



ENVIRONMENTAL BOARD MEETING MINUTES, WEDNESDAY, October 19, 2011. The Environmental Board convened in a public hearing meeting on Wednesday, October 19, 2011, at City Hall Council Chambers. 301 W. Second Street, Austin, Texas 78701

Board Members in Attendance:

Bob Anderson, Robin Gary, Mary Gay Maxwell, Mary Ann Neely, Marisa Perales, James Schissler and Jennifer Walker

Staff in Attendance:

Jessica Wilson, Lee Lawson, Donna Galati, Mike McDougal, Chuck Lesniak, Robyn Smith, Bill Stauber, Mike Personet, Tias Perkins, Jean Drew, Teresa Lutes, Kathy Rock, Annick Beaudet, Greg Griffin, Joe Hoepken, Jason Bibel, K. Cole, and Marilla Shepherd.

Other guest present: Dr. Philip C. Bennett, the University of Texas at Austin.

CALL TO ORDER

Chair Mary Gay Maxwell called the meeting to order at 6:15 P.M.

1. CITIZEN COMMUNICATIONS: GENERAL

Speaker should sign up to speak prior to the meeting called to order; you will receive a three-minute allotment for concerns not posted on the agenda.

There were no citizens signed up to speak under item number 1, Citizens Communications.

- **Eric Deal signed up to speak on item 6a.**
- **Andrew Hawkins signed up to speak in opposition of item 7a.**
- **Roy Waley signed up to speak on items 6a and 6b.**
- **Bill Bunch signed up to speak in opposition to items 6a, 6b, and 7a.**

2. APPROVAL OF MINUTES AND ACTION ITEMS

- a. **Approve the minutes of the Environment Board regular meeting on September 21, 2011, and October 5, 2011.**
The minutes from the September 21, 2011, and the October 5, 2011, regular meetings were approved.
- b. **Officer elections.**
The following officers were elected for the Environmental Board:

- **Jim Schissler as Secretary of the Environmental Board motioned by Board member Bob Anderson and seconded by board member Jennifer Walker. [Vote 7-0]**
- **Robin Gary as Vice-Chair of the Environmental Board motioned by Board Member Bob Anderson and seconded by Board member Mary Ann Neely. [Vote 7-0]**
- **Mary Gay Maxwell as Chairman of the Environmental Board motioned by Board member Jennifer Walker and seconded by Board member Mary Ann Neely. [Vote 7-0]**

3. 10 MINUTES OF CONTINUING EDUCATION

- a. **Earth Camp Report – Jessica Wilson, Watershed Protection Department. This item was conducted as posted.**

4. PUBLIC HEARINGS POSTPONED FROM THE OCTOBER 5, 2011, REGULAR MEETING

- a. **Service Extension Request Foundation Retail Development - Lee Lawson Watershed Protection Department
The Environmental Board motioned to postpone Service Extension Request for Foundation Retail Development until the November 2, 2011, regular meeting. The Environmental Board requests more detailed information about 1704 requirements [Vote 7-0].**

5. PUBLIC HEARINGS

- a. **Name:** Draft Pick SPC-2011-0146A
Applicant: Weiss Architecture Inc. (Richard Weiss Agent)
Location: 1618 E. Riverside Drive
Staff Reviewer: Donna Galati, Planning and Development Review Department
Ordinance: Comprehensive Watershed Ordinance (Current Code).
Watershed: Town Lake Urban Watershed
Request: The applicant requests recommendation to Planning Commission of a conditional use permit for a restaurant with late hours. The existing restaurant Draft Pick is applying for a late-hours permit, to add 2 hours of operation to their business. Land Development Code section 25-2-808-C states that a late-hours permit is a Conditional Use Permit (a permit that requires approval by Planning Commission) if compatibility standards apply. There are single-family homes to the south, across from Riverside Dr., within 540 feet of the property, which triggers compatibility and a conditional use permit.
Land Development Code section 25-2-721, Waterfront Overlay Combining District Regulations, requires that the Land Use Commission request a recommendation from the Environmental Board before approving or denying a site plan.
There is no construction proposed with this application.

Recommendation: Recommended for consent approval.
The Environmental Board approved on consent. See attached motion.

- b. **Name:** Travis County Eastside Service Center SP-2008-0235D(R1)
Applicant: LAN Inc. Agent Julie Hastings
Location: 10700 FM 969
Staff Reviewer: Mike McDougal, Planning and Development Review Department
Ordinance: Comprehensive Watershed Ordinance (Current Code).
Watershed: Elm Creek Watershed (Suburban)
Request: 1. Land Development Code 25-8-392 -To allow construction in the Critical Water Quality Zone
2. Land Development Code 25-8-342 - To allow fill over 4 feet but not to exceed 8 feet.

Recommendation: Recommended for consent approval.
The Environmental Board approved on consent. See attachment.

6. SPECIAL BRIEFINGS AND POSSIBLE ACTION

- a. Presentation on the potential impacts of Jollyville Transmission Main shaft and tunnel excavation on springs of the Bull Creek Watershed, Dr. Philip C. Bennett – The University of Texas at Austin.
This item was conducted as posted. No action taken.
- b. Jollyville Transmission Main update from the Environmental Commissioning Team perspective – Chuck Lesniak, Watershed Protection Department
This item was conducted as posted. The Environmental Board voted on and forwarded a letter to the Mayor and City Council outlining their concerns about uncertainties surrounding the construction of the Jollyville Transmission Main portion of Water Treatment Plant 4. See attachment.

7. STAFF BRIEFINGS AND POSSIBLE ACTION

- a. Water Treatment Plant 4 Quarterly Reports – Bill Stauber, Austin Water Utility, Robyn Smith, Public Works Department, Thais Perkins, Watershed Protection Department.
This item conducted as posted.
- b. Briefing on the City of Austin Bike System how the trails connect to the bike system and how can the City of Austin improve air quality by increasing bike use - Annick Beaudet and Greg Griffin, Public Works Department
This item was pulled and will be re-scheduled.
- c. Briefing on the Annual Concession Report - Beverly Mendez and Robin Vietz, Parks and Recreation Department.
This item was pulled and will be re-scheduled.

8. OLD BUSINESS AND REPORTS

- 1) Update on the Joint Environmental/Parks Board Subcommittee – Mary Gay Maxwell, Mary Ann Neely, and Jennifer Walker.
Mary Ann Neely and Mary Gay Maxwell reported on this item.
- 2) Urban Growth Policy Committee – Mary Gay Maxwell, James Schissler, P. E., and Marisa Perales.
No report this week.
- 3) Water Treatment Plant #4 Committee – Mary Gay Maxwell, Chair, Bob Anderson, & Mary Ann Neely.
Mary Gay Maxwell reported on this item.
- 4) Development Committee – Bob Anderson, Chair, Mary Gay Maxwell & James Schissler
Bob Anderson reported on this item and a Development Committee meeting will be scheduled in 3 weeks.
- 5) Water Quality Regulations Committee – Mary Ann Neely, Chair, & Robin Gary.
No report this week.
- 6) Watershed Protection Budget Committee – Mary Gay Maxwell, & Bob Anderson.
No report this week.
- 7) Reports from Board representative to other committees.

9. NEW BUSINESS - Future agenda items

1. **Schedule Development Committee meeting.**
2. **Schedule Water Treatment Plant 4 Committee meeting.**

10. ADJOURNMENT – Meeting adjourned at 10:30 P. M.



ENVIRONMENTAL BOARD MOTION 101911-2b

Date: October 19, 2011

Subject: Officer Elections Environmental Board Chair

Motioned By: Jennifer Walker

Seconded by: Mary Ann Neely

The Environmental Board accepted the nomination that Mary Gay Maxwell be re-elected Chair of the Environmental Board. The term of office shall begin November 1, 2011 and ending October 31, 2012.

Vote 7-0-0-0

For: Anderson, Gary, Perales, Maxwell, Neely, Schissler and Walker

Against:

Abstain:

Absent:

Approved By:

Mary Gay Maxwell
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 101911-2b

Date: October 19, 2011

Subject: Officer Elections Environmental Board Vice-Chair

Motioned By: Bob Anderson

Seconded by: Mary Ann Neely

The Environmental Board accepted the nomination that Robin Gary be re-elected Vice-Chair of the Environmental Board. The term of office shall begin November 1, 2011 and ending October 31, 2012.

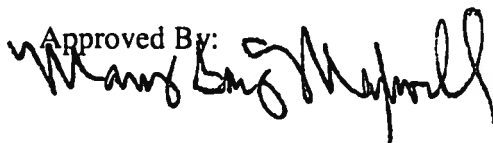
Vote 7-0-0-0

For: Anderson, Gary, Perales, Maxwell, Neely, Schissler and Walker

Against:

Abstain:

Absent:

Approved By: 

Mary Gay Maxwell
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 101911-2b

Date: October 19, 2011

Subject: Officer Elections Environmental Board Secretary

Motioned By: Bob Anderson

Seconded by: Jennifer Walker

The Environmental Board accepted the nomination that James Schissler be re-elected Secretary of the Environmental Board. The term of office shall begin November 1, 2011 and ending October 31, 2012.

Vote 7-0-0-0

For: Anderson, Gary, Perales, Maxwell, Neely, Schissler and Walker

Against:

Abstain:

Absent:

Approved By:

Mary Gay Maxwell
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 101911 4a

Date: October 19, 2011

Subject: Service Extension Request for Foundation Retail Development

Motioned By: Robin Gary

Seconded By: Marisa Perales

RECOMMENDATION POSTPONEMENT: The Environmental Board motioned to postpone the Service Extension Request for Foundation Retail Development until the November 2, 2011 Environmental Board meeting. City of Austin Legal Department should be present to brief Environmental Board on 1704 regulations and a presentation from City staff on the 24 inch transmission line currently under construction along 620 and how it relates to the alternate routes considered for the Water Treatment Plant 4 transmission solutions.

RATIONALE:

It seems that a major drawback to routing the transmission main from Water Treatment Plant 4 was lack of easements. It seems like there are already established easements in place that could be leveraged.

Vote 7-0-0-0

For: Anderson, Gary, Maxwell, Neely, Perales, Schissler and Walker

Against: None

Abstain: None

Absent: None

Approved By:

Mary Gay Maxwell,
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 101911 5a

Date: October 19, 2011

Subject: Draft Pick SPC-2011-0146A

Motioned By: Robin Gary

Seconded by: Bob Anderson

Recommendation

The Environmental Board recommended the referenced case be approved by consent, with no staff conditions and no board conditions:

Vote 7-0-0-0

For: Anderson, Gary, Maxwell, Neely, Perales, Schissler and Walker

Against:

Abstain:

Absent:

Approved By:

Mary Gay Maxwell,
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 101911 5b

Date: October 19, 2011

Subject: Travis County Eastside Service Center SP-2008-0235D (R1)

Motioned By: Bob Anderson

Seconded by: Mary Ann Neely

Recommendation

The Environmental Board recommended the referenced case be approved by consent, with no staff conditions and no board conditions:

Vote 7-0-0-0

For: Anderson, Gary, Maxwell, Neely, Perales, Schissler and Walker

Against:

Abstain:

Absent:

Approved By:

Mary Gay Maxwell,
Environmental Board Chair

MEMORANDUM

TO: Mayor and Council

DATE: October, 19, 2011

FROM: Environmental Board

SUBJECT: Jollyville Transmission Main

First, the Environmental Board wants to commend the Environmental Commissioning Team that has been working on the Jollyville Transmission Main project for the excellent job they are doing. The task they have been given has not been easy, but they have been diligent in their efforts to protect from damaging the environmentally sensitive area of Bull Creek and the Balcones Canyonlands Preserve associated with the creek. They are to be commended for the extraordinary efforts leading up to the beginning of construction and as the project continues.

Even though construction has begun on the Jollyville Transmission Main, it is even more important to be vigilant in order to reduce risk of causing harm to an area that is environmentally extremely sensitive. There are still major concerns that must be addressed as the project continues in order to prevent causing harm to the entire water source of Bull Creek, the Golden-cheeked Warbler, the Jollyville Plateau Salamander and to the Balcones Canyonlands Preserve area that is their home.

Because the area is extraordinarily sensitive environmentally and has become more so due to the worst drought on record, there are serious concerns that must be addressed in order to avert disaster as construction proceeds. Some of these are:

- Extreme fire danger in the Balcones Canyonlands Preserve, including the nearby Spicewood Springs neighborhood, because of the construction activities that utilize equipment powered by flammable fuels;
- Unknown impacts to the salamander due to the lack of water throughout the aquifer, not just to the springs in which they ordinarily reside;
- Potential extreme harm to and loss of the habitat of the Golden-cheeked Warbler if their water source is impacted even more than it has been during the drought.

In addition to these major dangers, there are other concerns that remain due to the risk of causing irreparable harm to the environment of Bull Creek and the Balcones Canyonlands Preserve. Some of these concerns are as follows:

- Impact of construction of the shafts and the tunnel to the groundwater that feeds the creek;
- Risks associated with the 30' wide Four Points shaft that include interruption of flow paths to springs and dewatering of karstic features in the aquifer due to inadequate information about groundwater conduits, and the use of a previously untried technology that will attempt to address this problem;

- Possible vertical fracturing along the tunnel construction route due to the tunneling activity that could create connections to the shallow groundwater areas of the aquifer;
- Danger of the impacts from construction vibrations to the Bull Creek karst environment;
- Inadequacy in the "adaptive management" process that might not result in changes to the project management practices regarding environmental issues that could arise during the construction process;
- "Contingency planning" (quick response to major unanticipated calamities) that will not address ongoing harm to groundwater flows or to species of concern as construction proceeds.

Because of the dangers associated with all of the concerns mentioned above, the Environmental Board WTP#4 Committee will continue to meet to address these concerns. It is imperative that the Committee have access to:

- City of Austin biologists who have been and continue to perform research on the Jollyville Plateau Salamander and on the Golden-cheeked Warbler;
- City of Austin geologists who are familiar with and have done research on the karst limestone of the Northern Edwards Aquifer region;
- City of Austin hydrologists who can track the groundwater and surface water of the Bull Creek portion of the aquifer;
- Independent scientific input regarding the endangered species, including the Golden-cheeked Warbler and the Jollyville Plateau Salamander; and
- Travis County BCCP Staff that has been and continues to work with these issues.

If the City Council wishes to receive ongoing updates from the Environmental Board Committee on its findings regarding the environmental issues associated with the construction of the Jollyville Transmission Main, it would be the pleasure of the Board to provide those updates.



ENVIRONMENTAL BOARD 101911 7b

Date: October 19, 2011

Subject: Briefing on the City of Austin Bike System

Motioned By: Mary Gay Maxwell

RECOMMENDATION POSTPONEMENT/PULL ITEM: The Environmental Board pulled the Briefing on the City of Austin Bike System

The Environmental Board meeting went into overtime. The Environmental Board came to a consensus that there was not enough time to hear this item.

Approved By:

A handwritten signature in black ink, appearing to read "Mary Gay Maxwell".

Mary Gay Maxwell,
Environmental Board Chair