

ENVIRONMENTAL BOARD MEETING MINUTES Wednesday, July 16, 2008



ENVIRONMENTAL BOARD REGULAR MEETING MINUTES WEDNESDAY, July 16, 2008

The Environmental Board convened in a regular meeting on Wednesday, July 16, 2008 City Hall Council Chambers 301 West 2nd Street, Austin Texas. Chair Dave Anderson called the Board Meeting to order at 6:10 p.m.

Board Members in Attendance:

Rodney Ahart, Dave Anderson, Jon Beall, John Dupnik, Mary Gay Maxwell, Phil Moncada and Mary Ann Neely

Staff in Attendance:

Marilla Shepherd, Farhard Madani, David Johns, Pat Murphy, Craig Carson, Patricia Foran, Tom Ennis, Mike Ihnat, Diane Gonzales, Connie Campa, Jean Drew and Tony Arnold

1. CITIZEN COMMUNICATIONS: GENERAL

- a. No speakers.

2. APPROVAL OF MINUTES

Approve the minutes of the July 9, 2008 regular meeting.

The minutes for the regular meeting on July 9, 2008 were approved on Board member Moncada's motion, Board member Maxwell's second Vote 7-0. Board.

3. PUBLIC HEARINGS

DISCUSSION AND ACTION ON DEVELOPMENT CASES

- a. **Name:** Wildflower Commons PUD (Planned Unit Development)
Applicant: Drenner & Golden Stuart Wolff, LLP C814-06-0233
Location: 4700 – 5200 Blocks of State Highway 45
Staff Person: Patricia Foran – Watershed Protection and Development Review Department
Request: Applicant is requesting PUD (Planned Unit Development) zoning for the property
Staff Recommendation: Recommended



ENVIRONMENTAL BOARD MOTION 0716084a-001

Date: July 16, 2008

Subject: Barton Springs Pool Master Plan

Motioned By: Jon Beall

Seconded By: Mary Ann Neely

Recommendation

The Environmental Board offers the attached resolution in response to the collaborative efforts from the Joint-Subcommittee for the Barton Springs Pool Master Plan, consisting of members of the Environmental Board and the Parks Board.

In addition, the Environmental Board recommends that staff clarify refinements of spring flow measurements that are currently being undertaken separately from the Master Plan projects, and offer to incorporate the Scientific Advisory Committee's Recommendations into Short Term and Conceptual long Term Objectives of the Barton Springs Pool Master Plan.

Vote 7-0-0-0

For: Ahart, Anderson, Beall, Dupnik, Maxwell, Moncada and Neely

Against: None

Abstain: None

Absent: None

Approved By:

Dave Anderson P.E., CFM, Chair

RESOLUTION NO. EB 0716084a-001

WHEREAS, Barton Springs Pool, is a historical landmark considered by many to be the crown jewel of Austin;

WHEREAS, over 409,000 people annually enjoy this spring-fed swimming pool,

WHEREAS, Barton Springs Pool is in immediate need of improvements to facilities, water quality and salamander habitat conditions, and

WHEREAS, City Council has unanimously supported the improvement of Barton Springs Pool by allocating \$6.2 million in capital improvement funds for short term projects that have received wide support

WHEREAS, City Council authorized securing the services of a professional consultant to work with stakeholders on a plan for Barton Springs Pool (Resolution No. 20061019-035) to address improvements to facilities, the grounds, infrastructure, water quality and salamander habitat conditions,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF AUSTIN

ENVIRONMENTAL BOARD, that the Environmental Board recommends to City Council the following:

- City Council accepts the Plan as a resource for short-term projects and concepts for possible future long-term projects, which would require extensive public input from stakeholders, Boards and Commissions and City Council.
- The City Manager should instruct the parks and Recreation Department and the Watershed Protection and Development Review Department to work cooperatively to complete the short-term projects with stakeholder participation. The resulting data, analysis and public input will provide information to evaluate the long-term projects.
- The plan, from this time forward, should be referred to as Barton Springs Pool Master Plan: Concepts for Preservation and Improvement to acknowledge that additional data and analysis is needed.
- The Joint-Subcommittee of the Environmental Board and parks and Recreation Board should continue to in an oversight capacity, hosting representatives of all stakeholder

groups as short term projects are implemented and long-term projects are considered in the future.

- The separate studies clarifying the accuracy of daily spring flow measurements be included
- The Scientific Advisory Committee's Recommendations be considered and included in the short-term and conceptual long-Term Objects.

ADOPTED: August, 1, 2007

ATTEST: _____

David J. Anderson, PE, CFM

Environmental Board Chair

DRAFT



ENVIRONMENTAL BOARD MOTION EB071608-4b

Date: July 16, 2008

Subject: WPDR FY 2009 Proposed Budget

Motioned By: Phil Moncada

Seconded By: Rodney Ahart

Recommendation

The Environmental Board recommends **approval** of the WPDR FY09 Proposed Budget as presented to the Environmental Board FY08 Subcommittee. This budget enhances the staff and performance metrics necessary to promote the three core missions of the WPDR department – water quality protection and enhancement, flood mitigation, and erosion protection.

1. The Board recommends staffing be commensurate with the increased activity within the Department due to implementation of Bond projects. This includes funding for the following positions:
 - a. Project coordinator in Flood Hazard Mitigation to implement the bond program for effective project sponsorship.
 - b. Supervisor in Storm Drain Rehabilitation to coordinate concrete crews and lower the number of direct reports for the pipeline construction crew supervisor.
 - c. Commercial pond inspector to further increase the number of pond inspections and follow-up visits to check for compliance
2. The Board recommends that the Council and City Manager should begin to think seriously about a raise in the Drainage Utility Fee.
3. The Board recommends percent failure/success metrics be included in all inspection categories in the future.
4. The Board recommends that the Department develop additional metrics to quantify the value of open space in protection of creek/stream water quality.
5. The Board recommends that a metric be instituted that measures elevated review of stormwater controls in the recharge zone during rain events.
6. The Board recommends that additional Erosion Control crews be added, or that consultant/contractor help be solicited for erosion repairs.

7. The Board recommends that the Department leverage, to the greatest extent possible, relationships with local community organizations to maximize both the environmental learning potential for those who need those type of services, and the tangible environmental benefits organization like these bring to the Austin environment.
8. The Board recommends percent failure/success metrics is included in all inspection categories in the future. It is not only important for Watershed Protection and Development Review to track how many inspections are completed, and whether those inspections are completed in a timely fashion, but also how successful the development community is being completing projects according to Code and in an environmentally responsible manner. This recommendation was made last year and must be reiterated this year.
9. The Board recommends that Watershed Protection & Development Review Department develop additional metrics to quantify the value of open space in protection of creek/stream water quality, and with these revised metrics investigate the opportunity to use CIP funds for fee-simple land, or conservation easement, purchase as a percentage of the total "water quality" projects annually.
10. The Board recommends that a metric be instituted that measures elevated review of stormwater controls in the recharge zone during rain events.
11. The Board recommends that the Department leverage, to the greatest extent possible relationships with local community organizations (i.e., American Youth Works) to maximize both the environmental learning potential for those who need those type of services, and the tangible environmental benefits organization like these bring to the Austin environment (i.e., re-vegetation of stream banks, invasive species removal, tree planting, etc.).

Rationale

The Environmental Board formed an ad hoc subcommittee whose members asked detailed questions of staff concerning the proposed budget and received a comprehensive presentation from staff to address those questions. The budget accurately identified funds needed to protect water quality, stabilize eroding creek banks, and mitigate channel and localized flooding, along with implementing improvements in development review, enhancing inspections, performing infrastructure and waterway maintenance, rehabilitating dry wet ponds, continuing to restore and enhance habitat, and restoring populations of local endangered species.

The Board also wishes to draw attention to several items of note in the FY09 budget, namely:

1. The Board notes that the Watershed Protection and Development Review Department continues to work effectively with other City Departments in accomplishing related watershed-oriented goals. As an example of this type of interdepartmental cooperation is the Austin Clean Water Program, where over \$6 million of cost-savings has been realized to date on creek rehabilitation projects undertaken under the Austin Clean Water Program. (ACWP).

Vote: 6-0-0-1

For: Ahart, Anderson, Dupnik, Maxwell, Moncada and Neely

Against:

Abstain:

Absent: Beall was off the dais

Approved By:

David J. Anderson, P.E., CFM, Chair

DRAFT



ENVIRONMENTAL BOARD MOTION AND RESOLUTION 0806086g-001

Date: August 6, 2008

Subject: Urban Tree Canopy Protection Resolution

Motioned By: Dave Anderson, P. E.

Seconded By:

The Environmental Board, along with the City of Austin Tree Task Force and the Urban Forestry Board, offer the attached resolution to address recent damage to the urban tree canopy, and to recognize this resource as an important infrastructure component to the City of Austin.

Vote

DRAFT

For:

Against: None

Abstain: None

Absent: None

Approved By:

Dave Anderson P.E., CFM, Chair

RESOLUTION NO. EB 080608 6g-001

WHEREAS, a multifamily construction site plan (Bee Caves Apartments, SP-2007-0442C) was approved by the City of Austin on January 22, 2008, and development activities commenced after the Owner, Contractor, and City representatives discussed various environmental and tree issues at an on-site meeting held February 27, 2008; and

WHEREAS, during the weekend of March 8, 2008 a Subcontractor, operating with minimal supervision, cleared an unauthorized area and removed a significant number of trees and vegetation, evidently driving over a limit of construction barrier that delineated the development boundaries into a waterway and drainage easement where a tree survey was not required; and

WHEREAS, the City of Austin was contacted by the Owner on the following Monday morning and accompanied a Watershed Protection and Development Review Inspector to the site on March 13, 2008, where a Stop Work Order was issued for development not in accordance with a released site plan, failure to provide adequate erosion and sedimentation control, and failure to comply with protected tree requirements; and

WHEREAS, the Contractor hired a private surveying company to perform a tree survey of the removed trees, which remained piled on the site, accounting for 154 trees (8-inches in diameter and greater) totaling 1,440 diameter inches that were removed without a permit, including 23 mature, "protected" trees that were 19" diameter or greater; and

WHEREAS, the Stop Work Order was released on March 28, 2008 after the Owner agreed to provide 100% replacement of inch for inch for the tree violations; and

WHEREAS, the urban tree canopy is a vital component of the Austin Environment; and

WHEREAS, there is the potential to set an unacceptable precedent if trees are removed from a site in excess of those permitted for removal without a significant penalty for those activities, and those responsible for the illegal action held immediately accountable;

NOW, THEREFORE, BE IT RESOLVED, that the City of Austin Environmental Board, Forestry Board, and the Tree Task Force requests that City Council direct City Staff to evaluate the following:

1. The implementation of the recommendations of the Tree Task Force immediately.
2. The implementation of more significant fines or other financial implications as a deterrent to these types of activities.
3. The responsible party, in cases where trees are removed from a site in excess of those permitted for removal, be required to provide a plan, which includes provisions for

watering and loss replacement, to ensure 100% successful re-vegetation and that such plan is underway before any additional development activities take place on the impacted site.

4. Increasing the fiscal surety note associated with tree removal activities to \$250/inch.
5. Whether the level of code enforcement necessary to prohibit these types of activities is currently adequate.
6. Posting a bond at the time that development activities begin to cover the immediate mitigation of tree and other environmental harms that may be a result of non-compliance with City Code.

ADOPTED: August 6, 2008

ATTEST: _____

David J. Anderson, PE, CFM

Environmental Board Chair

DRAFT



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING
DATE REQUESTED: August 6, 2008

NAME & NUMBER OF PROJECT: Austin Del Valle Motorcross Park
SP-2007-0613D

NAME OF APPLICANT OR ORGANIZATION: Espey Consultants, Inc.
(Ron Crane - Phone 326-5659)

LOCATION: 14600 Pearce Road

PROJECT FILING DATE: October 29, 2007

WPDR/ENVIRONMENTAL STAFF: Patricia Foran, 974-3427
patricia.foran@ci.austin.tx.us

WPDR/ CASE MANAGER: Nikki Hoelter, 974-2863
nikki.hoelter@ci.austin.tx.us

WATERSHED: Dry Creek East Watershed (Suburban)
Desired Development Zone

ORDINANCE: Comprehensive Watershed Ordinance (current Code)

REQUEST: Variance requests to: 1) alter the floodplain (LDC 25-7-61(A)(5)(b)); 2) not provide water quality controls per COA requirements (LDC 25-8-211(B)); 3) encroach within wetland critical environmental features and associated setback (LDC 25-8-282); 4) unstabilized fill up to 16 feet (LDC 25-8-342); 5) construct up to 3.59 acres of impervious cover (track), and construct water quality controls within the CWQZ (LDC 25-8-392); and 6) exceed 30% impervious cover in the WQTZ by constructing up to 2.61 acres (11,362 square feet) impervious cover, 1.74 acres (75,795 square feet) of which is in the 100 year floodplain (LDC 25-8-393(A)).

STAFF RECOMMENDATION: Not recommended for all variance requests because the findings of fact have not been met.



MEMORANDUM

TO: Betty Baker, Chairperson
Members of the Zoning and Platting Commission

FROM: Patricia Foran, Environmental Reviewer
Watershed Protection and Development Review Department

DATE: June 17, 2008

SUBJECT: Austin Del Valle Motorcross Park/ SP-2007-0613D
14600 Pearce Lane

Description of Project Area

The 45.95-acre site is located at 14600 Pearce Lane. It is bounded by Pearce Lane on the south, unimproved pastureland on the west and east, and by improved pastureland on the north. The site is within the Dry Creek East Watershed, which is classified as Suburban. The site is in the Desired Development Zone. It is not located over the Edwards Aquifer Recharge Zone. Dry Creek, a major waterway, is located along the northern border of the site. There are two tributaries which flow into Dry Creek that also impact this property; one tributary is located along the west side adjacent to the property boundary, and the other tributary enters the property through a culvert that runs under Pearce Lane and proceeds north (the current position of the track prevents this tributary from reaching Dry Creek). There is critical water quality zone (CWQZ) (12.02 acres), water quality transition zone (WQTZ) (10.98 acres), and 100-year floodplain on this property associated with Dry Creek. The site is currently developed with the motorcross track, stock ponds, and a small office. This site has been issued red tags for development without a permit on December 8, 2003 and March 7, 2007. The site plan proposes to permit the existing tracks (main track, quick cross, and free cross), parking and maintenance area, and water quality, and detention pond.

The Land Development Code (LDC) does not address construction of a motorcross track or related development in general, and more specifically, one located within a floodplain. The track is considered to be impervious cover by staff since it is intended for "vehicular use". However, the nature of the motorcross track requires the soil to be maintained regularly in order to achieve optimal loose track conditions. The track soils may be noncompacted and allow water to percolate through, although it is difficult to determine the exact rate since there are various levels of fill throughout the track, and any pervious quality would be affected by use by the motorcross vehicles and heavy maintenance equipment. The pervious characteristics of the track are dependent on regular maintenance.

Hydrogeologic Report

The topography of the site ranges from 482 to 432 feet above mean sea level, generally sloping from south to north. The majority of the site has slopes less than 15%; all development is proposed on slopes less than 15%.

The project area consists of four soil types: Trinity clay, frequently flooded; Houston Black clay, one to three percent slopes; Heiden clay, five to eight percent slopes; and Heiden clay, three to five percent slopes.

Vegetation

The vegetation within the project area is composed of vegetation typically associated with post agricultural practices including Johnson grass, Bermuda grass, and Cedar elm. Canopy trees were found along Dry Creek including Hackberry, Mesquite, and Cedar elm. Wetland indicator species were identified by staff. Significant portions of the site are currently unvegetated.

Critical Environmental Features

Site visits conducted by Watershed Protection staff determined that there are wetland critical environmental features (CEFs) on the subject tract. Wetland indicator plant species were found around stock ponds and within the track area in the CWQZ. The applicant is proposing to mitigate for the CEFs by revegetating two existing stock ponds and areas in between the motocross track. However, the proposed mitigation is not occurring at a one-to-one replacement ratio and is not preserving the natural and traditional character of the land and waterway within the CWQZ. Staff appreciates the collaborative effort in which the applicant has handled the discussions regarding mitigation. However, Environmental Resource Management staff believes that removing the track from the CWQZ and mitigating the loss of wetland habitat by revegetating the CWQZ with native seeding and plants would provide superior preservation and protection of the natural and traditional character of the land and waterway, compared to the current site plan and mitigation proposed by the applicant.

Water/Wastewater Report

No water/wastewater service is requested. Stock ponds will provide water for dust suppression. Portable toilets will be provided.

Variances Requested

The variances requested by the applicant are to:

- 1) alter the floodplain (LDC 25-7-61(A)(5)(b));
- 2) not provide water quality controls per COA requirements (LDC 25-8-211(B));
- 3) encroach within wetland critical environmental features and associated setback (LDC 25-8-282);
- 4) unstabilized fill up to 16 feet (LDC 25-8-342);
- 5) construct up to 3.59 acres (156,380 square feet) of impervious cover (track), and construct water quality controls within the CWQZ (LDC 25-8-392); and
- 6) exceed 30% impervious cover in the WQTZ by constructing up to 2.61 acres (11,362 square feet) impervious cover, 1.74 acres (75,795 square feet) of which is in the 100 year floodplain (LDC 25-8-393(A)).

Similar Cases

There is no precedence for construction of a motorcross in a floodplain.

Recommendations:

Staff does not recommend any of the variances because the findings of fact have not been met.

Although staff is not able to recommend the variances, it is important to note that staff has worked closely with the applicant in an effort to reduce the impact of the proposed project as much as possible. A significant outcome of the meetings and discussions was a series of conditions that the applicant agreed to implement as part of the approval of site plan. These conditions include:

1. Implement a track maintenance plan as approved by staff through a restrictive covenant;
2. Revegetate the project area with COA specification 609S for seeding and planting and 604S for seeding as indicated in the approved plan set.
3. Provide permanent mulch sock on the downstream perimeter of the track, and vegetate with COA specification 604S for seeding as indicated in the approved plan set.
4. Enhance the existing wetlands associated with the stockponds using COA specification 609S for seeding and planting as indicated in the approved plan set.
5. Stabilize all outfalls/channels associated with the stock ponds.
6. Implement an Integrated Pest Management Plan and prohibit the use of fertilizers, herbicides, and pesticides (through a restrictive covenant).
7. Clearly delineate areas to be used as track, access paths to and from track, and parking area using rope, signs, boulders, or other equivalent barriers.
8. Restrict maintenance equipment to operate only within proposed track (through a restrictive covenant).
9. Provide a permanent irrigation system to be used for dust suppression and irrigation for vegetation.
10. Provide Gambusia in the stock tanks to control mosquitoes.

Staff proposes that these conditions (at a minimum) be considered as part of any motion to recommend or approve these variances.

If you have any questions or need additional information, please contact Patricia Foran at 974-3427.



Patricia Foran, Environmental Review Specialist Senior
Watershed Protection and Development Review Department

Environmental Program Coordinator:


Ingrid McDonald

Environmental Officer:

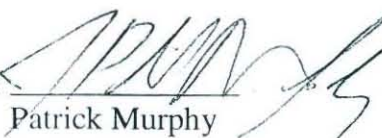

Patrick Murphy









Image 1: Entrance to Austin Del Valle Motocross Park



Image 2: Sediment Basin (Stock Tank)



Image 3: Existing vegetation above Dry East Creek



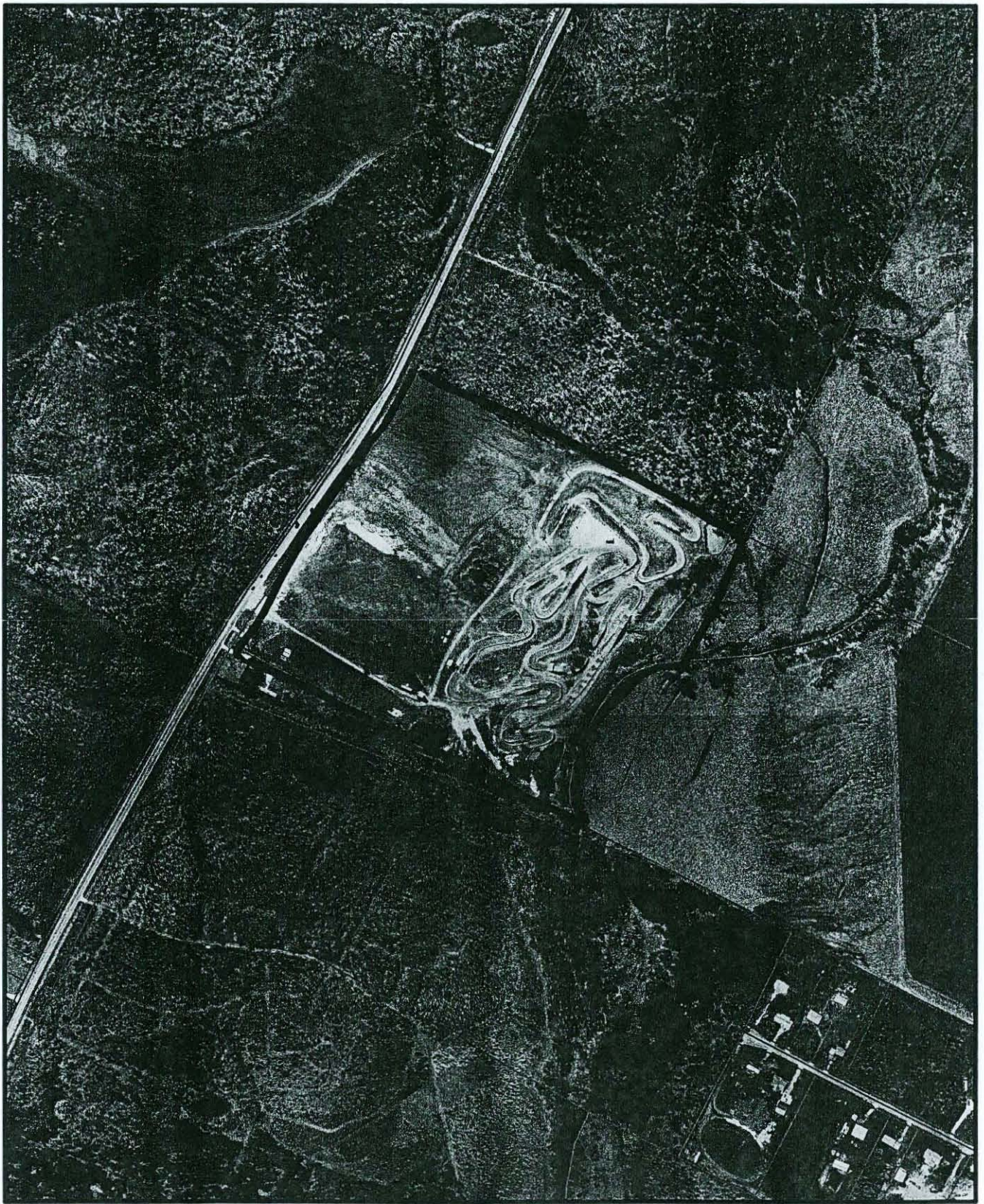
Image 4: Water application for dust control and sports trail preparations



Image 5: Grooming the sports trail before a race event on a banked turn.



Image 6: Grooming the trail before race event on a sports ramp.





Espey Consultants, Inc.
Environmental & Engineering Services

June 4, 2008

Ms. Victoria Hsu, P.E., Director
City of Austin
Watershed Protection and Development Review Department
505 Barton Springs Road
Austin, TX 78704

Dear Ms.Hsu,

Watershed Variances - Findings of Fact

As required in LDC Section 25-8-41, in order to grant a variance the Planning Commission must make the following findings of fact:

Project: Austin Del Valle Motocross Park

Case Number: SP-2007-0613D

Ordinance Standards:

LDC 25-8-341	Cut Requirements (> 4').
LDC 25-8-342 (A &B)	Fill Requirements (> 4') and not stabilizing fill.
LDC 25-7-96	Construction within the CWQZ.
LDC 25-8-281(C)	For encroaching on a CEF setback.
LDC 25-8-392	For development in the CWQZ.
LDC 25-8-211(b)	Water Quality Controls
LDC 25-7-61	For not maintaining the natural and traditional character with a floodplain modification.

JUSTIFICATION

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes. This development will consist of groomed earthen sports trails, associated parking and operations areas. These sports trails do not exactly fit the exact definition of traditional impervious cover, as being "impermeable construction covering the natural land surface". While they are to be used for off-road vehicles, they are to be constructed in a way to allow for precipitation and moisture to be absorbed into the ground and maintain permeability; much like the fairway of a golf course. In their operations these sports trails require that moisture be applied frequently.

If the sports trails were not considered impervious cover, then the other areas of this development (parking and operations) would then approach the threshold of 20% impervious cover on the net site area calculations.

A portion of the proposed trails will encroach on the 25-year floodplain of Dry East Creek. This floodplain encroachment is permissible as an exception for recreational uses such as a golf course or parkland (LDC 25-7-96). Several Austin area golf courses have cart paths and

associated grading located within the CWQZ. Moreover, the proposed recreational use of sports trails may be considered to have less of an environmental impact than a golf course; as the motocross park will not have the operational requirements of pesticides and herbicides commonly used to maintain golf courses.

- 2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?**

Yes. Unlike golf courses no pesticides or herbicides are required to maintain the recreational use of sports trails. Furthermore, down gradient of the sports trails there will be several Best Management Practices (BMPs) that will reduce potential environmental consequences, and act as alternative water quality control measures. The implementation of the BMPs are described in the 7-page document entitled - Austin Del Valle Motocross Park - Track Management Plan.

- 3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land?**

Yes. This development will consist of groomed earthen sports trails, associated parking and operations areas. A portion of the proposed trails will encroach on the 25-year floodplain of Dry East Creek. This floodplain encroachment is permissible as an exception for recreational uses such as a golf course or parkland. Several Austin area golf courses have cart paths and associated grading located within the CWQZ. The special or unique conditions of this tract did not result from a voluntary subdivision.

- 4. For a variance from the requirements for development within the Critical Water Quality Zone and/or Water Quality Transition Zone: Does the application of restrictions leave the property owner without any reasonable, economic use of the entire property?**

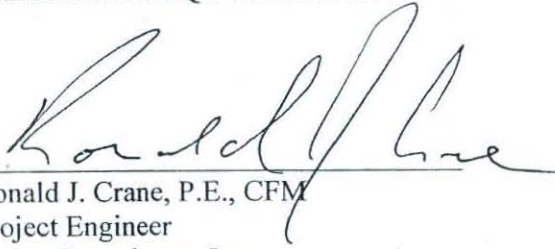
Yes. The majority of the site is located either within the Critical Water Quality Zone, Water Quality Transition Zone or the Zone A floodplain as designated by FEMA. Due to these limitations, the only economic use of this tract is for recreation, such as groomed earthen sports trails.

- 5. For variances in the Barton Springs Zone, in addition to the above findings, the following additional finding must be included: Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance?**

Not located in the Barton Springs Zone.



VARIANCE REQUESTED BY:



Ronald J. Crane, P.E., CFM
Project Engineer
Espey Consultants, Inc.



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Environmental Integrity Index Results

The Austin Del Valle Motocross is located in the Dry Creek (east watershed). The mainstem of Dry Creek is located in the northern edge of the tract, and two tributaries cross the property. The natural drainage patterns and floodplain has been modified by construction related to the racetrack. As shown by Figure 1 (2006 aerial photography with an overlay of a GIS'ed creeks) the Austin Dell Valle Motocross bare dirt racetrack has been constructed over tributary drainages of Dry Creek and alongside the Dry Creek banks. Field reconnaissance in early 2008 showed wetlands located within the blocked drainage ways in addition to flow paths which carry sediment from the racetrack.



Baseflow surface water of Dry Creek (east) is monitored through the Environmental Integrity Index program on a three year rotating basis. Six sites were monitored in 1999, five sites were monitored in 2002 and three sites were monitored in 2005, as shown in Figure 2. The Austin Motocross property is located on Dry Creek between sites 1211 and 1210. Site 1211 is upstream of the property and site 1210 is located downstream.

Figure 2. EII sample sites and Motocross location in the Dry Creek (east) watershed.

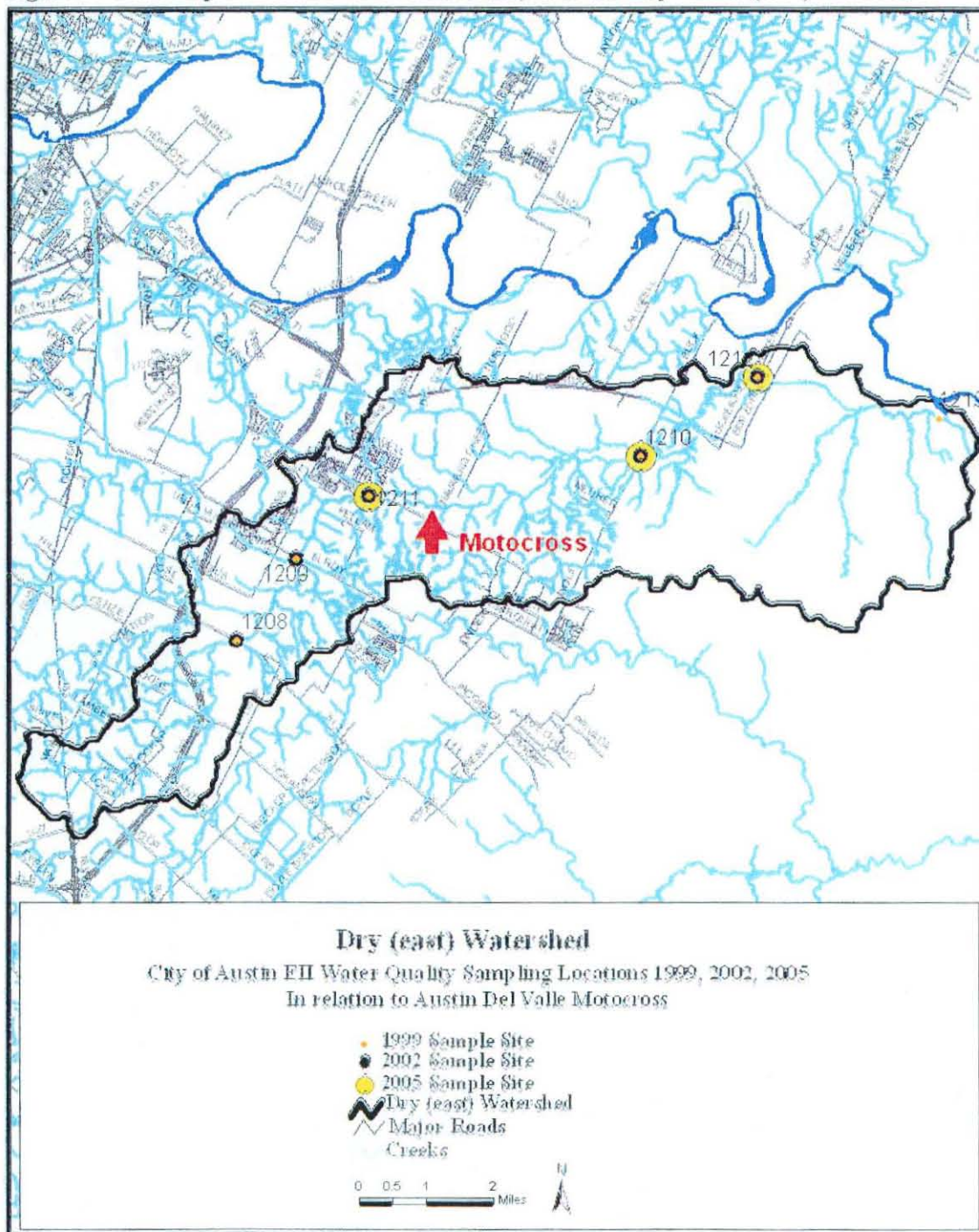


Table 1 presents a summary of the parameters evaluated in water samples from the 2005 EII sampling year. As shown by Table 1, surfacewater from the EII site located downstream of the Austin Motocross (site #1210) showed increased Conductivity, Sulfate, Total Suspended Solids and Turbidity from the upstream site.

Table 1. 2005 EII results for Dry Creek sites

	Parameter	Mean	Max	Min	Relative concentrations compared to other 2005 Phase 3 watersheds
Physicochemical	D.O. mg/l	6.50	9.21	3.77	Low (chronically) at site 1211, with a site average of 4.81mg/l
	pH st.units	7.88	8.22	7.52	Average ¹
	Cond uS/cm	1179.5	1980	640	High at sites 1211 and 1210. Highest reading overall at 1210 in December
	SO ₄ mg/l	162.13	299	78.5	High at sites 1211 and 1210. Highest reading overall at 1210 in December
Nutrients	NH ₃ mg/l	0.03	0.04	0.02	Average ¹
	NO ₃ mg/l	0.92	6.91	0.02	Most average ¹ with one extremely high reading at 1210 in December
	Ortho P mg/l	0.08	0.16	0.03	Average ¹ , with a downstream decreasing trend
Sediment Load	TSS mg/l	18.1	47.5	6.83	High at site 1210, while average ¹ at 1211 and 1212
	Turbidity ntu	16.6	38.45	4.47	High at site 1210, while average ¹ at 1211 and 1212
Biology	E.Coli /100ml	73	240	10	Average ¹ , with median scores increasing downstream.
	Benthic Macs	1210 and 1212 sites had few intolerant species and high dominance of the top three taxa, however, the upstream site (1211) had twice the diversity than 1210. Site 1210 had typically poor metric values.			
	Diatoms	There appears to be a downstream increasing trend in the # of taxa between sites 1210 and 1212. Site 1210 had a high % of motile taxa and a low PTI which resulted in low overall scores. 58% of the total count of site 1210 was <i>Nitzschia inconspicua</i> . Both sites had a low similarity to reference conditions.			

¹ values for this parameter are similar to the median scores for the other 2005 Phase 3 watersheds

Overall EII scores for the Dry Creek (east) Watershed for the years 1999, 2002 and 2005 are 56, 55, and 60 respectively. These scores are considered "Fair" but do not indicate a significant trend in the overall watershed condition. The overall EII scores for the watershed are an average of each of the individual site scores. Table 2 presents a summary of the individual EII sub-index scores for each of the sites on Dry Creek for the last three EII cycles (1999, 2002, 2005). Scores for the downstream site#1210 are generally lower than that of the upstream site# 1211. The 2005 water quality scores were lower for the downstream site#1210 in part because of increased turbidity and total suspended solids.

Table 2. Sub-index scores for Dry Creek Sites (upstream to downstream) 1999, 2002, 2005

Site Number	1208			1209			1211			1210			1212			1213		
Year of Sampling	1999	2002	2005	1999	2002	2005	1999	2002	2005	1999	2002	2005	1999	2002	2005	1999	2002	2005
Water Quality	76	61		65	58		49	59	54	46	47	42	42	48	54	49		
Sediment														86	83	84		
Contact Recreation	100	91		97	95		83	96	76	90	76	64	87	85	67	97		
Non-Contact Rec.	98	50		48	72		42	65	50	36	63	57	39	37	32	65		
Physical Integrity	64	26		31	31		33	48	44	42	32	39	68	48	48	72		
Aquatic Life									77		27	56			71			
Benthic Mac.									77		34	63						
Diatom											20	48			71			
Total EII Score	69	53		54	57		49	59	64	50	55	52	53	51	59	61		

* sediment samples only collected at the downstream site, blank cells indicate parameter was not collected, blank columns indicate site was dropped

100-87.5 Excellent 87.5-75 V. Good 75-62.5 Good 62.5-50 Fair 50-37.5 Marginal 37.5-25 Poor 25-12.5 Bad 12.5-0 V. Bad

As shown by the results of Total Suspended Solids (TSS) and Turbidity from 2005 EII data, there is an increasing trend in both TSS and turbidity from the upstream EII site #1211 to the downstream EII site #1210 (Figure 3 and 4). The mouth site #1212 was typically dry due to surfacewater baseflow infiltrating into the alluvial channel deposits, therefore not much data is available.

Figure 3

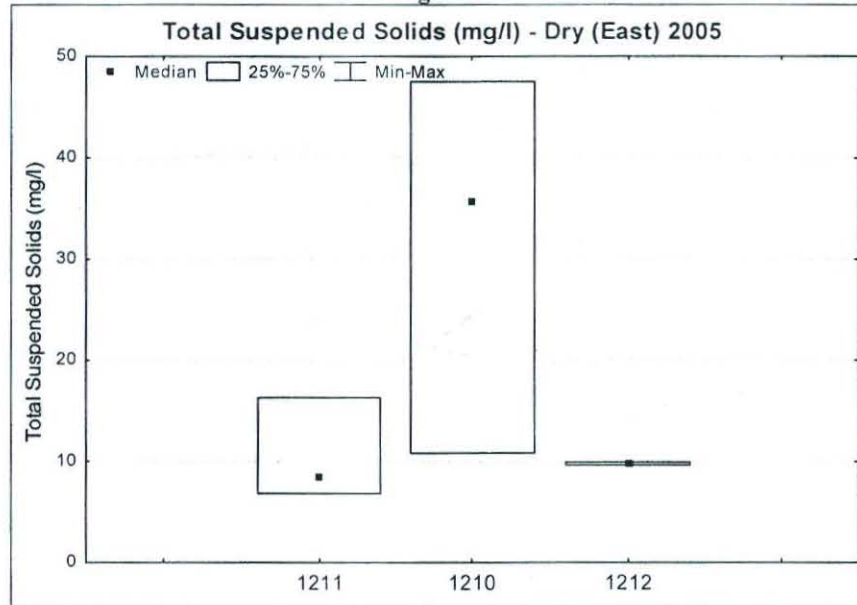
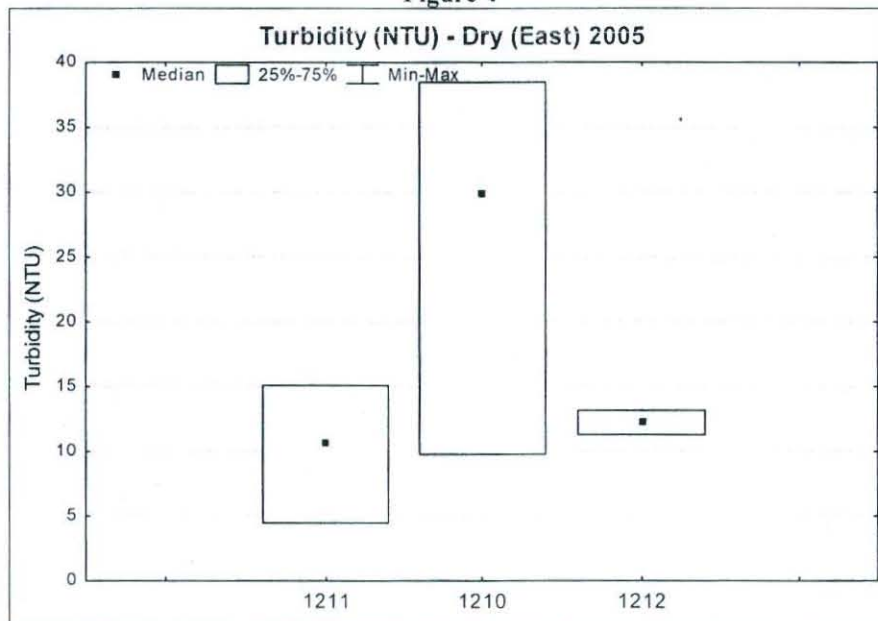


Figure 4



Figures 5 and 6 show the results of TSS and turbidity from site 1210 in the context of the surface water results from all watersheds during the 2005 EII sampling events. As can be seen, the concentrations recorded for site 1210 were higher than most.

Figure 5

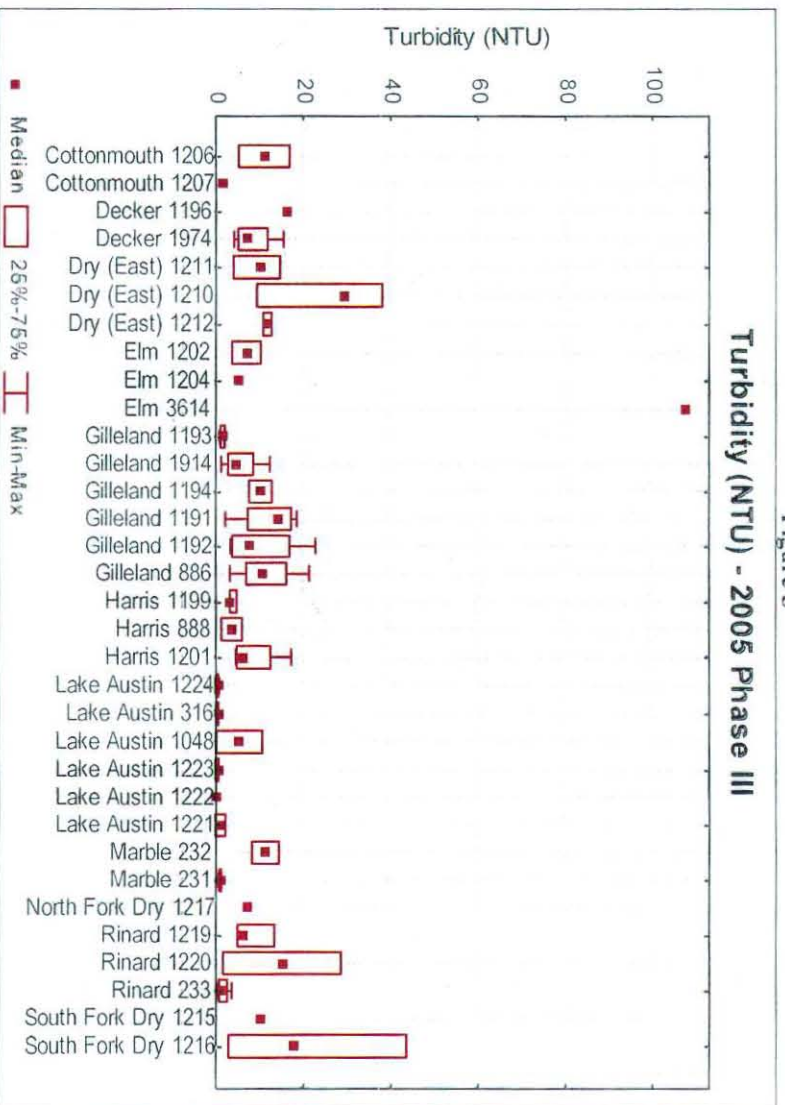
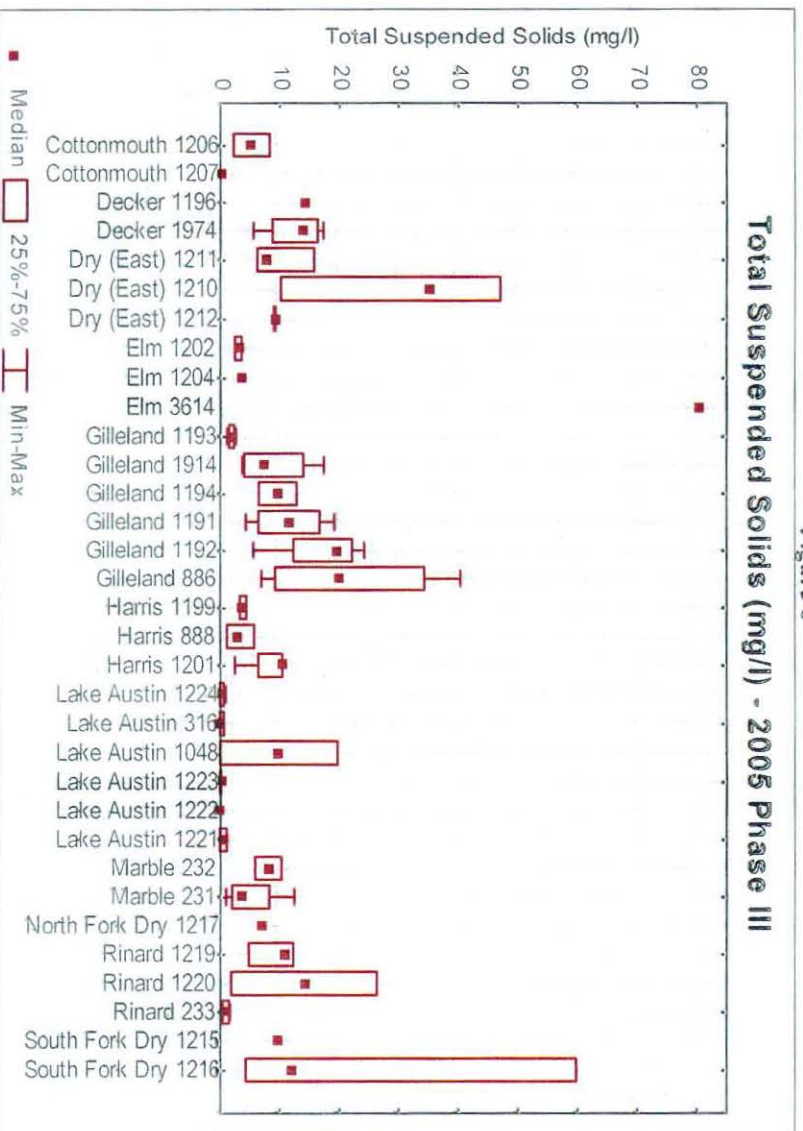


Figure 6





**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	<i>Austin Del Valle Motorcross Park</i>
Application Case No:	SP-2007-0613D
Code Reference:	<i>LDC 25-8-393(A)</i>
Variance Request:	<i>To exceed 30% impervious cover in the water quality transition zone by constructing up to 2.61 acres of impervious cover, including 1.74 acres in the 100 year floodplain</i>

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

No The requirement to construction only 30% impervious cover in the water quality transition zone (WQTZ) will not deprive the applicant of a privilege or safety given to owners of similarly situated property.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

No The applicant has placed a significant portion of the motorcross track within the WQTZ, CWQZ, and 100 year floodplain rather than designing around these areas. The development method does not provide greater overall protection than is achievable without this variance.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

No The applicant could develop the property with more reasonable uses other than a motorcross track.

- c) Does not create a significant probability of harmful environmental consequences; and

No The motorcross track must be constantly regraded to achieve the appropriate texture of soil, and to maintain the desired height of jumps. As a result of this dynamic nature of the proposed activity, erosion and sedimentation is a significant concern, particularly due to the fact that this project is located primarily in the CWQZ and 100 year floodplain.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

No The applicant has proposed to: enhance the existing wetlands along the stock ponds which should perform some water quality function, and provide a track maintenance plan that addresses potential pollutants associated with the motorcross track, such as sediments, and oil and grease. However, the location of this project in the CWQZ removes a significant portion of land that would typically provide water quality, and the proposed activities could negatively affect the receiving waterways. Therefore, the water quality that will result from the variance is not equal to what would be achievable without this variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

No The applicant has chosen to develop the property in a manner that would result in significant post construction disturbance, and has chosen to place the track within the CWQZ, WQTZ, 100 year floodplain, and within CEFs rather than design area these areas.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

No The applicant has chosen a use that is not appropriate for the conditions of the site.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

No The applicant has chosen a use that is not appropriate for the conditions of the site.

Reviewer Name: Patricia Foran

Reviewer Signature: 

Date: May 12, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	<i>Austin Del Valle Motorcross Park</i>
Application Case No:	<i>SP-2007-0613D</i>
Code Reference:	<i>LDC 25-8-392</i>
Variance Request:	<i>To construct up to 3.59 acres of impervious cover, and construct water quality controls within the CWQZ</i>

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

No The requirement to not development within the CWQZ will not deprive the applicant of a privilege or safety given to owners of similarly situated property. Most property in the vicinity of this project is undeveloped agricultural land.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

No The applicant has chosen to place the motorcross track and water quality controls within the CWQZ even though a significant portion of this site is not CWQZ. The development method does not provide greater overall protection than is achievable without this variance.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

No The applicant could develop the property in a manner that would result in less disturbance and long-term impact.

- c) Does not create a significant probability of harmful environmental consequences; and

No The motorcross track must be constantly regraded to achieve the appropriate texture of soil, and to maintain the desired height of jumps. As a result of this dynamic nature of the proposed activity, erosion and sedimentation is a significant concern, particularly due to the fact that this project is located primarily in the CWQZ and 100 year floodplain. Furthermore, any water quality function that the proposed controls will provide may be impeded by its location in the CWQZ.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

No The applicant has proposed to: enhance the existing wetlands along the stock ponds which should perform some water quality function, and provide a track maintenance plan that addresses potential pollutants associated with the motorcross track, such as sediments, and oil and grease. However, the location of this project in the CWQZ removes a significant portion of land that would typically provide water quality, and the proposed activities could negatively affect the receiving waterways. Therefore, the water quality that will result from the variance is not equal to what would be achievable without this variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

No The applicant has chosen to develop the property in a manner that would result in significant post construction disturbance, and has chosen to place the track within the CWQZ, WQTZ, 100 year floodplain, and within CEFs rather than design area these areas.


2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

No The applicant has chosen a use that is not appropriate for the conditions of the site.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

No The applicant has chosen a use that is not appropriate for the conditions of the site.

Reviewer Name: Patricia Foran

Reviewer Signature: 

Date: June 2, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	<i>Austin Del Valle Motorcross Park</i>
Application Case No:	<i>SP-2007-0613D</i>
Code Reference:	<i>LDC 25-8-342(A) and (B)</i>
Variance Request:	<i>To fill up to 16 feet and not establish restore and stabilize fill</i>

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

No The type of development proposed by the applicant is unique compared to similar development activities occurring contemporaneously. As a result, the requirement to fill less than four feet and to stabilize the fill will not deprive the applicant of a privilege or safety given to owners of similarly situated property.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

No The nature of a motorcross cross track requires steep hill and valley topography. In order to achieve this topography, the applicant is proposing fill up to 16 feet in certain areas of the track. The development method does not provide greater overall protection than is achievable without this variance.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

No The applicant could develop the property in a manner that would result in less disturbance and long-term impact.

- c) Does not create a significant probability of harmful environmental consequences; and

No The motorcross track must be constantly regraded to achieve the appropriate texture of soil, and to maintain the desired height of jumps. As a result of this dynamic nature of the proposed activity, erosion and sedimentation is a significant concern, particularly due to the fact that this project is located primarily in the CWQZ and 100 year floodplain.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

No The applicant has proposed to: 1) enhance the existing wetlands along the stock ponds which should perform some water quality function; and 2) provide a track maintenance plan that addresses potential pollutants associated with the motorcross track, such as sediments, and oil and grease. However, the location of this project in the CWQZ removes a significant portion of land that would typically provide water quality, and the proposed activities could negatively affect the receiving waterways. Therefore, the water quality that will result from the variance is not equal to what would be achievable without this variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

N/A

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

N/A

Reviewer Name: Patricia Foran

Reviewer Signature: 

Date: June 2, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	Austin Del Valle Motorcross Park
Application Case No:	SP-2007-0613D
Code Reference:	LDC 25-7-61(A)(5)(b)
Variance Request:	To not preserve the natural and traditional character of the land and waterway

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

No The requirement to maintain the natural and traditional character of the land will not deprive the applicant of a privilege or safety given to owners of similarly situated property. Similar properties do not have this type of development.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

No The applicant has chosen to develop the motorcross track in the floodplain. The development method does not provide greater overall protection than is achievable without this variance.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

No The applicant could develop the property in a manner that would result in less disturbance and long-term impact.

- c) Does not create a significant probability of harmful environmental consequences; and

No The motorcross track must be constantly regraded to achieve the appropriate texture of soil, and to maintain the desired height of jumps. As a result of this dynamic nature of the proposed activity, erosion and sedimentation is a significant concern, particularly due to the fact that this project is located primarily in the CWQZ and 100 year floodplain.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

No The applicant has proposed to enhance the existing wetlands along the stock ponds which should perform some water quality function, and provide a track maintenance plan that addresses potential pollutants associated with the motorcross track, such as sediments, and oil and grease. However, the location of this project in the floodplain and CWQZ removes a significant portion of land that would typically provide water quality, and the proposed activities could negatively affect the receiving waterways. Therefore, the water quality that will result from the variance is not equal to what would be achievable without this variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

N/A

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

N/A

Reviewer Name: Patricia Foran

Reviewer Signature: 

Date: June 2, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	<i>Austin Del Valle Motorcross Park</i>
Application Case No:	<i>SP-2007-0613D</i>
Code Reference:	<i>LDC 25-8-211(B)</i>
Variance Request:	<i>To not provide water quality controls per COA requirements</i>

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

No The requirement to not provide water quality controls per COA requirements will not deprive the applicant of a privilege or safety given to owners of similarly situated property.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

No The applicant has chosen to place a significant portion of the motorcross track within the CWQZ, WQTZ, and 100 year floodplain. The development method does not provide greater overall protection than is achievable without this variance.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

No The applicant could develop the property for more reasonable uses other than a motorcross track.

- c) Does not create a significant probability of harmful environmental consequences; and

No The motorcross track must be constantly regraded to achieve the appropriate texture of soil, and to maintain the desired height of jumps. As a result of this dynamic nature of the proposed activity, erosion and sedimentation is a significant concern, particularly due to the fact that this project is located primarily in the CWQZ, WQTZ, and 100 year floodplain.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

No The applicant has proposed to: enhance the existing wetlands along the stock ponds which should perform some water quality function; and provide a track maintenance plan that addresses potential pollutants associated with the motorcross track, such as sediments, and oil and grease. However, the location of this project in the CWQZ removes a significant portion of land that would typically provide water quality, and the proposed activities could negatively affect the receiving waterways. Therefore, the water quality that will result from the variance is not equal to what would be achievable without this variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

N/A

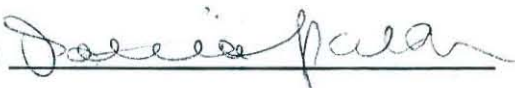
2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

N/A

Reviewer Name: Patricia Foran

Reviewer Signature: 

Date: May 12, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).

DIRECTIONS TO AUSTIN DEL VALLE MOTORCROSS PARK

SP-2007-0613D

This project is located within the 2-mile ETJ.

Austin Del Valle Motorcross Park is located at 14600 Pearce Lane.

Take Highway 71 east past Austin-Bergstrom International Airport. Approximately ¼ mile after State Highway 130, make a right onto Ross Road. Take Ross Road approximately ½ mile to Pearce Lane. Make a left onto Pearce Lane. Take Pearce Lane approximately 1.5 miles; the entrance to the site is on the left.



CONTINUED ON MAP 647



CONTINUED ON MAP 707

CONTINUED ON MAP 678



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BOOK PAGE 1256





Espey Consultants, Inc.
Environmental & Engineering Services

June 4, 2008

Ms. Victoria Hsu, P.E., Director
City of Austin
Watershed Protection and Development Review Department
505 Barton Springs Road
Austin, TX 78704

Dear Ms.Hsu,

Watershed Variances - Findings of Fact

As required in LDC Section 25-8-41, in order to grant a variance the Planning Commission must make the following findings of fact:

Project:	Austin Del Valle Motocross Park	
Case Number:	SP-2007-0613D	
Ordinance Standards:	LDC 25-8-341	Cut Requirements (> 4').
	LDC 25-8-342 (A &B)	Fill Requirements (> 4') and not stabilizing fill.
	LDC 25-7-96	Construction within the CWQZ.
	LDC 25-8-281(C)	For encroaching on a CEF setback.
	LDC 25-8-392	For development in the CWQZ.
	LDC 25-8-211(b)	Water Quality Controls
	LDC 25-7-61	For not maintaining the natural and traditional character with a floodplain modification.

JUSTIFICATION

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes. This development will consist of groomed earthen sports trails, associated parking and operations areas. These sports trails do not exactly fit the exact definition of traditional impervious cover, as being "impermeable construction covering the natural land surface". While they are to be used for off-road vehicles, they are to be constructed in a way to allow for precipitation and moisture to be absorbed into the ground and maintain permeability; much like the fairway of a golf course. In their operations these sports trails require that moisture be applied frequently.

If the sports trails were not considered impervious cover, then the other areas of this development (parking and operations) would then approach the threshold of 20% impervious cover on the net site area calculations.

A portion of the proposed trails will encroach on the 25-year floodplain of Dry East Creek. This floodplain encroachment is permissible as an exception for recreational uses such as a golf course or parkland (LDC 25-7-96). Several Austin area golf courses have cart paths and

associated grading located within the CWQZ. Moreover, the proposed recreational use of sports trails may be considered to have less of an environmental impact than a golf course; as the motocross park will not have the operational requirements of pesticides and herbicides commonly used to maintain golf courses.

- 2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?**

Yes. Unlike golf courses no pesticides or herbicides are required to maintain the recreational use of sports trails. Furthermore, down gradient of the sports trails there will be several Best Management Practices (BMPs) that will reduce potential environmental consequences, and act as alternative water quality control measures. The implementation of the BMPs are described in the 7-page document entitled - Austin Del Valle Motocross Park - Track Management Plan.

- 3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land?**

Yes. This development will consist of groomed earthen sports trails, associated parking and operations areas. A portion of the proposed trails will encroach on the 25-year floodplain of Dry East Creek. This floodplain encroachment is permissible as an exception for recreational uses such as a golf course or parkland. Several Austin area golf courses have cart paths and associated grading located within the CWQZ. The special or unique conditions of this tract did not result from a voluntary subdivision.

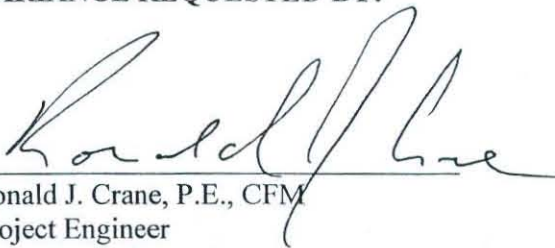
- 4. For a variance from the requirements for development within the Critical Water Quality Zone and/or Water Quality Transition Zone: Does the application of restrictions leave the property owner without any reasonable, economic use of the entire property?**

Yes. The majority of the site is located either within the Critical Water Quality Zone, Water Quality Transition Zone or the Zone A floodplain as designated by FEMA. Due to these limitations, the only economic use of this tract is for recreation, such as groomed earthen sports trails.

- 5. For variances in the Barton Springs Zone, in addition to the above findings, the following additional finding must be included: Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance?**

Not located in the Barton Springs Zone.

VARIANCE REQUESTED BY:



Ronald J. Crane, P.E., CFM
Project Engineer
Espey Consultants, Inc.



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**Austin Del Valle Motocross Park
Track Maintenance Plan**

Prepared for:

Dennis Goehring
3421 W. William Cannon
Suite 141
Austin, Texas 78745

Prepared by:

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July 2008

Project No. 4019.101



1.0 INTRODUCTION

The Austin Del Valle Motocross Park, ADV MX is a proposed recreation facility on a 45.948-acre tract located at 14600 Pearce Ln. It is located entirely within the Extra Territorial Jurisdiction (ETJ) of the City of Austin in Travis County, Texas.

This development will consist of groomed sports trails, associated parking and operations areas. A portion of the proposed recreation areas will encroach on the 25-year floodplain of Dry East Creek. This floodplain encroachment is permissible as an exception for recreational uses such as a golf course or parkland. (*City of Austin LDC Sec. 25-7-96*). The proposed recreational use of sports trails may be considered to have less of an environmental impact than a golf course; as the motocross park will not have the operational requirements of pesticides and herbicides commonly used to maintain golf courses. Moreover, the City of Austin's 1,142 acres of the Emma Long Metropolitan Park is set apart from other city parks as the only provider of camping facilities and trails for off-road motorcycles.

The proposed sports trails will have earthen ramps and banked turns as challenges for off-road enthusiasts. To ensure the integrity of these features regular maintenance and repair is required. Any potential loss of earthen material from these trails affects the economic viability of this recreational facility.

There are also environmental concerns: the controlling of erosion and sedimentation; the suppression of dust; and the cleanup and containment of spills (oil and grease).

To deal with these concerns Espey Consultants, Inc., (EC) propose a **Track Maintenance Plan** for this recreational facility.

2.0 TRACK MAINTENANCE PLAN

On most development projects, the major period for erosion potential exists between the initial removal of existing vegetation and the completion of construction with the revegetation of the site. However, the proposed earthen sports trails of ADV MX, will be in a continual state of rehabilitation to maintain their recreational form and function and prevent the loss of earthen material. This perpetual construction activity requires guidelines to be implemented throughout the site:

2.1 GROOMED SPORTS TRAILS AND OPERATIONS

1. Groomed sports trails are to be located in designated and flagged off areas with a colorful low-tensile strength material.
2. Groomed sports trails are to be sprayed down with water frequently for dust control. Frequency of spray down may include between events or even on dry days with no planned events.

3. A permanent irrigation system with sprinkler heads, valves, pumps and controls shall be provided for the spray down of sports trails and the re-establishment of vegetation. An irrigation plan shall be prepared by a licensed irrigator.
4. The sports trails are to be regularly groomed to provide a desirable riding surface; and for the repositioning of trail material as collected in compost socks and sediment basins (stock tanks).
5. The equipment used for sports trail maintenance shall only be operated on the sports trail and maintenance access areas. Disturbance of the revegetated and pervious areas is prohibited.
6. Boulders or other landscape type barrier shall be used to ensure that "street legal" vehicles are contained within designated parking/operation areas.
7. A crushed granite or similar pervious material shall be used for pedestrian areas in between sports trails and parking and operational facilities. Signage shall indicate that off-road motorcycle shall be walked along designated granite paths between sports trails.

2.2 REVEGETAION AND MAINTENANCE OF NATIVE PLANT AREAS

1. All non sports trails and non-operation areas shall be revegetated according to City of Austin specifications 604S or 609S for seeding and planting. The specifications of 604S shall apply only to areas for erosion control. The specifications of 609S shall apply for the restoration of native grasslands. The final species selection from the 609S specification shall be applied for the varied field conditions either Upland Species (full sun) or Upland Species (shade-dappled light areas) or Facultative Species (Moderate – high moisture areas). A lower growing grass such as buffalo grass would be acceptable in the Full Sun Areas.
2. The area above the creek and below the lowest sports trail shall be revegetated according to City of Austin specifications No. 609S. Between the lowest sports trail this revegetation there shall be a row of compost socks and then a row 2-5 gallon Switchgrass plantings on 3-foot centers.
3. Hand trimming to 12-inches with a hand held weed trimmer is allowed twice a year and is to be documented in the attached tracking form.
4. Irrigation may be required in order to maintain acceptable levels of vegetated coverage.
5. Remove any built-up sediment and debris, especially along uphill edges, berms, swales.
6. The maintenance section of 609S shall be observed where:

609S.6 Management Practices

Weeds, as defined in the Weed List (Table 1), shall be controlled in the most efficient manner possible. The timing of weed control may occur prior to soil disturbance, just before the installation of seed, and/or during the period of grassland establishment. Weed control shall be introduced at one or all of these times, so that the greatest control is achieved. The preferred method of control is to remove weeds, either by physical or mechanical means, when the site is conducive (e.g. when the ground is moist) to this approach.

The entire root system of perennial weeds shall be removed to prevent re-sprouting. Weeds may be controlled with an approved contact, systemic herbicide provided the product is used with appropriate care and is applied in accordance with label instructions and the following guidelines:

- 1. Herbicide shall not be applied when the wind is greater than 8 mph,*
- 2. Herbicide shall not be applied when rainfall is expected within 24 hours,*
- 3. Herbicide shall not contact surface water, i.e. creeks, rivers and lakes,*
- 4. Herbicide shall not contact desirable vegetation (a wicking method shall be used, if necessary, to accurately contact target weed only during application).*

The Engineer or designated representative shall be consulted to determine appropriate weed control management when weeds are located in an environmentally sensitive location (e.g. near water or adjacent to a critical environmental feature).

Mulch socks shall be placed down stream of sports trails to control potential erosion. Their locations are located on the erosion control sheet of the site development plans.

A mulch sock is a type of contained organic filter berm. It is a mesh tube filled with organic material that is placed perpendicular to sheet-flow runoff to control erosion and retain sediment. The mulch filter sock, which is oval to round in cross section, provides a three-dimensional filter that retains sediment and other pollutants (e.g., suspended solids, nutrients, and motor oil) while allowing the cleaned water to flow through. There is greater surface area contact with soil than typical sediment control devices, thereby reducing the potential for runoff to create rills under the device and/or create channels carrying unfiltered sediment. Additionally, they can be laid adjacent to each other, perpendicular to storm water flow, to reduce flow velocity and soil erosion.

Mulch socks are assembled by tying a knot in one end of the mesh sock, filling the sock with the organic material (usually using a pneumatic blower), then knotting the other end once the desired length is reached. A filter sock the length of the slope is normally used to ensure that storm water does not break through at the intersection of socks placed end-to-end. In cases where this is not possible, the socks are placed end-to-end along a slope and the ends are interlocked. Once the sock is filled and put in place, it should be anchored to the slope. The ends of the sock should be directed upslope, to prevent storm water from running around the end of the sock.

The vegetation grows into the slope, further anchoring the sock. If there is excessive ponding behind the filter sock or accumulated sediments reaches the top of the sock, placement of an additional sock is recommended.

2.3 WATER STOCK TANKS AND WATER QUALITY

This site has created a couple of sediment basins (stock tanks) located at the lower end of the property. The purpose of these tanks is for: 1) water collection for track irrigation; and 2) sediment capture to be re-used on the sports trails. These tanks while man-made are considered to be emergent wetlands. Even though these tanks are not typical uses of treatment for water quality; their ability to treat stormwater runoff is considered an enhancement.

To prevent sediment from entering these sediment basin some other Best Management Practices BMPs are to be used. These BMPs upstream from the Sediment basins area VFS, a water quality diversion berm, additional vegetative filter strips, compost socks and switch grass plantings. The water quality enhancement of this site and the sediment basins (stock tanks) is specified as follows:

1. The installation of a Water Quality Diversion Berm at the furthestmost edges of the sports trails and create drainage patterns where drainage from the sports trails is directed over a vegetative filter strip before entering the Sediment Basins.
2. The vegetation in between the sports trails shall be maintained to a 90% density and operate as vegetative filter strips as indicated on the Water Quality Controls Plan.
3. Planting with a variety of wetland emergents as recommended for water quality plans (ECM 1.3.0). This should include shallow planting benches, and other appropriate emergents for various water depths at least 10 feet from the ponds high water mark.
4. Improve the pond's outfall structures with naturally weathered boulders to enhance the natural character of the site.
5. The use of a mulch socks between the sports trails and vegetative areas downstream with the 604S planting specifications.
6. Behind mulch socks plant a row 2-5 gallon Switch grass on 3-foot centers.
7. Temporary irrigation for the establishment of native seeds and plantings.
8. Periodically remove any sediment accumulations for re-use on the sports trails.
9. To protect against mosquitoes the stock tanks shall be regularly stocked with local native fish species, such as the Gambusia.

2.4 SPILL RESPONSE ACTIONS

No spilled hazardous materials or hazardous wastes will be allowed to come in contact with stormwater discharges. If such contact occurs, the stormwater discharge will be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated stormwater.

Whenever a spill or discharge involves an imminent threat to human health, notify local emergency authorities *immediately* and cooperate with them in responding to the spill. "Local emergency authorities" usually means the local fire department and law enforcement agency, but could also mean the local fire marshal, health department, or emergency planning committee.

Any spills of hazardous materials which are in quantities in excess of Reportable Quantities as defined by the TCEQ Spill Rule 30 TAC §§327.1–327.5, and included as Table 1, shall be reported to TCEQ.

If the amount of material spilled or discharged within any 24-hour period is equal to or greater than the amount indicated in Table 1, the rule calls for the party responsible for the spill to notify the TCEQ within 24 hours. There are three ways to satisfy this reporting requirement by phone:

- Call **1-800-832-8224** (the Environmental Response Hot Line).
- Call the TCEQ Spill Reporting Hot Line at 512/463-7727.
- During regular business hours, call the TCEQ regional office that serves the county in which the spill occurred.

Table 1. Reportable Quantities (RQs) According to the Spill Rule

TYPE OF SPILL	On Land	In Water
Crude oil	210 gal	Enough to form a sheen
Used oil or petroleum product		
At a PST exempt facility*	210 gal	Enough to form a sheen
All others	25 gal	Enough to form a sheen
Oil other than crude oil, used oil, or petroleum product	210 gal	Enough to form a sheen
Other substances	No RQ	100 lb
Industrial solid waste	No RQ	100 lb

NOTE: This table applies only to the reporting of spills and discharges according to the Spill Rule, 30 TAC §§327.1–327.5. To find values of CERCLA RQs for hazardous substances, please refer to 40 CFR Table 302.4.

*The term "PST exempt facility" refers to facilities that are exempt from the Aboveground Storage Tank Program. Petrochemical plants, petroleum refineries, and electricity generation, transmission, and distribution facilities are some examples of PST exempt facilities.

Contaminated Soils

Any contaminated soils (resulting from spills of materials with hazardous properties) will be contained and cleaned up immediately in accordance with applicable state and federal regulations. The owner or designated representative will be responsible for seeing that these procedures are followed:

1. Materials and equipment necessary for spill cleanup will be kept in a spill control or containment kit (containing, for example, absorbent such as kitty litter or sawdust, acid

2. All spills will be cleaned up immediately after discovery.
3. Spills of toxic or hazardous materials will be reported to the appropriate federal, state, and/or local government agency, regardless of the size of the spill.

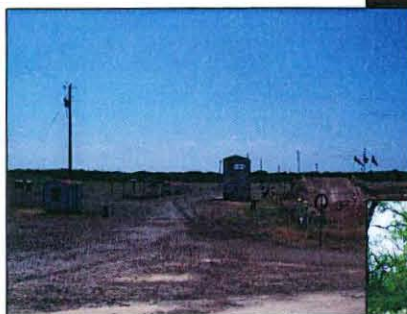
example

[illegible]

AUSTIN DEL VALLE MOTOCROSS PARK

Track Management Plan

Austin, Travis County, Texas



July 2008

Project No. 4019.102

3.0 CONTACT INFORMATION

The contact provided shall be responsible for the Track Maintenance Plan during operations of ADVMX until maintenance is formally relinquished to a secondary party. At that time, this plan shall be amended to include the name and contact information of the new responsible party.

Dennis Gochring - ADVMX

3421 W. William Cannon

Suite 141

Austin, Texas 78745

(512) 892-8822

(signature)

(date)

(printed name)

(title)

(211.660 ac.)

Edna Johnson Family Trust
Doc# 2002010267
(211.66 ac.)

CENTERLINE
DRY CREEK

WATER QUALITY CALCULATIONS

TOTAL SITE AREA = 45.948-AC.
NET SITE AREA = 22.86-AC.
*PROPOSED I.C. = 3.8-AC.
PROPOSED (%) I.C. = 16.7% (<20%)

I.C. WITHIN THE CWQZ

REQUIRED VFS AREA = CONTRIBUTING DRAINAGE AREA x SAND FILTRATION EQUIVALENCY

CWQZ CONTRIBUTING DRAINAGE AREA = 0.6-AC

IMPERVIOUS COVER** = 0.6-AC.

I.C. PERCENT = 100%

*SAND FILTRATION EQUIVALENCY = 2.49

REQUIRED VFS AREA = 0.6 AC * 2.49

REQUIRED VFS AREA = 1.5-AC.

PROVIDED VFS AREA = 1.5-AC.

DRAINAGE FROM
TRAILS TO PASS
OVER VFS BEFORE
ENTERING SEDIMENT
BASINS OR PONDS

Richard W. Roby
Doc# 2000000983
(61.153 AC.)

Charles Collins
7585/951
(2.92 ac)



LEGEND	
EXISTING	PROPOSED
	PROPERTY LINE
	R.O.W.
	SET IRON ROD
	POWER POLE
	TREE
	TREE TO BE REMOVED
	WIRE FENCE
	CREEK CENTERLINE
	OVERHEAD ELECTRIC LINE
	CONTOURS
	SPORTS RAMP (OVER 4' CUT & FILL)
	SPORTS TRAIL
	CWQZ
	WQTZ
	100-YR FLOODPLAIN
	GRADE TO DRAIN
	WQ DIVERSION BERM w/ SWITCH GRASS
	MULCH SOCK
	PEDESTRIAN PATH
	LANDSCAPE BOULDER PERIMETER
	ROCK RIP RAP
	OUTFALL CONTROL
	MAINTENANCE ACCESS (15-FOOT WIDE)
	RESTORED/EXISTING NATIVE VEGETATION
	OPERATIONAL AREA
	WQ DRAINAGE BOUNDARY
	VFS AREA

***ADDITIONAL VFS AREAS (AC.)

VFS a =	1.2
VFS b =	0.4
VFS c =	1.7
VFS d =	0.9
VFS e =	0.2
VFS f =	0.3
VFS g =	0.1
VFS h =	1.2
VFS i =	0.2
VFS j =	0.4
VFS k =	0.3
VFS l =	0.2
VFS m =	0.4
VFS n =	0.5
VFS o =	0.1
VFS p =	0.1
VFS q =	0.2
VFS r =	0.6
VFS s =	1.0
	10.0

*ECM TABLE 1-10 VEGETATIVE FILTER STRIP (VFS) SIZING (PAGE 1-186).

** IMPERVIOUS COVER WITHIN THE WQTZ BASED UPON CONTROLLED ACCESS OPERATIONS AREAS WITH ON-ROAD MOTORIZED VEHICLES.

***ADDITIONAL VFS TO BE PROVIDED AROUND EARTHEN GROOMED SPORTS TRAILS AREAS
SPORTS TRAILS ARE NOT CONSIDERED I.C. FOR THE CALCULATIONS OF WATER QUALITY.



Espey Consultants, Inc.

Environmental & Engineering Services

EXHIBIT 2 (REVISED) WATER QUALITY CONTROLS PLAN AUSTIN DEL VALLE MOTOCROSS PARK

AUGUST 2008

4019.101