



SUSTAINABLE FOOD POLICY BOARD



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October 23, 2011

Mayor Lee Leffingwell,
Austin City Council Members
301 West Second Street
Austin, Texas 78701

Dear Mayor, Mayor Pro Tem, and Council Members,

The Sustainable Food Policy Board (SFPB) recommends that Austin City Council resolve to ease the burden farmers are carrying as a result of the recent unprecedented, and still ongoing, drought in Central Texas. Policymakers can acknowledge the significant contribution family farms make to our local economy, communities, health, and natural resources and encourage staff to work with the SFPB to research and define effective means of making water accessible and affordable to professional farmers dedicated to growing fresh food for Austin and the area.

The Sustainable Food Policy Board is charged with informing city and county policymakers, administrators and the public at large, about the status of the region's food system and food security, and hereby reports that local farmers are in crisis. The environmental factors for this include:

- October 2010 to July 2011 was the driest of any 10-month period on record for Texas.
- As of August 30, 100% of the state is in drought status and 81% of the state is in "exceptional drought" status, our region included.
- Precipitation deficits over the last 10 months exceed 20 inches in portions of Central Texas.
- This year has set the record for the hottest average temperature in August in Austin.
- More than one-quarter of neighboring Bastrop County has burned, putting more pressure on farmers in Travis County.

The board acknowledges the significant steps council and the Austin water utility have taken to facilitate sustainable food production by amending code to improve affordable access to city water via ordinance no. 20110210-018 that waives certain tap permit fees for city-supported community gardens and ordinance no. 20110210-019 that assists with fees and waivers related to irrigation and wastewater fees through September 2011.

In addition, recently Austin Water has clarified its policy on alternative compliance (to water restrictions) for vegetable gardens via existing city code in chapter 6-4-83 (see attached). These are helpful and appreciated steps.

Most family farms rely primarily on alternative water sources for irrigating crops, such as well water. However, due to extreme drought conditions, the aquifer cannot provide sufficient water and farmers are turning to city water to supplement. They are often charged wastewater fees on top of water used to irrigate because they cannot afford to install commercial irrigation systems for occasional use.



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To ensure that our region maintains the infrastructure necessary to increase production of nutritious, sustainably and locally grown food, which will boost our local economy, the SFPB recommends that policymakers specifically consider improving access to affordable water for family farms. Solutions could include: expediting ways to charge appropriate fees – revisit existing city code (including ordinance 20110210-019 which went through September 2011) to ensure the city effectively achieves what council laid out in resolution 20091015-023 - and implementing supportive measures for farmers who need financial assistance to pay water and related utility bills for pumping and /or cooling.

The SFPB Water Working Group is available to work with policymakers and staff on innovative solutions during this difficult time for our family farms in the region.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula J. McDermott".

Paula J. McDermott
Chairperson
Sustainable Food Policy Board

cc: Marc Ott, City Manager
Bert Lumbreras, Assistant City Manager
Chris Lippe, Director, Austin Water Utility
Vince Cobalis, Executive Liaison
Lucia Athens, Chief Sustainability Officer
Jake Stewart, Sustainable Urban Agriculture Coordinator
Sherri E. Fleming, Travis County Executive



Policy on Alternative Compliance for Vegetable Gardening

Chapter 6-4-83 of City Code allows the Director to permit a person to comply with alternative water use restrictions after determining that the alternative restrictions meet or exceed the intent of the Water Use Management Ordinance.

To support City sustainability initiatives and community-wide efforts to increase local food production, Austin Water has developed alternative restrictions for individuals using water to support food-producing plants in outdoor gardens. To receive a permit for alternative compliance, a water account holder must return the following form and adhere to the restrictions outlined below. A copy of the approved form must be posted in a location on the property that is accessible and visible to the public (account number and contact information may be redacted).

Approved alternative compliance permits will allow the account holder to water areas of food production at any day or time with drip systems or soaker hoses, Tuesday through Sunday in the morning and/or evening with a hose-end sprinkler, or twice per week in the morning and/or evening with an in-ground spray system. In all cases, alternative compliance permits require that water usage be reduced by 20% from a comparable month. This reduction meets the intent of Stage 2 or 3 water use restrictions, while allowing gardeners more flexibility to meet the needs of their plants by spreading out water application over multiple days.

Alternative compliance permits are intended for gardens producing food for retail sale, those used by many people as part of a community garden, and for individual gardens that provide a reasonable portion of household food consumption when in season. They are not intended for herb gardens, for solitary vegetable plants within a landscape garden, or fruit trees other than those that are part of urban farms and intended for retail production.

The water utility account holder is responsible for completing the form and ensuring compliance with its conditions.

To apply for an alternative compliance permit, please complete and sign the attached form and return to:

Please return completed form to:

Water Conservation Division - Austin Water
P.O. Box 1088 Austin, TX 78767
Phone: 512-974-2199 FAX: 512-974-6548
Email: watercon@austintexas.gov

Reference Number
(Austin Water Use Only)

Austin Water Alternative Compliance Application for Vegetable Gardening

Property Address: _____ Account Holder Name: _____

Account Number: _____ Phone: _____ Email: _____

Water used for this garden is is not separately metered or submetered from other domestic uses.

I attest that (choose one):

- This property contains a community garden recognized by the City of Austin Parks Department.
- This property contains gardens used for retail food production (urban farm).
- This property contains a private garden generating at least 20% of the household's food consumption.

I agree to (choose one):

- Maintain water consumption at or below 80% of usage for the corresponding month, at this address, in 2009.
- Maintain water consumption at or below 80% of usage in August 2011 for this address (new gardens only).

I agree to (choose one):

- Irrigate only with a drip system or soaker hose as needed at any time, on any day of the week.
- Irrigate only with a hose-end sprinkler system before 10 a.m. and/or after 7 a.m., Tuesday through Sunday.
- Irrigate only with an in-ground spray irrigation system before 10 a.m. and/or after 7 p.m, no more than twice per week (Wed/Sat for odd addresses, Thurs/Sun for even addresses).

Please acknowledge the following statements and sign below.

I understand that Austin Water will monitor water use and revoke alternative compliance permits for properties found to violate permanent restrictions prohibiting water waste, and for properties not meeting the water use reduction goal as stated above.

I further agree to provide access to the garden for visual inspection of food production areas and/or irrigation equipment by Austin Water employees, if requested, prior to or during the duration of this alternative compliance permit. I understand that failure to grant access may result in the revocation of alternative compliance and leave me subject to citation for witnessed violations of the mandatory watering schedule in effect at the time.

Account Holder Signature

Date

Austin Water Approval

Date

With approval signature, this alternative compliance permit is valid until revoked by Austin Water or
until Austin Water is notified of the permit holder's intent to discontinue use of the permit.