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Watershed plans submitted

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Two new proposals in the battle over how to protect Barton Springs were floated Monday — one is "a composite" ordinance drawing from several previously filed measures and compiled by the city staff, the other was introduced by Council Member Max Nofziger.

Both measures are said to achieve non-degradation of waterways that contribute to the flow of Barton Springs and the Barton

Composite plan, Nofziger ordinance add new ripples

Springs portion of the Edwards Aquifer. And both will be up for consideration Thursday when the City Council votes on amendments to the 1986 Comprehensive Watersheds Ordinance.

The staff-sponsored proposal is "a totally new document," said

Roger Duncan, assistant director of Environmental and Conservation Services. "It's a composite."

The measure takes portions of previous recommendations from the Mayor's Comprehensive Watersheds Ordinance Task Force, the Planning Commission, the

Save Our Springs Coalition, an interim ordinance now in place and a July 24 draft of amendments from the city environmental staff.

"It does achieve non-degradation through a hybrid approach of limiting (pollution) discharge to Barton Creek, controlling the concentration of pollutants and limiting impervious cover," Duncan said.

Nofziger's measure would effectively leave in place a strict interim ordinance, with some modifica-

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Composite

- would require that a large concentration of runoff pollutants be removed from water flowing off a site into a creek so that the water is as pristine as that found in Barton Creek at Texas.
- Allows up to 40 percent impervious cover limits for developments outside the city, provided a property owner filed an environmental plan. Properties without such a plan would be limited to 20 percent impervious cover, except for projects at highway intersections, which could cover 75 percent of the land.

Nofziger/ Save Our Springs

- measured in pounds of pollutants per acre per year. The plan calls for 90 percent of the pollutants to be removed with structural controls before water is released into a creek.
- Limits impervious cover to 20-35 percent for residential development and 18-30 percent for commercial projects for all areas within the Barton Springs zone. The stricter limitations apply to areas closer to the creeks.

New plans add ripples to watershed debate

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tions that would strengthen it by severely limiting impervious cover, which is the amount of land covered by buildings, pavement and other structures that do not allow water to soak through.

Monday's composite proposal, which the city staff worked on over the weekend, already was being well-received by council members.

"I like it," said Council Member Ronney Reynolds. "I think it's a composite of all the good things from different groups which have submitted recommendations to the council."

Reynolds, who had been viewed by some people as a swing vote on the issue, said the composite plan might be the measure that brings the council together and receives more than a 4-3 vote. The council has been split 4-3 on various environmental issues, particularly granting exemptions from the strict interim ordinance for development projects, with Reynolds and Council Members Charles Urdy, Louise Epstein and Bob Larson voting in the majority.

The plan also was being touted by Mayor Bruce Todd, who had instructed the staff to draw the best from the two major competing proposals — those of the task force and of the Planning Commission.

"By taking the positive points of both (the Planning Commission's and mayor's task force's) documents, I think they have drafted a composite ordinance that's stronger than any one of those," said Todd.

Council Member Gus Garcia was less enthusiastic about the proposal.

Garcia said he will give the proposal serious consideration if engiin the environmental community place their stamp of approval on the measure.

Engineers on both sides of the debate — environmental and business/development — have been at odds over technical data used to draft the original staff proposal. Engineers in the development community have had some input into the process, and the city staff is expected to brief engineers from

the measure before Thursday, Garcia said.

"The development community has said yes on the composite," Garcia said. "The environmental community still has substantial concerns."

Reynolds, Todd and Garcia all were present during meetings with the staff to come up with the new alternative plan.

Nofziger's ordinance incorporates some amendments suggested by the Save Our Springs Coalition, an umbrella group made up of citizens and environmental organizations.

"Of all the plans and proposals that have come out in the last couple of weeks, I haven't really seen anything better than the original staff proposal and the SOS recommendation," said Nofziger, who filed the measure.

Nofziger admitted his proposal might not have the support necessary to garner four council votes, but he said he filed it because "I wanted to keep that option alive for Thursday, and hopefully by then there will be council support for it."

Nofziger, who has a strong environmental record, said he had not yet reviewed the final composite proposal but said he had his doubts about it achieving nondegradation.

"Even if they put together something that staff says is non-degradation, I would doubt that it could be as effective and safe as the original staff recommendation," he said. In coming up with the July 24 draft, the "staff did their work under the direction of the council and did their work very well and now in the ensuing months, we've seen politics set in."

"Staff is under a great deal of pressure to label this composite a non-degradation ordinance," Nofziger said.

But Todd and Duncan both denied that charge.

"There's no truth to that whatsoever," Todd said. "And I would challenge anyone who makes that accusation to substantiate that charge."

Duncan said: "The city manager the environmental community on made it very clear that we should to 20 percent in the Barton outside the city.

Specifics of composite plan

The new composite ordinance:

Is based largely on concentrations, as was the Planning Commission's recommendation. It would require that a large concentration of runoff pollutants be removed from water flowing off a site into a creek so that the water is as pristine as that found in Barton Creek at Texas 71, which is largely undeveloped. However, it is similar to the task force proposal in that it requires that the pollutants in the first quarter-inch of rainfall runoff be captured.

Allows no irrigation in the critical and transition zones (those sloped areas nearest a creek). Classifies golf courses as development and requires water quality controls. Both measures were in-

cluded in the interim ordinance.

Limits exemptions. For example, property previously exempt from other watershed regulations loses its exemption and must remove the first quarter-inch of rainfall, treating runoff to meet the Barton Creek/Texas 71 concentration levels and increasing the size of a runoff pond. In addition, non-exempt properties in the Barton Creek watershed must comply with all three requirements, while non-exempt property in other watersheds that contribute to Barton Springs must treat runoff and enlarge ponds.

only declare something as nondegradation only if we felt comfortable with it, and that's why you have an entirely new document. Our engineering staff looked at this, and we feel this approach will achieve non-degradation in new development. There's more than one way to achieve nondegradation."

Todd admitted that passing the most politically palatable proposal was a consideration in drafting the composite ordinance, but said he would not endorse a proposal that did not achieve non-degradation.

Also on Monday, the Austin regional group of the 3,600-member Sierra Club during a press conference called for the council to support what in essence is Nofziger's

proposal. "We are convinced that the most certain, simple and straightforward way to achieve non-degradation is to permanently adopt, with strengthening amendments, the interim Comprehensive Watersheds Ordinance which has been in force since Feb. 1991," said Dan Smith, a member of the club's executive committee, which called the press conference. "Further compromise certainly will arouse the sentiment of Sierra Club members that a citizens' referendum offers the only certain means of setting a true non-degradation standard and (the club is) putting the City Council on notice that significant deviations from that standard will not be tolerated."

Nofziger's proposal calls for impervious cover limits of 18 percent

On the horizon

Thursday - City Council votes on amendments to the Comprehensive Watersheds Ordinance on first reading.

Monday -- Amendments to the Comprehensive Watersheds Ordinance for second and third reading must be filed with the city clerk's office by 1 p.m.

Tuesday, Oct. 15 - Planning Commission holds another public hearing on ordinance. Commission will recommend any further changes to the council before second and third readings.

Wednesday, Oct. 16 - The City Council votes on Comprehensive Watersheds Ordinance on second reading.

Thursday, Oct. 17 — The City Council is scheduled for third and final vote on Comprehensive Watersheds Ordinance.

Springs zone. The proposal's strict limits on how much land can be covered by buildings, parking lots and other structures that are impervious to water led to the debate. Business and development representatives are adamantly opposed to such restrictions because they would doom commercial development in a large area in the southwest portion of the city and just