



## Balcones Preserves Trail Master Plan Stakeholder Committee Meeting

December 2, 2008 6:00-8:00pm

Waller Creek Center, Austin Water Utility

### 1. Welcome and Agenda Review – Mike Hockmuller

Previous to this meeting, Megan emailed out the Revised LMP Chapter 12 and Trail Master Plan documents to the stakeholders. Stakeholders emailed suggestions and comments to Megan over the two weeks prior to the meeting.

### 2. Review Revised Trail Master Plan Document - all

Willy wanted to talk about the revised Land Management Plan Chapter 12, because he said when it was emailed out it may have created some concerns or questions. When the BCCP Coordinating Committee voted, they approved all of the Land Management Plan (LMP) except Chapter 12 (Public Access). The Coordinating Committee dictated that Chapter 12 would be revised based on the Trail Master Plan. Megan has been working on revisions to Chapter 12 over the past few weeks. The expectation is that once the stakeholders have reached consensus on the Trail Master Plan, it will be submitted to the Coordinating Committee with a revised Chapter 12.

The LMP is to be revised periodically and approved by the Coordinating Committee, after which it is sent to US Fish and Wildlife Service (USFWS). In the past, the Coordinating Committee chose to have public hearings over some LMP revisions. There are two new Coordinating Committee representatives: a new County Commissioner (TBD) and Austin City Councilmember Lee Leffingwell. So the revised Chapter 12 of the LMP will be taken to Coordinating Committee, who will then submit it to USFWS.

#### Stakeholder Questions

- *Are we being asked to provide approval of the LMP Revised Chapter 12, or is it being passed out simply to help us be aware of what is in it?* Willy said it was sent out in the interest of transparency. Willy said the stakeholders will not be asked to endorse it. However, he welcomes their involvement in the process of submitting it to the Coordinating Committee. He asked stakeholders to email Megan ([megan.sembra@ci.austin.tx.us](mailto:megan.sembra@ci.austin.tx.us)) if they are interested in participating in a LMP Chapter 12 Task Force.
- *Are there any conflicts between the revised version of Chapter 12 and the original version?* Willy said the terminology for grandfathering has changed since the original Chapter 12. The Policy Statement directed that “grandfathering is grandfathering.”
- *I'd like the group to look at the TMP pg. 17 number two and the LMP page 13 Section 3.1.12. The LMP Chapter 12 uses the language “pets may only be off-leash on ‘grandfathered’ tracts”. Why don't we use the same language in the TMP as well? I feel that the current TMP language is broader and more undefined.*

- *My understanding was that hiking with dogs and other activities will be decided on a tract-by-tract basis (as quoted from page 12 of the TMP under number six of the Strategic Vision.)*
- *Willy has already pointed out that Chapter 12 is a work in process and there are inconsistencies between it and the TMP.*

Willy said the Strategic Vision, which the group got consensus on in an earlier meeting, states that “hiking with dogs ... will be considered on a tract by tract basis.” Willy said it sounds like the Strategic Vision may have some conflicts because permitted uses are defined under its number four (TMP page 9), which is language taken from the guidelines in the HCP, and then the closing statement on allowed uses (TMP page 12).

Mike summarized that the question before the group was whether or not they were going to allow hiking with pets on non-grandfathered tracts. Willy asked for Bill’s opinion. Bill said doing so would not be consistent with the permit and would require an amendment.

- *Let me suggest that there is difference between “considering” proposals for hiking with dogs on non-grandfathered and “allowing” them. Bill said we can always consider a proposal for dogs, but before we can approve it, we have to either provide scientific research (that USFWS will accept) that proves there is no harm from dogs or create a permit amendment.*
- *I’m willing to live with the language in our Strategic Vision. We already reached consensus on it. If someone wants to back out of consensus, they are backing out of something they already agreed upon. I feel I can argue that hiking with dogs is not an activity; it is a restriction on hiking. Willy said the Coordinating Committee defined it as an activity in the Policy Statement.*

Mike said the group was backtracking. He reminded the group that they already reached consensus on the Strategic Vision and made many decisions based on it. He said the question was if the language in the TMP is consistent.

- *Numbers one through six of the Policy Statement are general provisions and statements. The recommendations on page 17 of the TMP are more specific and we are going to be asked to reach consensus on them. The point is not really what’s in one through six of the Policy Statement. We are asking people to agree to consensus on page 17, which lists specific tracts and proposals.*

Willy said his interpretation is that he will only immediately consider proposals for hiking with dogs on grandfathered tracts. Later, proposals for hiking with dogs on other (non-grandfathered) tracts would be considered only after the scientific research accepted by USFWS or a permit amendment.

- *What is difference between the terms “running” and “jogging”? The group agreed that the terms are synonymous. So why is the word “running” part of number six of the Strategic Vision? Willy said we hadn’t agreed on the change in terminology (changing*

running to jogging) at that point in the process. He reminded the group that they really need to focus on the document as a whole and not single out things at this point.

- *I also want to remind the group that we decided to stick to the original four uses listed in the Policy Statement and that other uses are just not permitted.*
- *I was trying to get clarity because I wasn't at the last meeting, but now that I've listened to tonight's discussion, I understand the constraints. But to someone on the outside just reading the TMP, it may seem that those constraints are not there. I feel a whole lot better after our discussion.*

Willy reminded the group that there are many protections built in the process. For example, the group included the Planning Considerations for a Trail Proposal on page 15 of the TMP.

- *This has been useful preliminary discussion, but I'd like to see a path to a conclusion tonight. We don't really need to add an asterisk to our Strategic Vision after all. The dogs and bikes issues seem to have been resolved. Another issue that I feel needs to be resolved is the reference throughout the TMP document to the Convening Committee's guidance document.*

Mike asked if everyone was heard on the bike issue. Judi had previously commented (through an email to Megan) that she felt that the references of biking "with appropriate monitoring" were not necessary because the monitoring detail is listed in the Strategic Vision. She said she thought if the group were to leave it the way it is, it could be confusing whether it pertains to species monitoring or habitat monitoring. She said she was okay with the document as a whole though. Willy noted that on page 10 of the TMP (biking section) it is stated that we need to understand the effects on the species *and* the habitat. Judi said in that case she is okay with leaving the language in the document as is.

- *Would species and habitat monitoring be the responsibility of the sponsor?* Willy said he will be asking for some form of support from the sponsor. He said details will be determined in the MOA.
- *Would parameters for monitoring be universal in all MOAs?* Willy said monitoring will happen for all uses, just more intensely for biking. There is a responsibility to monitor more intensely with biking since it is an experimental use.

Mike asked everyone if they had been heard on the bike issue, could live with it, and support it. Everyone in the group said Yes. The two remaining issues to be cleared up were hiking with dogs and the Convening Committee's guidance document.

- *The activities listed in Appendix H of the TMP don't match those in Table 1 of Chapter 12. Megan will change the activities listed in Appendix H of the TMP to include all uses, not just the TMP proposed ones.*
- *I cannot reach consensus on the hiking with dogs issue right now.*

- *All members here have consensus on all points except the hiking with dogs. We could vote that way. I'm concerned about bitterness over that one point. We've achieved much good on so much else.*
- *I'd like to talk about my issue with reference to the guidance document (TMP page 6). I was a member of the Convening Committee and my memory is that they referred the guidance document on to this stakeholder process. I don't feel like I substantively "approved" the contents of the document. "Approved" seems to be a strong word for what the Convening Committee did. Secondly, this stakeholder process did not achieve consensus on the guidance document. If there is reference in the TMP that suggests that it did, I recommend it should be changed.*

Willy noted that the logistics team used the guidance document more than the stakeholders did. He suggested revising the language to say ***"This document provided guidance throughout the Trail Master Plan stakeholder process, but it is not intended to be guidance for the implementation of the Trail Master Plan."*** The group approved this addition, and Megan will add this statement to page 6 (second to last paragraph, replacing the sentence "The framework provided in this document was used as the basis for the presentation of information throughout the Trail Master Planning Process.") and Appendix B (at the top, replacing "Note: The Convening Committee reached consensus on this document on February 8, 2008 and it was used as guidance throughout the TMP process.").

The discussion then moved back to the hiking with dogs issue.

- *I suggest deleting Appendix H (Activities That May be Proposed on COA BCP Tracts) from the TMP. The language in the Strategic Vision and Recommendations section provide for hiking with dogs under certain conditions on a tract-by-tract basis. But Appendix H (page 67) implies that it is specifically prohibited on certain tracts. I suggest deleting column four or the entire table. Willy said he couldn't support that.*
- *I thought we agreed that hiking on new (non-grandfathered) properties would have to meet a higher threshold (permit amendment and USFWS-accepted scientific research).*

Mike reminded the group that their USFWS representative (Bill Seawell) said adding hiking with dogs as a use on non-grandfathered tracts would trigger a permit amendment.

- *I suggest we add a footnote at bottom of Appendix H (page 67) concerning what would be expected of any use (no take, etc). Willy said this is already in the document. I think that by highlighting it, it would be clear that certain activities would have to meet certain requirements. The group talked about the constraints of this process, one being to avoid a permit amendment. Scott said if anyone wants to propose dogs on a non-grandfathered tract, it would be a separate process outside of the TMP. It wouldn't be a TMP application. It would be submitted to the Coordinating Committee, who would decide if they want to consider it or not. Then it would go to USFWS, and they would decide if it required a permit amendment or not.*
- *In tonight's earlier discussion, we discussed the difference between "considering" an activity and "authorizing" an activity. I thought that there was some agreement that*

*“considering” an activity would not be directly leading to a permit. Bill said he wouldn’t have a problem with footnoting an activity and noting that it would require a permit amendment, but by doing so we would not be following the charge of the Coordinating Committee.*

- *The word “considered” has a presumption that it could be approved or that there is potential for approval, which is misleading.*

Mike summarized that the conundrum was whether or not to include language about permit amendments required on new (non-grandfathered) tracts when the group’s charge was to avoid permit amendments in the first place.

- *Is there a scenario possible in the future where a group could work with the City and USFWS to do the scientific research in order to later allow dogs on a tract? Bill said the group was back to the same question. He said it is not permitted under the HCP. It would still be a minor amendment, and the group’s charge was to avoid those. Willy said he agreed with Bill that they would have to implement a minor amendment to prove the activity does not result in take.*
- *I suggest adding the following sentence as an asterisk on the bottom of page 67 and page 17 (after the last sentence of recommendation number two) of the TMP: “**Note: Hiking with dogs on non-grandfathered tracts will require a proposal to the Coordinating Committee and may require a permit amendment.**” The group agreed to this proposal, and Megan will update the document accordingly.*

### **3. Consensus Check – all**

Mike went around the room and asked each person if they could live with and support the document. The following stakeholders were present and agreed to consensus of the plan. One of the ground rules of the stakeholder process states that “decisions will not be revisited because stakeholders were not present or represented when a decision was made.”

- 2222 Coalition of Neighborhood Associations, Peter Torgrimson
- Austin Metro Trails & Greenways, Ted Siff
- Austin Parks Foundation, Charlie McCabe
- Austin Ridge Riders, Judi Ronkartz
- Barton Creek Greenbelt Guardians, Yates Barreda
- BCCP Citizens Advisory Committee, Mary Ann Neely
- BCCP Scientific Advisory Committee, David Steed
- City of Austin BCP, Scott Rowin
- Friends of Canyon Vista, Gary Rochelle
- Friends of Turkey Creek, Sheila Holbrook-White
- Hill Country Trail Runners, Gabe Ayson
- Lower Colorado River Authority, Rusty Ray
- The Nature Conservancy, Valarie Bristol
- Travis Audubon Society, Jeff Mundy

- Travis County, Rose Farmer
- US Fish and Wildlife, Bill Seawell

Representatives from the following stakeholders were not present.

- City of Austin Parks and Recreation Department
- SOS Alliance

#### Stakeholder Concluding Comments/Questions

- *I'd like to make a request to all of the stakeholders. When new people come to Austin and the Wildland Conservation years from now, please remind them of the Trail Master Plan. As stakeholders, it is our responsibility to do so.*
- *I think it's incredible that this diverse group of people has agreed on the document, and I'm proud of our work.*
- *Has the Coordinating Committee meeting where the plan will be presented been scheduled? No, it hasn't been scheduled yet, but it will be in January 2009.*
- *When does the new County Commissioner take office? January.*
- *I hope that all of the stakeholders attend the Coordinating Committee meeting in January to show support for the document.*

#### **4. Next Steps – Mike Hockmuller**

- Willy asked stakeholders to send Megan an email ([megan.sembera@ci.austin.tx.us](mailto:megan.sembera@ci.austin.tx.us)) if they want to participate in the Land Management Plan Chapter 12 Task Force.
- Willy said the Trail Master Plan will be sent to the Mayor Wynn and Council Member Lee Leffingwell when the final version is complete.
- The Coordinating Committee where the plan will be presented will be in January 2009.