



ENVIRONMENTAL BOARD MOTION 20150603 007a

Date: June 3, 2015

Subject: Resolution on the proposed construction of SH45 SW

Motion By: Ruthie Redmond

Second By: Mary Ann Neely

RATIONALE:

See attached.

VOTE 1-5-1-0-0

Recuse: Smith

For: Maxwell, Neely, Perales, Redmond, Deegan

Against: None

Abstain: Schissler

Absent: None

Approved By:

A handwritten signature in black ink, which appears to read 'Mary Gay Maxwell'. The signature is written in a cursive, flowing style.

Mary Gay Maxwell, Environmental Board Chair

Whereas State Highway 45 Southwest (SH45 SW) has been a community concern since the late 1980's because it is planned to traverse one of the most ecologically sensitive areas in Austin and Travis County; and

Whereas, the Environmental Board has concerns with certain findings and conclusions made in the Texas Department of Transportation's (TxDOT) draft Environmental Impact Statement (EIS) report, EIS technical reports, Record of Decision, and final EIS report, regarding the environmental impact of the proposed SH45 SW project, because the final EIS and Record of Decision does not sufficiently address various environmental concerns expressed by local and federal agencies, including the City of Austin, in comments submitted on the draft EIS; and

Whereas, SH45 SW presents a risk to the purpose of the City of Austin's Water Quality Protection Lands; and

Whereas, according to the U.S. Fish and Wildlife Service, the federal permit status of the Balcones Canyonlands Preserve Plan (BCCP), jointly managed by the City of Austin and Travis County, is placed at risk because of potential unintended impacts due to the construction of SH45SW; and

Whereas, the Environmental Board is concerned that the substantial public and private investment in these lands that have facilitated millions of dollars of development in Central Texas, and which protect the water supply of Austin and numerous endangered species, may be jeopardized by SH45 SW; and

Whereas, the Environmental Board has concerns that the EIS relied on a one-year study rather than the U.S. Fish and Wildlife Service's requirement of a 3-year study of the protected Golden- Cheeked Warbler (GCW) to determine whether or not the SH45 SW right-of-way would have no direct or indirect impact due to the absence of the species near the SH45 SW right of way; and

Whereas, the Environmental Board is concerned with the possible surface and subsurface connection between the proposed SH45 SW and Flint Ridge Cave (FRC), a sensitive environmental feature which is vulnerable to chemical contaminants and sediment pollution present in runoff and spills associated with a roadway, the water quality implications for Barton Springs, and the possible impact on the federally protected Austin Blind Salamander and Barton Springs Salamander, which rely exclusively on the Springs for their habitat; and

Whereas, since dye trace studies from the ground surface to Flint Ridge Cave are currently being conducted by city staff to define the surface catchment area and connection to Flint Ridge Cave and to the Edwards Aquifer, the Environmental Board questions the findings presented in the final EIS, that the proposed SH45 SW would have no impact on FRC or water quality at Barton Springs; and

Whereas, the Environmental Board notes that the proposed project includes calculations for only one category of pollutants, Total Suspended Solids (TSS), thereby neglecting to consider other pollutants that may also impact water quality; and

Whereas, the Environmental Board has concerns that these issues may leave the Barton Springs Segment of the Edwards Aquifer at risk, for not only recreational users but also as a public water supply in areas where the aquifer is used as the sole source of drinking water for approximately 60,000 people; and

Whereas, the Environmental Board has major concerns regarding the cumulative environmental impacts of existing and potential future connected roadway system projects within the Barton Springs Zone,

including improvements to MoPac South and Highway 71 in Oak Hill, and the potential extension of SH 45 SW to IH-35; and

Whereas, the City of Austin recently completed a major infrastructure project, the Water Treatment Plant No. 4 project, in a highly sensitive area without significant environmental impacts using an environmental commissioning process that was not included or fully defined in the EIS; and

Whereas, the Environmental Board recognizes that the continued health of the Barton Springs segment of the Edwards Aquifer is critically important to the environmental, recreational, and economic sustainability of the City of Austin, due to the above mentioned environmental concerns that have not been addressed by TxDOT's draft EIS, EIS technical reports, final EIS report, or Record of Decision;

Now, therefore, be it resolved that the Environmental Board does not support the building of SH45 SW as currently proposed; and

Be it further resolved that the Environmental Board urges the City of Austin, by whatever means deemed appropriate, to:

- Request that TxDOT withdraw the Record of Decision for SH45 SW;
- Request that TxDOT adequately address the comments of the City of Austin and other agencies on the draft EIS and supporting technical reports;
- Request that TxDOT not reissue a revised final EIS and Record of Decision until the dye tracing for Flint Ridge Cave and adequate endangered bird studies are completed and reports issued; and
- Request that the Central Texas Regional Mobility Authority (CTRMA) suspend design work on SH45 SW until a revised final EIS and Record of Decision is issued;
- Request that CTRMA fully develop and implement a third party environmental commissioning oversight process, similar in scope and design to the WTP#4 project, for SH45SW design and construction, and that the City offer to provide any information, advice, and assistance to CTRMA in implementing such a process;
- Take any necessary steps to defend the Balcones Canyonlands Conservation Plan and federal permit because of its enormous value in protecting endangered species while facilitating more than \$4.5 billion in economic development for Austin and Travis County since its inception; and
- Act to provide maximum protection for water quality at Barton Springs in order to protect the endangered Barton Springs Salamander and the Austin Blind Salamander and, to protect Barton Springs, the gathering place and the symbol of the expansive and dynamic nature of Austin, that has brought millions of visitors to Austin;

And be it further resolved that, if a scientifically supportable Record of Decision is issued,

The Environmental Board recommends that the Council direct the City Manager to remain directly engaged with TxDOT and CTRMA through the design and construction phases of SH45 SW, in order to provide the highest level of protection for the extremely sensitive area; and

The Environmental Board recommends that there be a continued working relationship between TxDOT, the Central Texas Regional Mobility Authority, and the City of Austin to find transportation solutions for Southwest Austin, which both relieves traffic congestion and protects the environment.