M E M O R A N D U M

TO: Mayor and Council

FROM: Greg Meszaros, Director, Austin Water
Jorge Morales, P.E., Director, Watershed Protection

DATE: June 8, 2021

SUBJECT: MMAC: Austin Water SER-4652, Item 2 on June 10, 2021 Agenda

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Austin Water (AW) and Watershed Protection Department (WPD) are providing background information on Item 2 on the June 10, 2021 Council Agenda, in order to clarify the differing departmental approaches on the proposed Service Extension Request (SER) 4652.

CWS Capital Partners, LLC (Applicant) has requested centralized wastewater service for a proposed multi-family development to a 34.4-acre tract located at 11213 FM 620. The tract is located partially within the 2-mile ETJ (approximately 25 acres), partially within the full-purpose jurisdiction (approximately 9 acres), and within the Drinking Water Protection Zone (DWPZ).

The Land Development Code requires City Council approval to extend the City's centralized wastewater system to serve properties located within the DWPZ, outside of the full-purpose jurisdiction. If the entire tract was annexed into Austin's full purpose jurisdiction by voluntary request of the owner, Council approval of the SER would not be required. If City Council approves extension of service to this property, Austin Water recommends providing centralized wastewater service as outlined in draft SER-4652. City Code 25-9-36 (*Environmental Assessments*) allows the Director of AW to require an environmental assessment of an SER, but this subsection does not provide any specific criteria for evaluating the environmental impacts of an SER. In accordance with an inter-departmental policy, the Watershed Protection Department (WPD) provides an environmental review of SERs located within the DWPZ and outside the full-purpose jurisdiction, and AW and WPD have been collaborating in developing more specific criteria for these environmental assessments.

For clarification, it is important to note that AW and WPD have unique missions and separate standards (by State law and by City code) under which they operate. It is also important to reiterate that there is no clear guidance in City Code as to how the environmental assessments for SERs in the DWPZ should be evaluated.

Below is a departmental review summary of SER-4652:

Austin Water Review Summary

- Centralized wastewater service can be extended and provided to the tract as outlined on draft SER-4652.
- The proposed SER improvements will not cross any known environmental features.
- The proposed SER improvements and all other site work required to construct the proposed multi-family development will conform to all City Code requirements (including the Watershed Protection Ordinance), be designed in accordance with City's Environmental Criteria Manual and Utilities Criteria Manual, and will be inspected by the City's Development Services Department.
- Water service is available to the tract and can be provided without requiring Council approval.

Watershed Protection Review Summary

- The tract is located in the Drinking Water Protection Zone, overlies the Northern Edwards Aquifer Recharge Zone, is within the Bull Creek Watershed, and is within the Water Supply Suburban watershed regulation area.
- The site contains a critical water quality zone and a water quality transition zone to protect the headwaters of this tributary of Bull Creek.
- An Environmental Resource Inventory was conducted by the applicant and identified multiple critical environmental features onsite. Two springs, one recharge critical environmental feature, and four wetlands were identified.
- Runoff from the tract flows directly to federally-listed threatened Jollyville Plateau salamander (*Eurycea waterlooensis*) habitat.
- Development of the tract is possible without approval of the SER, since onsite wastewater treatment is possible. Approval of the SER would enable a larger footprint of impervious cover to be built on the site.
- Because approval of the extension of SER enables a larger footprint of impervious cover to be developed on a site with a substantial number of critical environmental features and a critical water quality zone, WPD do not recommend approval for wastewater SER-4652.

Environmental Commission Action

On April 21, 2021, the Environmental Commission considered and recommended against approval of SER-4652.

Water and Wastewater Commission Action

On June 2, 2021, the Water and Wastewater Commission considered and recommended approval of SER-4652.

xc: Spencer Cronk, City Manager
Kevin Critendon, P.E., Assistant Director, AW
Shwetha Pandurangi, PE, Business Strategy Manager, AW
Chris Herrington, PE, Environmental Officer, WPD