Objective #5 (*What new measures are needed?*) – revise wording to state “...additional structural and non-structural BMPs, including land preservation, for the...”.
- For establishing existing water quality, USGS Barton Springs/Barton Creek data should be reviewed.
- Objective #6 (*What is our strategy for action?*) – Bullet #5 – recommend looking at CAMPO monitoring results.
- Clarify what is meant by “resources” (water quality, wildlife & environment).

Local Environmental Preservation/Good Governance Groups

- What type of safety factor is going to be used in developing the plan?
- Goal Statement - Cite sources for using the word “impair”, or provide a definition.
- Objective #1 (*What Causes Water Quality Problems?*) – Assume that threats to water quality will be ranked [Grant Jackson – they will more than likely be ranked in terms of low, medium, and high].
- Objective #2 (*What standards do we apply?*) – modify to include impact due to increased runoff volume and rate.
- Objective #3 (*Who can act?*) – revise to state “...capable of implementing, monitoring, and enforcing...”.
- Objective #5 (*What new measures are needed?*) – why use the word “substantially”. If it is used, recommend defining this word and where it came from.
- Objective #6 (*What is our strategy for action?*) – in the objective statement, why should we state “...(1) enforce existing water quality protection measures...”? Shouldn’t this already be happening?

Government Entities

- Goal Statement – revise to say “...physical and chemical properties...”.
- Goal Statement – have a problem with the use of the word “impair” – suggested using “preserve and protect” instead. Recommend we add the Executive Committee’s definition of water quality.
- Goal Statement – substitute the words “water quality” for “the physical properties”.
- Objective #2 (*What standards do we apply?*) – Does the use of the word “environment” in Bullet #4 include wildlife? [Grant Jackson – Yes. The term “environment” includes wildlife, aquatic species, etc...] Shouldn’t we be more specific?
- Objective #3 (*Who can act?*) – Bullet #3 – revise to state “...currently authorized, including possibly establishing...”.
- Can we address runoff rates and volumes? [Grant Jackson – Yes.] We should incorporate some wording to address this issue.

Neighborhood Interests

- Goal Statement – the 303(d) definition does not include groundwater.
- Goal Statement – be specific on what “impair” means.
- Goal Statement - the word “impair” is not used correctly.
- Give us definitions for the use of the terms “impair” (Goal Statement) and “substantially” (Objective #5).
- Objective #5 (*What new measures are needed?*) - Use of the word “substantially” indicates we could reduce baseline water quality.
- Recommend we use Executive Committee’s goal statement.
- Other than “impair” and “substantially”, are there any more regulatory “loaded” terms [Grant Jackson – that is not our intention].
- Expand definition of “development” to include land use.

Concerned Citizens

- Disagree with Dr. Barrett’s comments in the roundtable discussion that monitoring is not possible or necessary.
- Goal Statement – instead of using the term “impair”, use “no change” or “no net change”.
- Objective # 6 (*What is our Strategy for Action?*) – This is a good objective, particularly last two bullets.
- Incorporate ISO 9000 concept of closed loop (e.g., monitoring, analysis, action) [Grant Jackson – FYI ISO 14000 covers environmental matters].
- Good data is out there.
- Need a bottom-line goal for the plan.
- What about the cumulative impact?
- We need to define what “not impair” means.
- Is there any thought of establishing an analysis of economic development?
- Objectives 3 & 4 seem to say” let’s see what we can do; better would be to decide what you need to do, then do it.
- Relate “effectiveness” and “success” to the vulnerability of the BMP.
- What is the role of enforcement?
- Look at what Envision Central Texas is doing. If the Regional Water Quality Plan ties in with the Envision Central Texas plan, it would be a good thing.

Property Owners/Agricultural Interests

- Goal Statement – add Executive Committee definition of water quality and amplify the definition of “hydrological regime”.
- Goal Statement – revise to state “... and future development, and land use, and land management, does not...”.
- Objective #5 (*What new measures are needed?*) – Revise title of objective to state “What new measures, policies, & initiatives are needed?”.
- Objective #5 (*What new measures are needed?*) – Pull out “non-structural BMPs” as a separate objective.
- What can we do to encourage conservation, land set asides, etc...? What policies and measures could we employ to enhance and preserve the value of preserved land?
- Concerned about the cumulative affects – goal should be “non-degradation”.
- Create a commodity to be traded [e.g., allocate a certain amount of impervious cover and let it be “traded”].
- Objective #6 – Give more emphasis to “voluntary actions”.
- Consider a separate objective for “Management of Open Space”

- Objective #5 – Need to identify public rules/policies that are counter to our aims (for example: lower bond rates for MUDs which encourage development that fails to adequately protect groundwater)

Economic Interests

- Water quality is directly related to water quantity.
- Look at establishing a “banking” system (talk with Carolyn Vogel).
- Water quantity is a big issues. Particularly groundwater.
- Government tax dollars are supplemented by commercial land property taxes. Concerned that homeowners will be burdened by increased taxes. Need to encourage commercial growth to help carry the tax burden.
- Provide incentives.
- Trinity Aquifer cannot recharge fast enough to supply present demands. We should be concerned about cross-contamination of the aquifers and include the Trinity Aquifer in our planning

Miscellaneous comments not attributed to any particular group

- Goal Statement – revise to state “...that protects resources and manages...”.
- Goal Statement – revise to state “...that preserves, protects, and enhances resources, and manages...”.

5. Review and Discussion of Updated - Proposed Project Schedule and Milestones (Meeting Attachment No. 4).

Grant Jackson referred to the schedule posted as meeting attachment no. 4 on the planning project’s web site. Mr. Jackson stated that review time for the SHC had been included in the schedule and that the schedule would be updated on an as-needed basis.

6. Review and Discussion of Draft “Areas of Focus” for the Regional Water Quality Protection Plan (Meeting Attachment No. 5).

Grant Jackson reviewed this draft document. Mr. Jackson indicated that this was a first cut at a table of contents for the regional water quality plan. Mr. Jackson solicited comments from the SHC members. Comments received from the SHC members are summarized as follows:

Watershed Management/Water Quality Protection Measures

- Add “land acquisition for water quality protection”.
- Bullet #8 – some water quality protection measures may be mandatory, not voluntary.

Economic Implications

- Add bullet - “Value of preserved land & land adjacent to preserved land”.
- Add bullet – “Value of land next to impaired creek”.
- Add bullet – “Cost to government to add 10,000 homes”.

7. Review and Discussion of Updated – Governmental Authority Matrix (Meeting Attachment No. 6).

Grant Jackson informed the SHC that the latest, updated Governmental Authority Matrix had been posted on the web site.

8. Review and Discussion of Updated - Technical information bibliography (Meeting Attachment No. 7).

Grant Jackson informed the SHC that the latest, updated bibliography had been posted on the web site.

9. Federal & State Regulatory Briefing Presentation (Meeting Attachment No. 8).

Grant Jackson stated that the Federal & State Regulatory Briefing Presentation has been posted on the web site and that the presentation may be of benefit to SHC members that are not intimately familiar with Federal & State regulations. In order to shorten the meeting time, Mr. Jackson recommended that SHC members review the presentation on their own time. Mr. Jackson stated that SHC members could contact him or Tom Brown if they had any questions or comments regarding the presentation.

NEW BUSINESS ITEMS

1. Proposed October 20, 2004 SHC Meeting

In accordance with the SHC approved schedule, Coordinator Tull proposed the next SHC meeting to be held on Wednesday, October 20, 2004. Mr. Tull stated that a draft agenda would be circulated to SHC members and that the SHC members should review the proposed agenda and provide their comments to him as soon as possible.

2. SHC Report to the Executive/Core Committee

In accordance with the policy developed by the Process Subcommittee and adopted by consensus by the SHC, Coordinator Tull stated that the Development Interest stakeholder group would be responsible for representing the SHC and reporting on the SHC's activities at the next Executive/Core Committee Meeting, currently scheduled for Wednesday, October 13, 2004.

ADJOURNMENT

The meeting was adjourned at approximately 9:30 pm.

Development of a Regional Water Quality Protection Plan for the Barton Springs Segment of the Edwards Aquifer and its Contributing Zone

APPROVAL

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

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