



## CITY MANAGER REPORT

September 8, 1986

### PROPOSED DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Capsule Summary

I am providing for Council consideration, my recommendations for the new Department of Environmental Protection. In response to Council direction, I have prepared recommendations which will continue to provide for a strong and aggressive environmental program for the City of Austin. Many of the recommendations I am providing to you are a direct result of the collaborative efforts of the Blue Ribbon Environmental Panel, environmental representatives on the Comprehensive Plan Steering Committee, the new Director of Environmental Protection and other members of the City staff. I believe the proposed organizational initiative being recommended to you will provide the city with a new focus on environmental priorities.

#### Background

Since the early seventies, the City of Austin has had a strong organizational commitment to environmental management. The organizational philosophy suggested that the City should have a small highly technical staff to manage the community's environmental resources. In turn, very little environmental sensitivity existed in other parts of the organization. The net result was the ever increasing need to expand the environmental office to respond to environmental issues.

In 1984, I recommended that the City Council consider broadening the environmental presence throughout the organization. In addition, I recommended that the ties between long range planning and environmental function be strengthened.

During the past 18 months, great strides have been made by the City of Austin in addressing the community's environmental priorities. Through the Council's leadership, the following major improvements have been made.

- Substantially improved erosion sedimentation control enforcement. Our compliance rate has increased from 20% to 50% during the past 18 months.
- An Environmental Court has been established by the Presiding Judge of the Municipal Court to hear all environmental complaints to ensure consistency in the adjudication process.
- Hazardous materials registration and storage program has been implemented.

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- The water quality of the City's wastewater system has been substantially improved.
- The Council adopted the Comprehensive Watershed Ordinance.

The Council has requested that I provide my recommendations concerning a new Environmental Protection Department. I have asked a group of distinguished environmental leaders to assist me by examining our present environmental program and structure and to provide me with their recommendation for improvements. The Blue Ribbon Environmental Panel articulated several critical organizational principles which I wholeheartedly support. The Panel recommended:

- An environmental sensitivity should be maintained throughout the organization.
- A separate Environmental Department should consist of highly qualified professional staff structured to avoid duplication of effort, strengthen the environmental program and strengthen interdepartmental coordination.
- The coordination of environmental functions in each department can be enhanced through the formation of an Interdepartmental Environmental Managers Team.
- There is a need to develop a dynamic environmental policy which all City departments are required to support with specific environmental mission statements.

The development of my recommendations to you concerning the Department of Environmental Protection embraces the principles which have been articulated by the Blue Ribbon Environmental Panel. Valuable input has also been received by the environmental representatives on the Comprehensive Plan Steering Committee. While the steering committee representatives did not provide a written report, their input to me was perceptive and very valuable. Their suggestions included:

- Increasing the number of environmental inspectors through consolidation of duplicative functions.
- There is a need for environmental staff throughout the organization to have an ongoing relationship with the Environmental Director.
- There is a need for the Environmental Department to have sufficient stature to "hold its own" among City Departments.
- There needs to be developed an Environmental Index to measure the community's environmental status on a periodic basis.

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### Recommendations

My recommendations for the new Department of Environmental Protection are as follows.

#### Environmental Enforcement

The Environmental Enforcement Division will provide for an aggressive compliance program for the City's environmental ordinances. The new division will double the size (from 7 to 18) of the City's environmental inspection staff. Compliance rates are expected to reach the 80% rate with the additional staffing.

The Environmental Enforcement Division will be responsible for enforcing the City's environmental ordinances, conducting erosion sedimentation control and site development inspections, and coordinate the review functions of all development projects (both City and private sector). In addition, the division will administer the City's Tree Protection and Landscape Ordinances.

#### Water Quality Management

The Water Quality Management Division will bring together the present City resources to monitor and evaluate the status of water quality in the Austin region. The maintenance and management of the City's water quality data base will result in a much improved water quality program.

The Water Quality Management Division will be responsible for the Stormwater Monitoring Program; the Cooperative Water Resources Program; package treatment plant permit application review; remote sensing; inspect and monitor sources of discharge to storm sewers and waterways; monitoring of active/inactive sanitary landfills and underground storage tanks; updating maintenance of environmental ordinances related to erosion sedimentation control; maintenance of water quality data management and information system. Protection and analysis of the impacts of the development on the Edwards Aquifer will also be managed by the division.

#### Environmental Management

The Environmental Management Division will be responsible for environmental planning both in terms of comprehensive planning as well as planning for the protection of specific critical or threatened resources. The division will also manage the planning, coordination and routing of hazardous materials. Air quality management and biologic protection functions will be housed in the division. Programmatic oversight for solid waste planning with the Solid Waste Services Division will also be provided in the Environmental Management Division.

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### Administrative Services

The Administrative Services Division will manage the personnel, budget, clerical support, and community education functions of the department.

### Interdepartmental Environmental Managers Team

Both the Blue Ribbon Panel and the Steering Committee representatives recommended the creation of an Interdepartmental Environmental Managers Team as a means to ensure ongoing interaction between the Environmental Director and other environmental managers (Water and Wastewater, Health, Fire, Public Works, and Resource Management) in the organization. The notion being suggested is sound. The new Environmental Director is the City's chief spokesperson for the the City of Austin on environmental issues. There must be ongoing coordination of the City environmental efforts through regular and frequent discussion and management direction.

### Program Initiatives

I am recommending the initiation of three new programs with the creation of the new Department of Environmental Protection. They include:

- Development of an Environmental Index to monitor the City's status on key environmental indicators.
- Publish an annual comprehensive "state of the environment" report which responds to the City's progress in addressing its environmental priorities.
- In support of the work being developed by the Comprehensive Plan Environmental Task Group, develop a comprehensive environmental policy. All City Departments will be required to develop policy statements in support of the comprehensive policy.

### Organizational Chart

The organizational chart for the new department is attached in Exhibit A.

### Fiscal

The proposed budget for the Environmental Protection Department is attached in Exhibit B.

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**Conclusion**


I am recommending a strong Environmental Protection Department with sufficient resources to undertake an aggressive environmental program while at the same time maintaining an environmental presence throughout the organization. I look forward to discussing with the Council my recommendations for the Department of Environmental Protection.

Submitted by:



Terry L. Childers  
Senior Assistant City Manager

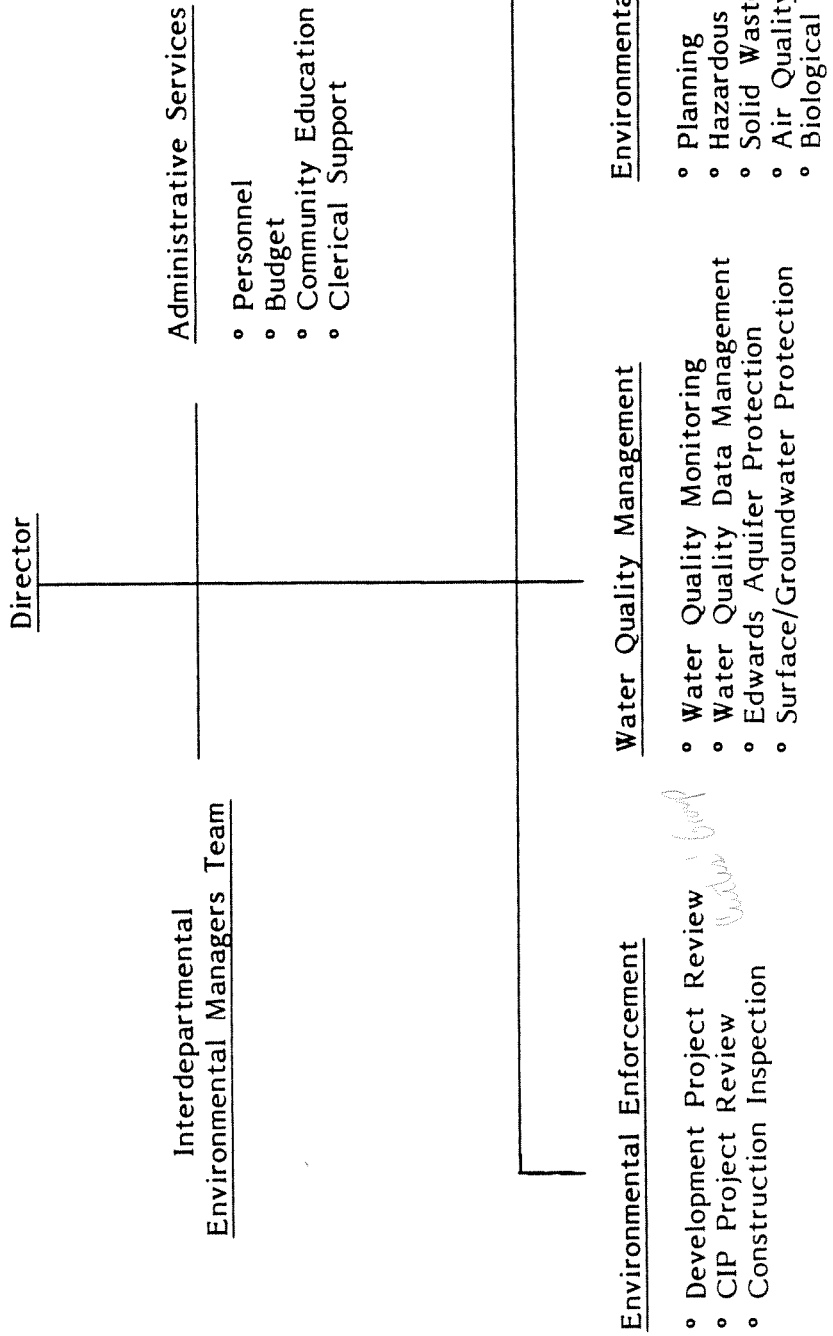
Approved by:



Jorge Carrasco  
City Manager

**EXHIBIT A**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**



## ENVIRONMENTAL PROTECTION

A new Department of Environmental Protection was mandated by the City Council in May, 1986. The proposed budget for the new department presented here reflects the City Manager's proposed organizational structure for Environmental Protection.

### DEPARTMENTAL GOALS AND OBJECTIVES

The primary goal of this department is to protect, preserve, and enhance the quality of Austin's environment. Towards this goal, the Department of Environmental Protection will perform inspection, monitoring, planning, research, review, and education functions.

### PROGRAM AREAS

The proposed Department of Environmental Protection consists of four divisions: Administrative Services; Environmental Enforcement; Water Quality Management; and Environmental Management.

The Administrative Services Division, which includes the Director, will manage the budget, personnel, clerical support, and community education functions of the department. The Environmental Coordinating Council will also be housed in this division. A total of 8 FTE's will be assigned to Administrative Services.

The Environmental Enforcement Division will be responsible for enforcing the City's environmental ordinances, conducting erosion/sedimentation control and site development inspections, and coordinating the environmental review process on all City and private-sector development projects. The division will also administer the City's Tree Protection and Landscape Ordinances. Environmental Enforcement will have a total of 31 FTE's.

The Water Quality Management Division will manage programs to protect surface and groundwater resources, including the Edwards Aquifer. Functions of this division include package treatment plant permit application review; remote sensing; inspection and monitoring of sources of discharge to storm sewers and waterways; monitoring of active/inactive sanitary landfills and underground storage tanks; updating of environmental ordinances related to erosion/sedimentation control; maintenance of a water quality data management and information system; and management of Edwards Aquifer protection programs and studies. The division will have 10 FTE's. 5 + 2 + 3

The Environmental Management Division will assume responsibility for comprehensive environmental planning as well as planning for the protection of specific critical or threatened resources. The division will also handle air quality management and biologic protection functions, along with managing the planning, coordination, registration, storage and routing of hazardous materials. Environmental Management will have a total of 10 FTE's.

## BUDGET HIGHLIGHTS

The proposed 1986-87 budget for Environmental Protection totals \$2,392,696. Because this is a new department, it is not possible to compare the proposed budget with a current year appropriation. It does represent an increase in resources committed to environmental programs in that 2 new positions are recommended for the department (a Fiscal Manager and an Executive Secretary) and in that the consolidation of some City environmental programs will allow better coordination and more efficient operations.

Highlights of the proposed budget include:

- . \$60,000 for the two new FTE's: a Fiscal Manager (M07) and an Executive Secretary (A18);
- . Approximately \$335,000 in City funds for water quality testing and monitoring programs;
- . Funding for educational activities, photographic work, and publications totaling approximately \$20,000.

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TABLE 1  
DEPARTMENT BUDGET SUMMARY

	1985-86 Approved Budget	1985-86 Estimated Expenditures	1986-87 Recommended Budget	% Change 1985-86 Budget
Personnel	N/A	N/A	\$1,912,040	---
Non-Personnel	N/A	N/A	\$480,656	---
Capital	N/A	N/A	\$0	---
TOTAL	N/A	N/A	\$2,392,696	---

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Table 2 presents the proposed Environmental Protection budget by division. The largest division in terms of FTE's and budget is Environmental Enforcement.

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**TABLE 2**  
**PROGRAM BUDGET SUMMARY**

	1985-86 Approved Budget	1985-86 Estimated Expenditures	1986-87 Recommended Budget	% Change 1985-86 Budget
	-----	-----	-----	-----
Administrative Svcs.	N/A	N/A	\$255,460	---
Env. Enforcement	N/A	N/A	\$1,059,450	---
Water Quality Mgmt.	N/A	N/A	\$703,704	---
Environmental Mgmt.	N/A	N/A	\$374,082	---
<b>TOTAL</b>	N/A	N/A	<b>\$2,392,696</b>	---

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REVENUES AND FUNDING SOURCES

The Department of Environmental Protection is funded through the Growth Services Fund, which includes a significant contribution from the General Fund in support of environmental programs.

Revenues generated by department activities, including environmental review and greenspace programs, is collected through the Office of Land Development Services. There are also revenues associated with storm sewer discharge permits and liquid water hauler trip tickets and vehicle permits.

Austin City Council

Mayor

Frank C. Cooksey

Mayor Pro Tem

John Trevino, Jr.

Council Members

Mark Rose

Smoot Carl-Mitchell

Sally Shipman

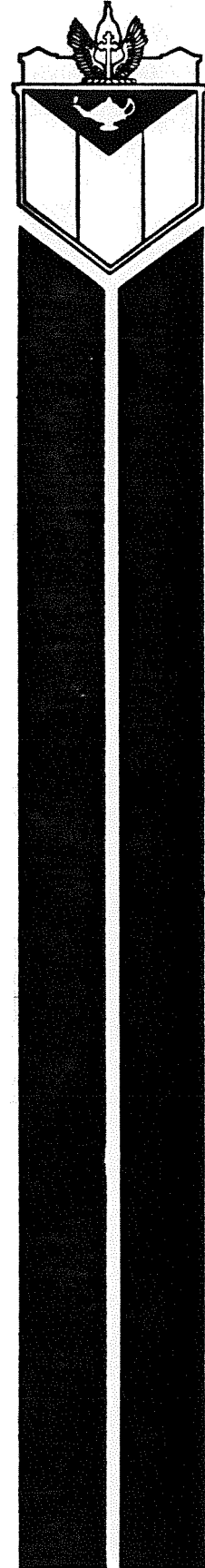
George Humphrey

Dr. Charles E. Urdy

City Manager

Jorge Carrasco

**City of Austin**



Report of the

Blue Ribbon Environmental Panel

August 15, 1986

CITY OF AUSTIN  
BLUE RIBBON ENVIRONMENTAL PANEL

Les Appelt  
Earnest F. Gloyna  
Ken Kramer  
Joe G. Moore  
Larry Soward  
Dick Whittington

## FORMATION AND MISSION OF THE PANEL

The formation of a Blue Ribbon Panel to review Austin's environmental programs was announced by the City Manager on June 5, 1986. The select panel of four members and two advisors was charged by the Manager with the task of developing recommendations to prepare the City to address the emerging environmental issues of the 1990's.

The City Manager's charge to the panel included a request for recommendations and advice on:

- o The overall effectiveness of Austin's environmental management programs;
- o Austin's relationship with state and federal regulatory agencies;
- o Austin's relationship with neighboring units of government on environmental issues;
- o Potentially overlapping programs and efforts;
- o Programs with a potential for thwarting environmental goals;
- o Programs with levels of effort which are too low to be effective;
- o Programs which are discretionary or elective in nature and those which are mandatory for enforcement or compliance;
- o Principles of organization and structure which will allow the City to effectively implement environmental management programs.

In developing its recommendations, the Panel has been supported by considerable background material which was developed to describe and enumerate the existing environmental management programs of the City. Other materials were provided to the Panel to illustrate the range and nature of work outputs and products of the City's environmental programs.

The Panel held discussions with City staff members and interested individuals in the Austin community. A Public Hearing was held on July 1, 1986 to gather public comment and advice on the City's environmental program efforts. A record of that hearing is attached as an Appendix to this report.

## BACKGROUND AND SUMMARY

The Blue Ribbon Environmental Panel has reached its conclusions regarding the efforts to strengthen environmental management programs in the City of Austin. The members generally agree that Austin's current environmental programs have substantial breadth, but that coordination between departmental environmental functions needs to be improved. The Panel also feels strongly that environmental sensitivity must be instilled throughout the City organization, including operating, maintenance, planning and management functions impacting the environment.

Air quality management planning is one of the significant emerging areas of program need for the City of Austin. Based on information supplied to the Panel, the City will need to assemble a program effort to more effectively inventory and monitor air quality conditions, and integrate air quality considerations into transportation and growth management planning.

The Panel has not had sufficient time or opportunity to obtain all of the background information necessary to make extremely detailed findings with regard to specific functions and staff units which might be considered for reorganization or consolidation into an environmental department. However, the Panel members believe that the City Manager's charge and subsequent clarifications ask for guidance in the form of organizational principles and concepts which may be considered in detailing new environmental programs.

The Panel has not achieved consensus in one area of its discussions. The need for creating a new separate environmental department has been discussed extensively by the Panel. The Panel members acknowledge the Council resolution calling for a separate environmental department to be created. However, the members have genuine differences of opinion on how critical this creation is to the development of a more effective environmental program. The range of views represented on the Panel is discussed later in this report, after the many findings on which the members have reached consensus.

## MISSION AND ORGANIZATION OF THE ENVIRONMENTAL PROGRAM

The Panel has made findings which generally consist of organizational principles and concepts which can be applied in establishing Austin's environmental program approach for the 1980's and 1990's. The Panel has identified several immediate needs to improve overall environmental program coordination among departments, and establish clear direction and momentum. Findings related to the mission and organization of the environmental program follow:

o Austin Lacks a Dynamic Environmental Management Policy

An updated environmental policy needs to be developed to establish a framework for all of the environmental functions carried out by City departments. The policy should be topically specific and should be adopted and reviewed by the Council on a regular basis. Each department with environmental program functions should be required to indicate how its programs support the environmental policy.

o Each Department with Environmental Quality Functions Should Develop a Statement of Environmental Mission

These statements should be reviewed by the City Manager to assure coordination with the overall environmental policy and minimize overlap of each Department's self-view.

o The City of Austin Needs a Centralized Focal Point for General Environmental Issues

A single visible organization integrated into the City's plan and program review and decision-making process is essential to the success of Austin's environmental program.

o The Environmental Director Should be a Highly Qualified and Visible Spokesperson for the City's Overall Environmental Program

Regardless of the organizational model, a strong environmental director is needed to integrate all of Austin's environmental programs into proper focus, provide a point of contact for the concerned public and assure that the City speaks with one voice on environmental issues.

- o If a Separate Environmental Department is Created, it Should Consist of a Highly Qualified Professional Staff, Structured to Avoid Duplication of Effort, Strengthen the Environmental Program and Strengthen Interdepartmental Coordination

Panel members agree on this point, regardless of the divergence of opinion on the need for a separate environmental department.

- o The Environmental Program Director Should Have Ready Access to the City Manager and All Department Heads

This finding reinforces the need for the City to enunciate a clear and consistent position on environmental issues. The environmental program director must have sufficient stature with department heads to assure cooperation and coordination and minimize interdepartmental conflict.

- o Environmental Sensitivity Must Extend Throughout the City of Austin Organization

The City must ensure that each Department with operating, maintenance, management and planning functions affecting the environment is sensitive to the environmental impacts of its actions. Each department head must take responsibility for assuring that all departmental employees are aware of the City's environmental policy, and the concern of the City over the environmental impacts of City construction activities.

The City's environmental program, through its training, education and information activities, can assist the training and education of staff in other departments to instill environmental sensitivity in city construction and work crews.

- o City Departments Which Undertake Actions Affecting the Environment Should be Required to Obtain Environmental Review on Significant Actions

This requirement will create interdependencies which will strengthen the role of the environmental program and facilitate interdepartmental coordination.

- o The Conduct of Several Key Environmental Program Functions is Enhanced by Program Independence, and a Lack of Competing or Conflicting Objectives

The lack of a vested interest and competing objectives are important organizational qualities which can foster more objective environmental review of development plans and projects and aid environmental inspection and enforcement activities.

- o The Coordination of Environmental Functions in Each Department Can Be Enhanced Through the Formation of an Interdepartmental Environmental Managers Committee

The Panel suggests that a committee, composed of key managerial staff from each department with environmental functions, should be formed as a mechanism to improve interdepartmental coordination and exchange of information.

## EMERGING ENVIRONMENTAL ISSUES AND PROGRAM NEEDS

Austin's environmental program should not only include specialized program areas, but also the ability to plan for and manage the City's natural environment on a mid to long-term basis and integrate multi-media issues. In addition, the environmental program should have the breadth to deal with the wide array of issues that will be emerging in the upcoming years. The following gives a brief description of several areas that the Panel believes should receive additional attention.

- o Air Quality Management is a Critical Emerging Issue for Austin and Should be Addressed Before Standards Violations Compel the City to Respond

The City of Austin environmental program should be in a position to assess the impacts of growth management strategies, increased traffic volumes, and changes or additions to traffic flow patterns on air quality conditions. Feedback to the comprehensive planning process is critical to assure that air quality impacts are considered in selecting among transportation and growth management alternatives.

Coordination of air quality monitoring and analysis efforts with the Texas Air Control Board and Austin-Travis County Health Department is critical. The air quality monitoring network will need to be supplemented to obtain representative samples.

- o The City's Environmental Program Should Continue to Pursue and Expand its Existing Groundwater Monitoring, Mapping, Inventory, and Management Efforts

Efforts to assist in the formation of a Chapter 52 Underground Water Conservation District should continue. The City should continue to pursue Sole Source designation for the Edwards Aquifer in Travis County, as already exists for the San Antonio portion of the Edwards Aquifer. The Safe Drinking Water Act Amendments of 1986 provide for additional groundwater management opportunities in designated Sole Source Aquifer areas.

Under the SDWA, the Sole Source Aquifer Demonstration Program is authorized to fund demonstration programs for critical protection areas, and may supply matching funds for developing and implementing a comprehensive groundwater management plan. With respect to this demonstration project, the City and State should coordinate the development of a wellhead protection program.

- o There is an Increasing Need for the City to Address Nonpoint Sources of Pollution, Particularly Sediment Delivery to Surrounding Streams, Rivers and Reservoirs

The Panel believes that it is necessary for the City to pursue an active and well-focused enforcement program to ensure proper management of runoff and sediment from construction activities. The City should also cooperate with surrounding units of government to reduce the impacts of sedimentation on the Colorado River system. In addition, the City needs to explore measures to improve the quality of runoff from existing developed areas, which are not under the jurisdiction of the Comprehensive Watersheds Ordinance (reference is made to the proposed "14 point water quality program" adopted by Council).

In a related item, the Panel noted the increasing proliferation of the use of chemical treatments on lawns, gardens, shrubs, and road right-of-ways. A strong program of public information and education is essential to address this problem and influence the actions of individuals and companies.

- o Development Plans Need to be Reviewed by the City's Environmental Program

Any significant actions affecting the environment, be it a public or private project, should be reviewed by the City of Austin environmental program. In addition to the initial environmental review and screening of CIPs and site development plans, an environmental department should be part of the City's on-going review mechanism. It is vitally important for the City's environmental program to be involved in review of site developments' detailed plans and specifications as they are developed and proposed.

- o The City Should Maintain a Strong Environmental Education and Information Program

An environmental education and information outreach program is important in order to promote public awareness on environmental issues, and to modify the actions of individuals which affect the environment (e.g. fertilizer and pesticide application rates and practices, littering, pet wastes, etc.)

- o The City Should Develop and Maintain an Ongoing Environmental Data Base, an Environmental Index, and an Annual Report

Data regarding the state of the City's environment should be reported and published by the City at regular intervals. The report should include an annual progress and trends report, and an "environmental index". Relevant materials that may be in the index include health considerations, surface and groundwater quality, and habitat/wildlife considerations. Care should be taken in compiling index indicators to avoid misleading oversimplifications. The annual environmental report could include the history of NPDES discharges, implementation progress on the City's environmental ordinances, hazardous material spills, etc.

- o The City Needs an Integrated Regional Program of Solid Waste Management and Resource Recovery Planning

Maintenance of an updated solid waste management plan is imperative and it is also necessary to assure that this function is closely coordinated with or consolidated into the environmental program.

- o A Focus Towards Toxic and Hazardous Waste Management and Pla is Needed

The City of Austin should continue to assist in coordination of hazardous materials clean up responses. A thorough inventory of potential toxic and hazardous waste sites should be maintained. The City must work with the Texas Department of Public Safety to assure improved regulation of hazardous materials being transported through the City.

- o The City Should Retain an Attorney with Environmental Law Training to Assist in Environmental Matters

An attorney with environmental law training should be available to assist and support the City's environmental program. This attorney would assist in preparation of municipal court cases and the prosecution of ordinance violations, and represent the City in legal matters pertaining to the environment. Outside legal assistance might be needed for specialized or high profile cases. There is also a need for the attorney to keep updated on information on current state and federal level environmental legislation, and case law.

o Environmental Program and Staff Need to Maintain Direct Involvement In the City's Comprehensive Planning Process

The environmental program and staff need to maintain direct involvement in the preparation of Austin's Comprehensive Plan. The Panel feels strongly that growth and development policies have a profound impact on all aspects of Austin's environmental quality. Further, the Panel believes that environmental objectives should be key determinants in choosing between alternative growth management strategies.

## INTERAGENCY AND INTERGOVERNMENTAL RELATIONS

As part of its charge, the Panel was asked to address the need for more effective intergovernmental relations with surrounding local units of government and state and federal regulatory agencies. Specifically, there has been a concern that Austin has had an adversarial or ineffective relationship with surrounding units of government on environmental and related issues.

Similarly, there is a concern that Austin's lack of regular liaison with state and federal agencies has exacerbated conflicts or caused needless duplication of effort. The City has sometimes attempted to enforce standards or impose regulations which are at odds with those of the state agencies which have regulatory jurisdiction.

The City has several mechanisms for providing input on matters of state regulatory control, such as the Permit Application Review Committee for Texas Water Commission discharge permits and the interdepartmental review of Texas Air Control Board discharge permits.

The Panel's preliminary findings with respect to interagency and intergovernmental relations follow.

o The City of Austin Should Improve Existing Mechanisms to Provide Clear and Effective Input on State Regulatory Decisions

The Permit Application Review Committee and other interdepartmental review mechanisms for discharge permits should coordinate their comments with the City's environmental program. The City Manager should resolve interdepartmental conflicts to allow the City to speak with a more unified voice.

o Effective Liaison With Major Federal and State Environmental Agencies is critical to the City's Environmental Program

Continuing dialogue is essential to promote joint awareness of current issues and problems, and to promote improved cooperation. City awareness of state and federal program activities and opportunities will also improve.

o Austin Should Work Jointly With the State to Develop Environmental Standards Which the City Believes Are Adequate and Appropriate

For example, the City should work with the State to tailor land irrigation standards for wastewater effluent to the conditions encountered in the area of irrigation.

- o Austin Should Work With Other Texas Municipalities to Identify Joint Environmental Issues and Concerns on Which State or Federal Action is Required

For example, more effective enforcement of hazardous materials transport regulations by the Department of Public Safety has been identified as a need in the Austin area.

- o Austin Should Cooperate With Surrounding Local Units of Government to Identify Joint Environmental Issues and Concerns

Issues of common concern, such as protection of the Edwards Aquifer, form a basis for cooperative efforts to identify solutions. Austin should continue to explore mechanisms and forums to promote improved interlocal cooperation on environmental management issues.

## PANEL VIEWS ON THE CREATION OF AN ENVIRONMENTAL DEPARTMENT

As noted previously, the members have genuine differences of opinion on how critical the creation of a separate environmental department is to the development of an effective, visible environmental program.

The Panel offers several opinions on this issue. Two of the members fully endorse a separate consolidated environmental department as being necessary to fulfill the City's environmental program needs. These members envision many of the City's current and closely related environmental planning, management and ordinance enforcement functions being unified into a single department. One member of the Panel has suggested that any new environmental program functions undertaken by the City should be integrated into a single department, with existing programs remaining in their current departments.

Other members of the Panel feel that the basic needs for improved coordination and visibility might be met through a refinement of the existing structure, without the creation of a new department.

The Panel does not believe that it is appropriate to simply combine all of the City's existing environmental staff functions into an environmental department. Any reorganization needs to be conducted in a rational way, considering staff functions which complement each other, and provide the necessary breadth and focus to the department.



RECORD OF A PUBLIC HEARING OF THE CITY OF AUSTIN  
BLUE RIBBON ENVIRONMENTAL PANEL

July 1, 1986

APPENDIX

MINUTES

CITY MANAGER'S BLUE RIBBON ENVIRONMENTAL PANEL

Public Hearing

July 1, 1986

4th Floor Auditorium - Austin Public Library

The public hearing was called to order at 2:20 p.m. by Joe G. Moore, Chairman. Mr. Moore indicated that all panel members had name cards in front of them and he would skip introductions except for Mr. Larry Soward, Executive Director of the Texas Water Commission, who was out of state during the first meeting.

Mr. Soward then spoke to the group about his and the Water Commission's commitment to maintaining a high quality of life for area and environmental protection. Mr. Soward outlined the Water Commission's role in water related matters from water use to wastewater treatment. He stressed the need for a partnership of cooperation between the City and the State.

Mr. Moore then established the ground rules for the public hearing.

- Persons wishing to make a statement should sign a card.
- Names will be called in the order in which they were signed.
- Speakers will be allowed 5 minutes for comments.
- Written comments may be submitted to panel members.
- A night session will be held at 6:00 p.m.

Persons wanting to make comments were invited to sit with the panel at the meeting table.

The first speaker was Ms. Phyllis Brinkley, member of the Environmental Board. Ms. Brinkley spoke to the need to maintain environmental programs at current levels as a minimum even though there is a budget shortage. Ms. Brinkley recommended a reclassification of the secretarial position in OERM from an Administrative Technician I to an Administrative Technician III on an emergency basis. Written material was provided to the panel. When questioned about the need for staff in this area, Ms. Brinkley stressed the need for additional environmental inspectors. She indicated that compliance had greatly increased with the increase in the number of inspectors but that more coverage is needed.

The second speaker was Robert McCurdy representing Clear Clean Colorado. Mr. McCurdy addressed four problems with the Colorado River: Wastewater, Garbage, Pesticides and Silt. A recommendation was made to standardize the pumps used in lift stations around the City so that parts would be interchangeable when repairs were needed. A garbage collection site was recommended to help alleviate the illegal dumping taking place since part of that garbage is making its

way into the river. Mr. McCurdy asked for chlordane monitoring in game fish. Mr. McCurdy also recommended the creation of 2 environmental troubleshooters to act as rovers between all departments. One would be responsible for current problems. The other would be responsible for prevention and planning. He envisioned these troubleshooters reporting directly to the City Manager or City Council. Mr. McCurdy noted the need for more environmental inspectors. Mr. McCurdy also complimented the new Environmental Hot Line and encouraged its use.

The third speaker was Mr. Roger Duncan, former member of the Austin City Council. Mr. Duncan proposed the idea of an environmental index to give the public and elected officials an idea of where we are in the areas of water quality, air quality, etc. This information could be released in the form of news releases. Mr. Duncan agreed to the need for additional environmental inspectors and indicated that he was a long time supporter of a separate department for environmental programs. He asked about the annual Environmental Report which in the past had been used to measure progress in environmental programs and recommended that the Panel review past reports. Mr. Duncan also stressed the need for hazardous materials transportation ordinances and regulation.

The fourth speaker was Mr. Steve Sawyer. Mr. Sawyer expressed concern regarding the effectiveness of some of the City's conservation programs. He stressed the need for increased public education and awareness. Mr. Sawyer was concerned with air pollution and the monitoring standards to be used with the waste to energy plant the City is proposing to build. Mr. Sawyer felt it would be helpful to add water and air quality information to regularly published reports. As far as overall effectiveness of the City's program, Mr. Sawyer rated it poor to fair in his personal opinion. He indicated his rating was based partially on lack of information and his general mistrust of the information provided.

The fifth speaker was Mr. Jim Camp a member of the Austinplan Steering Committee. Mr. Camp asked the Panel to use their expertise to find ways to help implement the Council resolution to establish a separate environmental department. Mr. Camp is also a member of the Save Bear and Onion Creeks Coalition. Mr. Camp explained the coalition's role in trying to block creation of a MUD in the City's ETJ. He indicated that he would like to see the City take a public advocate's role to help groups with the Texas Water Commission in MUD related matters.

The sixth speaker was Mr. Phil Savoy representing himself. Mr. Savoy is also a member of the Environmental Board and indicated that the Panel would receive an official statement from the Board at a later date. Mr. Savoy spoke on the issue of hazardous materials, their transportation, storage and disposal. He also expressed a need for an air quality program. Mr. Savoy also disagreed with the use of treated effluent for irrigation purposes over the Edward's aquifer. He spoke of studies done in other states showing this unacceptable. Mr. Savoy would like to see protection for the northern aquifer similar to that of the southern aquifer and Barton Springs. Mr. Savoy also indicated

that he felt the Chief Environmental Officer should have department head status and sufficient funds to carry out the environmental programs.

The seventh speaker was Mr. Bob Leonard, member of the Environmental Board. Mr. Leonard endorsed a public/private partnership to help obtain objectives on environmental issues. He voiced concern that 7 inspectors is not sufficient to cover the entire city because of size alone. Mr. Leonard felt that the Chief Environmental Officer should act like an internal auditor to look at structure to see if it makes sense. He also indicated that the Council should have a subcommittee on environmental affairs. Mr. Leonard was concerned about the irrigation with treated effluent and the City's coordination with the State on permits.

Chairman Moore called Mr. Max Nofziger to speak. Mr. Nofziger was not present when called. Mr. Moore indicated that Mr. Nofziger, Mr. Paulson & Mr. Cromack would be allowed to address their concerns at the evening session. Mr. Paulson and Mr. Cromack agreed to return for the evening session. Mr. Moore adjourned until 6:00 p.m.

The evening session was called to order at 6:20 p.m. by Chairman Moore. Panel members present were: Joe Moore, Ken Kramer, Larry Soward and Jorge Carrasco.

The first evening speaker was Mr. Steve Paulson, representing himself. Mr. Paulson spoke on a 14 point program to prevent runoff in urban areas. He will be forwarding written comment to the Panel. Mr. Paulson indicated that he favored a separate department for environmental programs but also indicated a strong need for coordination between the new department and OLDS and PGM. Mr. Paulson stressed visibility and organizational integrity.

The second speaker was Ms. Karen Haschke representing the League of Women Voters. Ms. Haschke indicated that consolidation of the environmental functions into one department was good but should be handled carefully. She indicated the need for adequate funding, clear direction, good staff and public input for the new department. Ms. Haschke indicated that citizen access to staff is good and should be maintained.

The third speaker was Mr. Arthur Tally representing the Sierra Club. Mr. Tally recommended the formation of a separate department to deal with environmental concerns. Mr. Tally felt that under the current arrangement a possible internal "conflict of interest" could occur in areas of cost vs. environmental protection. Mr. Tally indicated that if staff remained in the current arrangement perhaps located in different departments but reporting to one central environmental chief would alleviate the "conflict of interest" issue. Mr. Tally stressed the need for recycling, continuing progress in wastewater treatment, and the distribution of environmental information.

The fourth speaker was Ms. Claire McAdams. Ms. McAdams voiced the sentiments of earlier speakers in the need for stronger aquifer

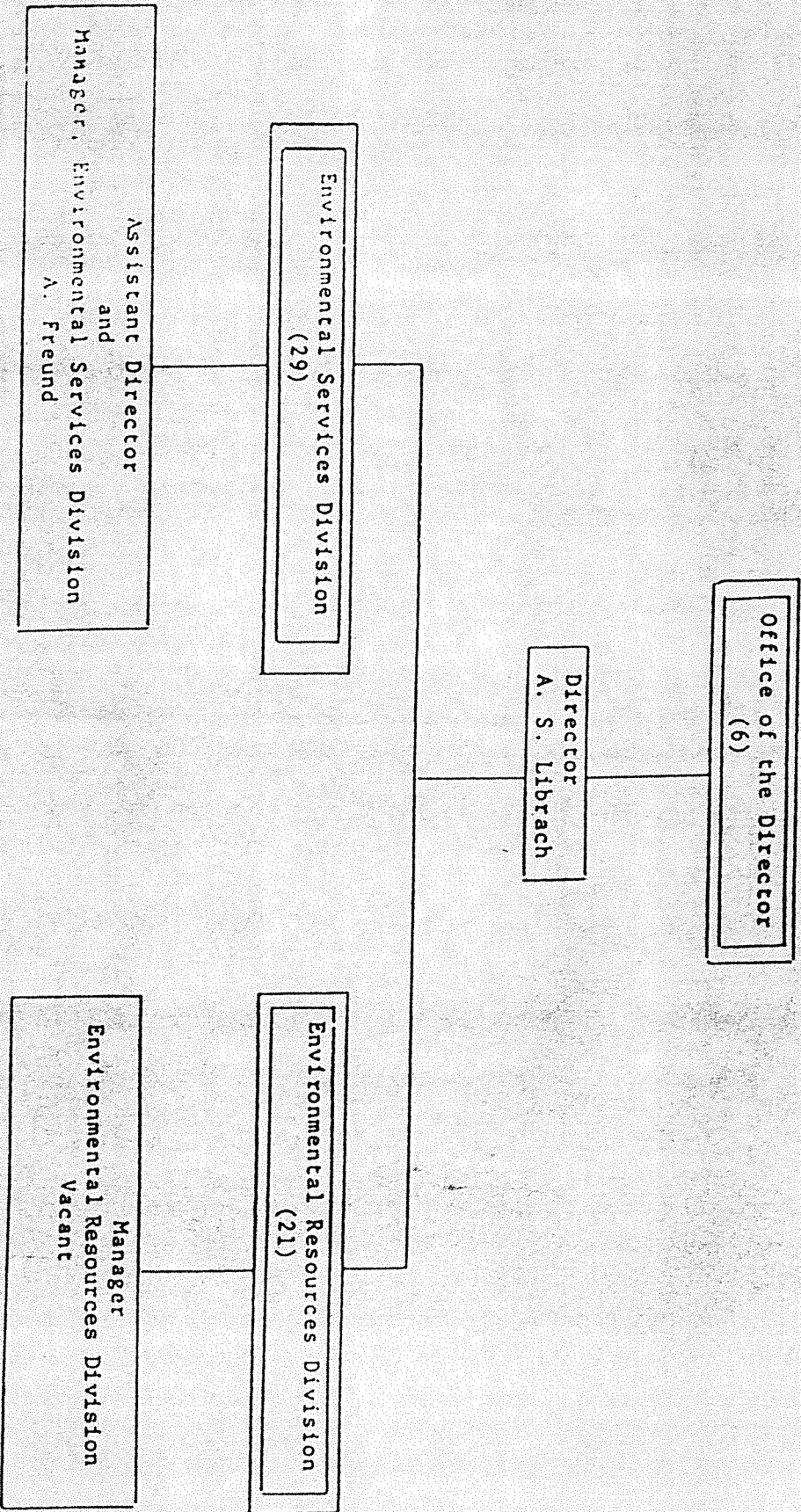
management, air quality monitoring, hazardous waste control and increased public awareness and education. Ms. McAdams also brought to light the difficulty in retaining dedicated, highly qualified staff. She felt that the caliber of people associated with the program was extremely important if the City was to accomplish its programmatic goals.

The fifth speaker was Bert Cromack a member of the Austinplan Steering Committee. Mr. Cromack supports the formation of a separate environmental department. He spoke favoring consolidation to help provide consistency. Mr. Cromack also suggested the need for an environmental attorney and an interdepartmental liaison. Mr. Cromack favored the publication of an environmental summary report at regular intervals and publicize the inclusion of environmental materials in the "Growth Watch". Mr. Cromack agreed with the need for better urban runoff controls.

The final speaker for the evening was Mr. Stuart Henry. Mr. Henry told members of the Panel that after many years that he now believes that the environmental programs need to be consolidated under one department. The original concept was to keep the office small but that did not provide the respect and clout needed to avoid bureaucratic conflicts. The establishment of a separate department will provide long-term stability and front line visibility for environmental issues. Mr. Henry spoke about the viability of privatization for water and wastewater facilities and regionalization of services.

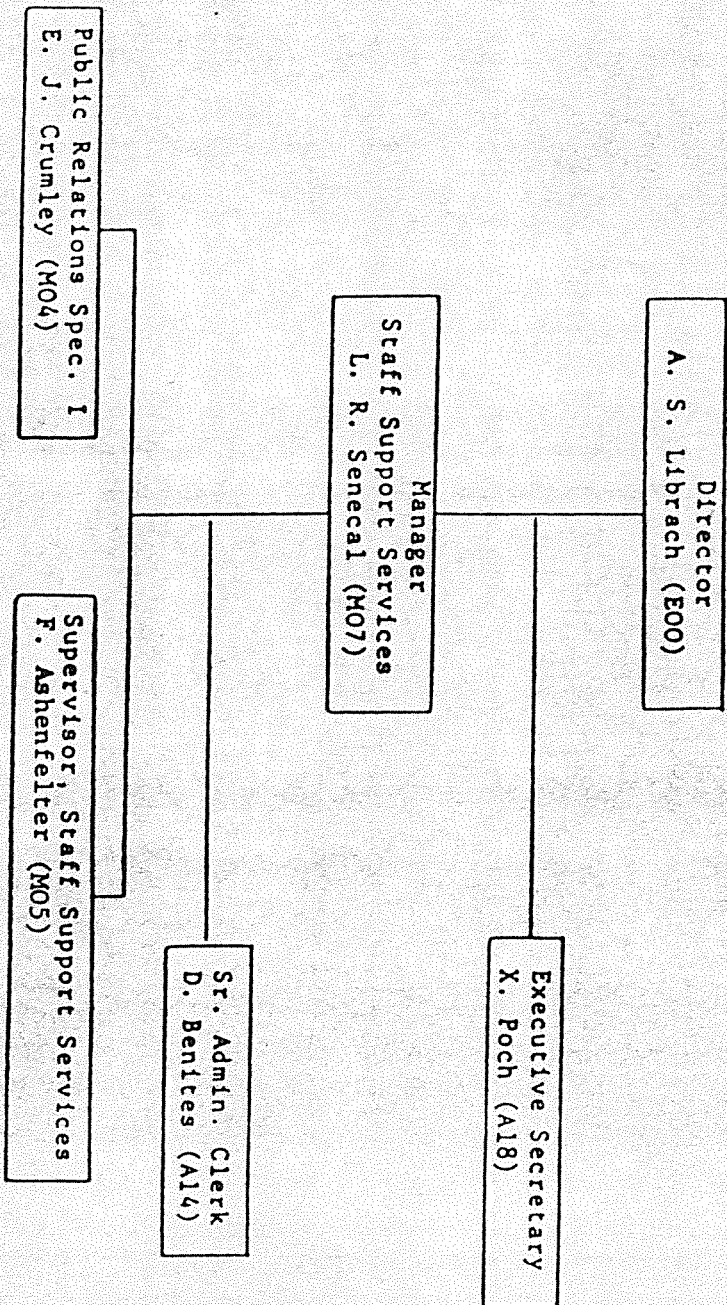
Mr. Nofziger did not return to speak. Mr. Moore closed the meeting at 8:15 p.m.

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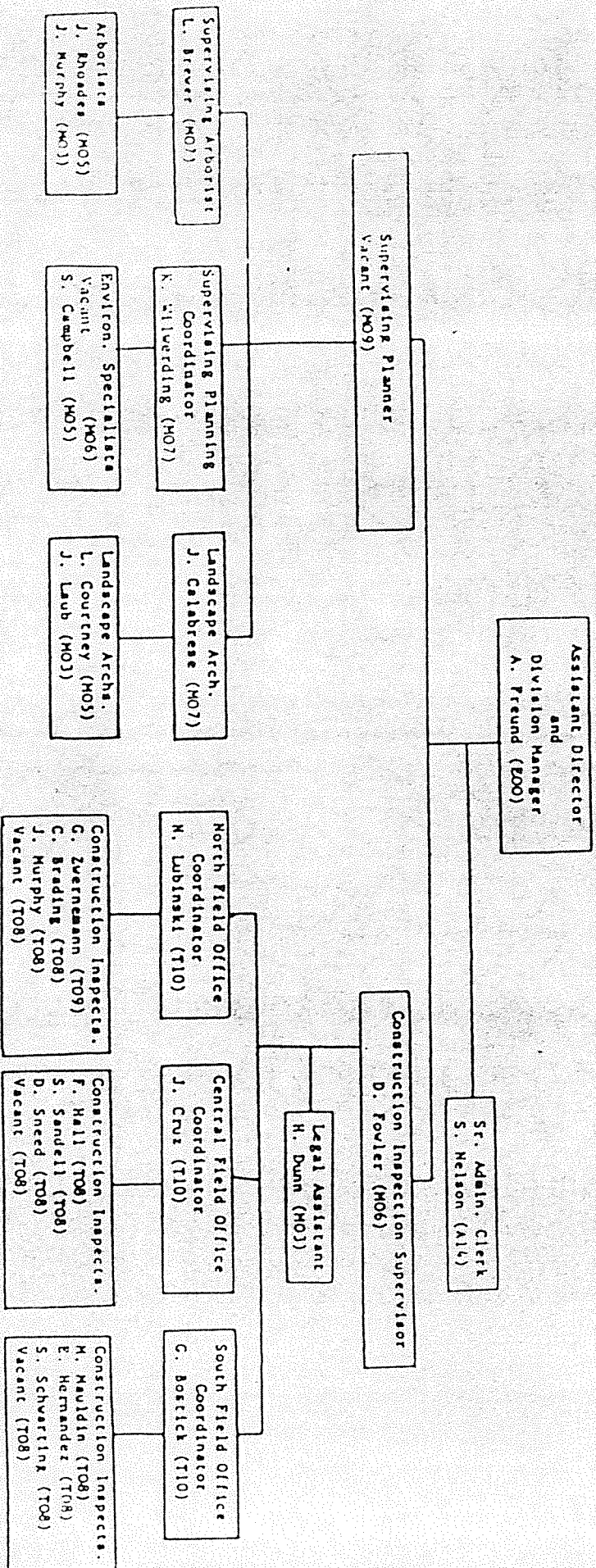


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