

AGENDA ITEM 26

Consider approving professional services agreement with ACI Consulting.

Moved: Commissioner Boatright

Seconded: Commissioner Limmer

Motion: To approve professional services agreement with ACI Consulting.

Vote: 4 - 0

< Attachment >

**WORK AUTHORIZATION NO.3**

THIS WORK AUTHORIZATION is made pursuant to the terms and conditions of the Agreement, entered into by and between Williamson County Karst Foundation ("Client" or the "Foundation"), and **aci consulting (aci)** ("Consultant").

Part 1.

The Consultant will provide the following environmental services:

Assisting the Foundation in the development of a Conceptual Regional Habitat Conservation Plan ("CRHCP") pursuant to the federal grant the Foundation recently received for that purpose.

Part 2. The maximum amount payable services under this work authorization without modification is \$97,500.00. A rate schedule used to establish the maximum amount payable is attached hereto as Exhibit D.

Part 3. Payment to the Consultant for the services established under this Work Authorization shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on August 31, 2004, unless extended by a Supplement Work Authorization.

Part 5. This Work Authorization does not waive the parties' responsibilities and obligations provided under the contract.

EXHIBIT D

POSITION	HOURLY RATE
Principal Ecologist	\$125.00
Principal Hydrogeologist	\$125.00
Professional Engineer	\$125.00
Senior Consultant	\$95.00
Principal Investigator (Archaeology)	\$80.00
Project Manager	\$75.00
Senior Scientist	\$75.00
Senior Geologist	\$75.00
Project Archaeologist	\$65.00
Field Scientist	\$55.00
GIS Technician	\$55.00
Staff Archaeologist	\$55.00
Staff Historian	\$55.00
Administrative	\$40.00

Distribution of Hours:

Task 1: Develop Conceptual Regional Habitat Conservation Plan

In development of a Conceptual Regional Habitat Conservation Plan (CRHCP) for Williamson County, **aci consulting** will conduct the following services:

- a. Determine the environmental analyses necessary for the development of the regional HCP and establish the Environmental Impact Statement (EIS) purpose and need.
- b. Evaluation and selection of preliminary list of covered species.
- c. Review of records and literature to develop background sections on Covered Species, including status population, life history requirements, locations, and existing conservation actions.
- d. Perform preliminary take estimates and preparation of relevant maps, figures, and exhibits.
- e. Coordination with all relevant agencies, stakeholders, and Foundation consultants.
- f. Preparation of schedules and work plans. Preparation of anticipated schedule for formal HCP and EIS process after approval of conceptual regional HCP.
- g. Assist in identifying mandatory reviews and consultations with local, state, and federal agencies.



- h. Compile initial baseline data for EIS and development and evaluation of preliminary alternatives.
- i. Draft a conceptual regional HCP
- j. Meetings, calls, and correspondence related to the above tasks and coordination of other Foundation consultants.

Estimated monthly fees for the 12-month period in question for performing services listed above will average \$8,125.00 per month. This will equal an annual estimated budget for the period of September 2003 through August 2004 not to exceed \$97,500.00.



Part 6. This Work Authorization is hereby accepted and acknowledged below.

CONSULTANT:

aci consulting, a division of aci group, LLC

CLIENT:

Williamson County Karst Foundation

By: Janna Paulson
Signature

By: John C. Doerfler
Signature

JANNA PAULSON
Printed Name

John C. Doerfler
Printed Name

C.O.O.
Title

County Judge
Title

9/3/03
Date

11-4-03
Date



NAME / ADDRESS

Williamson County Conservation Foundation

Estimate

DATE

ESTIMATE NO.

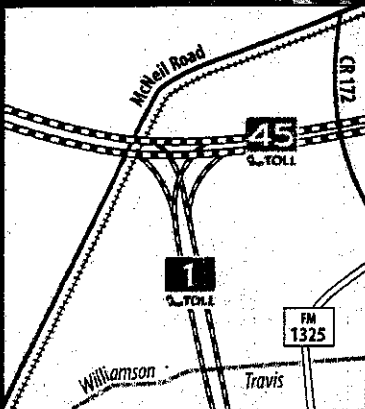
8/26/2003

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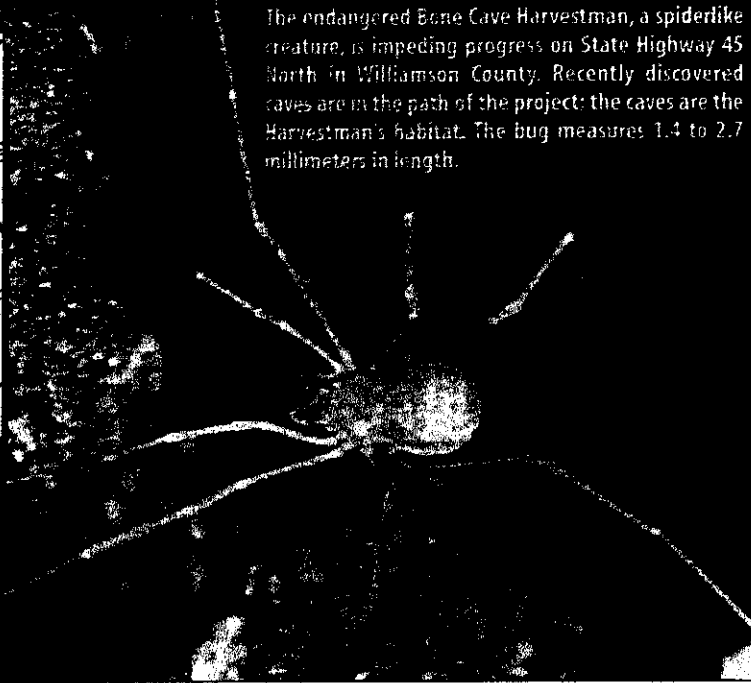
	CONTRACT NO.	PROJECT	PROJECT MAN.
	WA#3	3-Conceptual Regional...	Stacy Nipper
DESCRIPTION	QTY	COST	TOTAL
Develop Conceptual Regional Habitat Conservation Plan			
Principal Ecologist - Report/Meetings Prep	300	125.00	37,500.00
Sr. Consultant - Report/Meetings Prep	450	95.00	42,750.00
Project Manager - Map Prep/Meetings/Report Prep	230	75.00	17,250.00
Thank you for conducting business with aci consulting, a division of aci group, LLC.		TOTAL	\$97,500.00

Austin Business Journal
October 31-November 6, 2003

Really bugged



The endangered Bone Cave Harvestman, a spiderlike creature, is impeding progress on State Highway 45 North in Williamson County. Recently discovered caves are in the path of the project: the caves are the Harvestman's habitat. The bug measures 1.4 to 2.7 millimeters in length.



CONTRIBUTED PHOTO / WILLIAM R. ELDON

SH 45 hits tiny bump

Endangered spiderlike creature
throws wrench into road project

BY GISELLE GREENWOOD
AUSTIN BUSINESS JOURNAL STAFF

A highway envisioned as a major economic boost for Williamson County has hit a huge roadblock — and it's actually a tiny creature.

The Texas Department of

Transportation uncovered two caves while constructing State Highway 45 North. More critical was the inhabitant of the caves, a blind spiderlike creature called a Bone Cave Harvestman.

As a resident of the U.S. Endangered Species list, the Harvestman is protected from disturbances such as highway projects. That has left TxDOT awaiting word from the U.S. Fish

and Wildlife Service on how, or whether, to proceed on SH 45, the northern extension of MoPac Expressway.

That doesn't mean the overall project is delayed, TxDOT spokesman John Hurt says. Hurt says the work has shifted to other areas not inhabited by protected creatures.

See SH 45, page A34

SH 45: Discovery of caves hampers work on project in Williamson County

From page A1

"We did research prior to building the road, and most of the major obstacles have been found. These caves are relatively small," Hurt says. "We'll do whatever they [the Fish and Wildlife Service] say is prudent. We're certainly considering the impact on the species and the environment."

Hurt says TxDOT bought 30 acres adjacent to the project before construction began to offer as a preserve if such an environmental hurdle arose. He says TxDOT might have enough such land to go forward, but the project still depends on the Fish and Wildlife Service's review.

"We've found 13 caves total since beginning this project," Hurt says. "Caves are fairly common in Central Texas."

Williamson County Commissioner David Hays says the county is working with TxDOT on the environmental dilemma.

"We've talked about them and we're aware of the situation," Hays says. "Hopefully, we can help them out."

"Everything west of I-35 always encounters environmental issues," Hays says. "This is not unusual."

SH 45 is a project environmental groups such as the Austin-based Save Our Springs Alliance have opposed since the outset.

The northern section would run from west of US 183 to SH 130 and could open that area to further development. Another section is in southern Travis County and provides access from South MoPac to I-35.

In July, SOS petitioned to have another spider, *Cicurina Cueva*, listed as an endangered species. The spider was found in one cave near the planned SH 45 South.

At the time, SOS said it opposed that section of SH 45 because the rise in traffic would increase pollution in Barton Springs and wreak havoc on the spider's habitat.

Austin environmental consultant Steve Paulson says construction projects in Austin run into similar problems.

"It's very difficult to determine where these caves are," Paulson says.

Before construction, TxDOT surveyed the land to find any visible karst, or cave, features, such as visible holes on the land surface. That process didn't reveal the current controversial caves because they didn't have airflow and weren't visible from

the surface.

The Bone Cave Harvestman lives in dark, low-humidity habitats. It measures 1.4 to 2.7 millimeters in length and resides in the Southwest. It's uncertain how many exist.

Thirteen miles of the toll road SH 45 North are under construction, according to TxDOT. SH 45 is part of the \$2.9 billion Central Texas Turnpike Project, which includes 65 miles of new toll roads — SH 45 North, MoPac and the first 49 miles of SH 130.

The roadway should be ready in 2007, no matter what other obstacles are encountered, Hurt says.

Email GISELLE GREENWOOD at (sgreenwood@bizjournals.com).

Williamson County Sun
October 29, 2003

Salamander seminar set for today

Government officials and developers will host a five-hour seminar today to discuss how to protect the potentially endangered Georgetown salamander.

The day will include a question-and-answer panel, a round table luncheon discussion and featured speakers.

The Georgetown salamander, *Eurycea naufragia*, is a two-inch long amphibian that lives underwater in a Georgetown cave and

San Gabriel River tributaries.

Land development and quarrying are disrupting the salamander species population and pollution is a threat to groundwater and aquifers in their habitat, according to scientists.

The workshop is from 8 a.m. to 1 p.m. at the Austin Marriott North, 2600 La Frontera Boulevard in Round Rock. For more information visit www.wilcokarst.org or call Kalinda Howe at 512-328-4055.

Austin American Statesman
October 30, 2003

Plan sought to protect Georgetown salamander

Williamson group collaborates on
strategy in bid to avoid U.S. rules

By Laura Heinauer

AMERICAN-STATESMAN STAFF

ROUND ROCK — Landowner James Hawes and biologist Andrew Price don't exactly see eye to eye when it comes to the rare salamanders that might live on Hawes' property in Georgetown.

Price, a natural resource scientist with the Texas Parks and Wildlife Department, says the Georgetown salamander offers scientists a valuable chance to study a new species.

"It's about unveiling the fabric of the diversity of life," Price said. "Rarely as an evolutionary biologist do you have this opportunity."

Hawes, who says he's never seen one of the amphibious critters on his land, is less impressed.

"I hear they make good bait," he said.

On Wednesday, the two men and about 100 politicians, land developers and scientists gathered at a conference that organizers hope will lead to a plan that will protect the potentially endangered salamander's habitat while allowing development within the 66,000 acres the creature calls home.

The salamander, a related species to the endangered Barton Springs salamander, is on the federal government's list of animals being

See **PROTECT**, B7

ference will jump-start amphibian habitat plan

rom B1

for endangered spe-
. If that happens,
vernment approval
the salamander's
ld become harder.
and owners and en-
lists to agree on a
n plan now could
federal government
sing development
said Don Martin, a
ions consultant.

tant that the stake-
ie together and take
a approach," said
o worked with the
1 County Karst
to organize the

t Foundation is a

mitigation program that lets
developers buy land in a pre-
serve in return for permission to
build within the habitats of
various endangered cave in-
vertebrates found in caves west
of Interstate 35 near
Georgetown.

The foundation recently won
a \$200,000 grant to come up with
a plan that would cover all the
potentially endangered species
in the area.

Austin developers say the
endangered listing of the Barton
Springs salamander in 1997
created uncertainty about land
values because of questions

about future property use.

The listing also gave federal
officials leverage to negotiate
better pollution controls with
some large projects such as the
Longhorn Pipeline, which
agreed to upgrade equipment to
detect and prevent gasoline
leaks.

Also in response to the listing,
Austin developed a habitat con-
servation plan that governs how
Barton Springs Pool is operated
and requires steps to limit pol-
lutants entering the pool. After
the workshop, Hawes said he
remains hesitant to voluntarily
participate in any preservation

initiatives.

"The people who do
(participate) run into all these
regulations and loopholes
where they promise you one
thing and do another," he said.
"It makes you wonder if it's
worth all the hassle."

Williamson County Commis-
sioner David Hays said he hopes
to come up with a plan that sat-
isfies both landowners and
environmentalists.

"This is just the first step in a
process that hopefully can sat-
isfy everybody," he said.

heinauer@statesman.com; 246-1150

Round Rock Leader
October 16, 2003

Workshop set for salamander discussion

Williamson County residents, landowners, developers, elected officials, local governments and others will gather Oct. 29 for a half-day workshop. This workshop purpose is to help increase awareness of the Georgetown Salamander — a species that was recently added to the federal candidate list of potential endangered species.

The workshop is being organized by the Williamson County Karst Conservation Foundation, Texas Parks & Wildlife Department (TP&W) and the U.S. Department of Fish & Wildlife Services (FWS). It is scheduled from 8 a.m. to 1 p.m., Wednesday.

The meeting will be held at the Austin North Marriott in Round Rock. The workshop is free to the public, but advance registration is required and space is limited.

Registration is available at

www.wilcokarst.org.

The workshop is designed to bring together and educate a variety of stakeholders about the issues relating to the Georgetown Salamander. Landowners, developers, biologists, hydrologists, consultants, municipalities, school districts, state and federal regulators and others are invited to attend. Presentation topics will include the taxonomy of the salamander, the geology and hydrology of the area, the regulatory issues relating to the species, the potential effect on land use in Williamson County, landowner options, and to open a dialog between all interested parties.

In October 2001, the Georgetown Salamander (*Eurycea Naufragia*) was added to the candidate list of species being proposed for possible listing as an endangered species. Information for

the listing was submitted by Dr. David Hills of the University of Texas who has done previous research on the Barton Springs Salamander, and other potential candidate species, such as the Jollyville Salamander and the Salado Salamander.

The Georgetown Salamander is primarily found within the watersheds of the north and south forks of the San Gabriel River and its upstream tributaries. Species are put on the candidate list primarily to solicit more complete information on the status of candidate species and threats to their survival. FWS biologists rely on a variety of sources to determine whether a species may require listing under the Endangered Species Act.

This workshop is designed to disseminate information that is currently known about the species and its habitat, to hear from a variety of interests about potential governmental regulation, as well as potential conservation efforts that could result in the species being con-

served.

There will be speakers from various areas of interest, as well as a panel discussion with a question and answer session. The public workshop is the first step in a series of efforts to gather information and communicate about the species, as well as options for voluntary conservation and planning methods. These methods can include individual landowner Candidate Conservation Agreements "with assurances" (CCA). Another possible way to conserve the species is through a regional Habitat Conservation Plan (HCP).

These efforts are part of an overall one-year study to determine if there is local interest in forming a Habitat Conservation Plan.

The Karst Foundation recently received a \$200,000 FWS and TP&W grant — to be matched with local funds — to help fund the HCP study. Conceivably, the Karst Foundation might expand to cover all endangered species in Williamson County under one regional habitat plan.

The Williamson County Sunday Sun
October 26, 2003

Then there's the salamanders

Government officials and developers will host a five-hour seminar Wednesday to discuss how to protect the potentially endangered Georgetown salamander.

The workshop is from 8 a.m. to 1 p.m. at the Austin Marriott North in Round Rock, and the purpose also is to help draw attention to the preservation issue.

The day will include a question-and-answer panel, a round table luncheon discussion and

featured speakers.

U.S. Fish and Wildlife Service officials have already designated the Georgetown salamander is a "candidate" species, which means the association believes the species is at-risk of becoming endangered.

The Georgetown salamander, *Eurycea naufragia*, is a two-inch long amphibian that lives underwater in a Georgetown cave and San Gabriel River tributaries.

Land development and mining

Turn to SPECIES, Page 9A

SPECIES

*High attendance
expected at session*

Continued from 1A

are disrupting the salamander species population and pollution is a threat to groundwater and aquifers in their habitat, according to scientists.

Cousins of the Georgetown salamander species, including the San Marcos salamander and the Barton Springs salamander, have been listed already as endangered.

Some 120 people have signed up for the workshop and there is room for 150.

Landowners, developers, agriculturists, biologists, hydrologists, municipalities and state as well as federal regulators are expected to attend. Austin Marriott North is at 2600 La Frontera Boulevard in Round Rock. Space is limited so reg-

ister as soon as possible. Box lunches will be served. To register, visit the Williamson County Karst Foundation Web site at www.wilcokarst.org or call Kalinda Howe at 512-328-4055.

Sponsors for the event include the Williamson County Karst Foundation, Texas Parks & Wildlife Department, U.S. Fish & Wildlife, the City of Georgetown, Del Webb's Sun City Texas/ Pulte Homes, Milburn Homes/ D.R. Horton and the Northern Edwards Aquifer Resources Council.

American Business Journal
October 17-23, 2003

Salamander issue sticky

BY GISELLE GREENWOOD
AUSTIN BUSINESS JOURNAL STAFF

The Williamson County business community is fretting a little amphibian may be on the verge of tearing down economic hopes.

Business leaders will discuss those fears and how much closer the amphibian is to altering their growth plans for thousands of acres of development and tens of millions of dollars in infrastructure

on Oct. 29 from 8 a.m. to 1 p.m. at the Austin North Marriott in Round Rock.

The workshop will bring together Williamson County residents, landowners, developers, elected officials, and local governments to discuss the most recent findings of research conducted by Dr. David Hills of the University of Texas.

The Georgetown Salamander now may be closer to reaching endangered species status due to

Hills' research and many in the business community are up in arms.

"It would be detrimental to development if it [the Georgetown Salamander] becomes listed as an endangered species," Williamson County Commissioner David Hays says. "It would negatively impact the amount of land that could be used for development as well as the

See SALAMANDER, page A43

SALAMANDER: Anxious Williamson County to meet on potential impact

From page A1

time it takes to develop that land."

The salamander would also affect Williamson County's road projects, such as SH 130. County voters have approved \$300 million in road bonds, with repayment of those bonds contingent on expected growth that would create new tax revenue.

Should the salamander come into the mix, that growth will be limited, says Alan Glen, an attorney at Austin-based Smith Robertson Elliott & Glen LLP, which specializes in environmental law.

"One of the most analogous situations is what's been going on with the Barton Springs Salamander," Glen says. "It hasn't stopped growth and development, but it has certainly caused lots of disruption."

Although future projects would undoubtedly be affected, the 850,000-square-foot Wolf Ranch retail center in Georgetown that was proposed by Simon Property Group Inc., wouldn't be affected much, says Charlie Crossfield, a partner with Round Rock-based law firm Sheets & Crossfield PC who represents Indianapolis-based Simon.

"I don't think it's a problem just yet. It won't be listed for a couple of years," Crossfield says. "However, Simon is participating in the workshop and is concerned."

Crossfield says the retail project is set to break ground in January, too soon to be affected by any findings. However, Crossfield acknowledges that any future growth for Simon in that area would certainly consider the salamander and its status.

The Georgetown Salamander is primarily found within the watersheds of the North and South Forks of the San Gabriel River and its upstream tributaries. That expanse of land has several proposals on the line, including the Wolf Ranch retail project, as well as the SH 130 toll road.

"If it became listed, more efforts would have to be made in looking at ways to... avoid impact on the species," says Robert Pine, area director of the U.S. Fish and Wildlife Service.

Pine says the USFWS has nothing in its possession to warrant listing of the salamander on the endangered species list.

"We're simply trying to do the best thing for the species," Pine says. "At the same time, we're trying to support private efforts as much as possible."

Williamson County is hoping to nip the problem in the bud by holding the workshop discussing the fate of development should the Georgetown Salamander be listed as an endangered species.

"Although the species isn't in crisis right now, you can narrow the alternative to slow down the decline," Pine says of the workshop. "People are in the state of mind where they're doing the best they can, but they don't really have all the information."

The meeting on Oct. 29 will attempt to bring the community up to speed, Pine adds.

In October 2001, the Georgetown Salamander was added to the candidate list of species being proposed as potential endangered species. The process of listing a species as endangered takes from two to four years, depending on issues that come up during a study of the species.

Hills has been conducting research genetically linking the Georgetown Salamander and other potential candidate species, such as the Jollyville Salamander and the Salado Salamander, to the endangered Barton Springs Salamander.

His findings may move the Georgetown Salamander closer to the endangered species list.

The workshop is being held by the Karst Conservation Foundation, a non-profit organization that aims to provide conservation and recovery of cave-dwelling invertebrates in Williamson County.

The Karst Foundation received a \$200,000 grant from the USFWS and the Texas Parks and Wildlife Department to fund a habitat conservation plan. This workshop is the first step in creating a conservation plan, and the Georgetown Salamander could conceivably be put under that plan, says Pine.

Regardless, the business community has felt the impact of an endangered species before, and a Georgetown salamander will be no different. This one has come along at the wrong time in the wrong place.

"The Williamson County area has been undergoing rapid growth," Glen says. "These salamanders aren't in very many locations throughout the state, but they just happen to be in one area of rapid growth."

Email GISELLE GREENWOOD at (ggreenwood@bizjournals.com).

AGENDA ITEM 27

Consider approving letter to the Mayors of Cedar Park, Georgetown, Hutto, Leander, and Taylor regarding the Clean Air Action Plan.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To approve the sending of a letter to the Mayors of Cedar Park, Georgetown, Hutto, Leander, and Taylor regarding the Clean Air Action Plan.

Vote: 4 - 0

< Attachment >

November 4, 2003

Mayor

Dear Mayor and Council Members:

I am writing for two reasons: first, to ask your assistance with clean air planning activities in Williamson County, and second, to invite you and your fleet operators and/or purchasers to attend an informative workshop about state grant funds for which you may ~~be~~ applying ~~for~~.

The five county governments in the Austin/Round Rock Metropolitan Statistical Area (Austin/RR MSA), along with several of the largest cities in the MSA, are developing a clean air plan. I invite you to join in the process. Once implemented, elements of the plan will affect every person living and working in this region.

As you may know, Williamson County and the City of Round Rock entered into an Early Action Compact with the Texas Commission on Environmental Quality (TCEQ) and the United States Environmental Protection Agency (EPA) in December 2002. As a result, we are committed to implement a Clean Air Action Plan (CAAP) no later than March 2004. The CAAP will demonstrate how the Austin/RR MSA can comply voluntarily with the federal Clean Air Act's new 8-hour National Ambient Air Quality Standard (NAAQS) for ground-level ozone through the year 2012. Since 1999, the Austin/RR MSA has violated the 8-hour NAAQS every year except this one. According to a careful analysis of all available local monitoring data, the MSA is almost certain to violate the 8-hour standard again next year.

Assuming we meet all deadlines contained in the Early Action Compact for attaining the 8-hour NAAQS, TCEQ and EPA are committed to deferring a nonattainment designation in the region should a violation occur. This process should save us from costly federal mandates while bringing Central Texans clean air two years earlier than waiting for EPA's traditional regulatory process to take effect.

Besides the obvious public health benefits of cleaner air, avoiding a federal nonattainment designation has the following economic benefits, as well:

- Protects federal transportation funds, which can be withheld in nonattainment areas;
- Decreases costs associated with health care and employee/student absences; and
- Provides a competitive edge for new business recruitment.

In order to develop and implement the CAAP, the 12 local jurisdictions that signed the Early Action Compact formed the Clean Air Coalition (CAC). The membership of the CAC includes the County Judge or a Commissioner from Bastrop, Caldwell, Hays, Travis and Williamson Counties, and the Mayors of Austin, Bastrop, Elgin, Lockhart, Luling, Round Rock, and San Marcos. Together we are analyzing emission reduction measures that could effectively