



**Minutes of the
Westside Creeks Restoration
Oversight Committee (WCROC) Meeting
August 13, 2013**

The meeting was called to order at 6:01 pm in the San Antonio River Authority's Boardroom, 100 East Guenther Street, San Antonio, Bexar County, Texas.

Elected Officials Present:

Roberto G. Rodriguez, San Antonio River Authority Board Director, District 2

Committee Members Present:

Olga Lizcano, Co-Chair
Laura Cabanilla-Cruz, WDC
Janet Dietel, San Antonio Conservation Society
Lourdes Galvan, West SA Chamber
Abigail Kinnison, Beacon Hill NA
Theodore Ozuna, Donaldson Terrace NA

Robert Ramirez, Co-Chair
Patti Radle, San Antonio ISD
Abel Ramirez, San Antonio Wheelman
Gabriel Velasquez, Avenida Guadalupe
Joanne Walsh, Downtown Residents Association
John Shiver, San Antonio Alternative Housing

Staff and Members of the Public Present:

Danny Allen, USACE (Conference Call)
Fred Blumberg, Arcadis
Dwayne Bohuslav
Joanne Brigham
Ernest Bromley, Alameda/San Pedro Creek
Eduardo Carrasco, COSA - IGR
Cosima Colvin
Skye Curd
Jesse De los Santos
Rudy R. Farias, SARA
Richard E. Garza
David Gonzales, COSA

Claude Harding, SARA
Barbara Hill, Martinez Creek Subcommittee
Charlotte Kahl, Old Spanish Trail Centennial
Brian Mast, SARA
Brice Moczygamba, Pape Dawson
Howard Peak, former Mayor of San Antonio
Russell Persyn, SARA
Gloria Rivera Rodriguez, SARA
Suzanne Scott, SARA
Jesse Serna, COSA
Linda Whitaker, SARA
Richard Martinez, COSA

AGENDA ITEM NO. 1: Welcome

Co-Chair Robert Ramirez called the meeting to order at 6:01 pm. He introduced new committee members Laura Cabanilla-Cruz with Westside Development Corporation and Janet Dietel with the San Antonio Conservation Society. He welcomed first time visitor Mr. Carrasco with the City

of San Antonio. Roberto Rodriguez welcomed Howard Peak, former Mayor of San Antonio and Suzanne Scott, General Manager of SARA.

AGENDA ITEM NO. 2: Approval of Minutes for August 13, 2013

Mr. Ramirez presented the minutes to the Committee and asked if there were any corrections. Hearing none, the minutes were approved as presented.

Following the approval of the minutes Items 4, 5, and 6 were presented, followed by Item 3 to accommodate presenters' schedules.

AGENDA ITEM NO. 3: Update and Discussion on San Pedro Creek – Russell Persyn, SARA

Mr. Persyn provided a brief update stating Bexar County Commissioners Court authorized SARA to begin the design consultant selection process and authorized approximately \$125 million towards the project.

A Request for Qualifications (RFQ) was advertised and later re-advertised which resulted in six submissions that are being evaluated. The goal is to provide the results of the review and a recommendation to Commissioners Court on August 20. The Court could recommend several actions such as conducting interviews, hiring a firm, or reissuing the RFQ to name a few actions. The goal is to have a contract in place by October 8.

There is a tentatively scheduled subcommittee meeting in November to discuss the schedule. The goal is to complete at least a portion of this project by 2018 to coincide with the anniversary of the founding of the missions. As the design progresses, the subcommittee may have to meet monthly.

Ongoing project activity includes outreach to property owners adjacent to the project to discuss the project and secure rights of entry for study purposes. There has also been coordination with VIA regarding proposed street car routes and the railroad to discuss the rebuild of the train bridge crossing near Alamo Street.

Centro Partnership San Antonio was hired by Bexar County to prepare an economic study for the northwest quadrant of downtown. The San Pedro Creek project is also conducting an economic study and will coordinate with Centro Partnership on areas where the two studies overlap.

Mr. Persyn opened for questions.

Ms. Kinnison asked if a month in 2018 was being targeted and Mr. Persyn replied a month has not been determined.

Mr. Rodriguez asked when the Subcommittee will meet next. Mr. Persyn answered sometime in November.

Mr. Rodriguez asked if the \$125 million was part of the county flood control money since San Pedro Creek is a flood channel. Mr. Persyn said he was not sure about the financial source.

Mr. Velasquez asked how far south will property owners on the San Pedro Creek be impacted. Mr. Persyn said there are potential acquisition needs from the tunnel inlet to the confluence of the Apache/Alazan Creeks at IH-35. Exact properties will not be known until the design progresses.

Mr. Velasquez commented on how the Westside Creeks project has potential for economic progress similar to the Museum Reach Project. Mr. Persyn shared that during the construction of the Museum Reach, property was donated and the hope is property will be donated along Westside Creeks.

Ms. Kinnson asked if SARA has eminent domain authority and Mr. Persyn answered yes.

Ms. Lizcano asked if there were any more questions.

AGENDA ITEM NO. 4: Presentation on Westside Creeks Maintenance – Richard Martinez, City of San Antonio Public Works Department

Richard Martinez thanked the Committee for the opportunity to present. He introduced Jesse Serna who oversees creek mowing and David Gonzales who oversees creek repairs from his staff.

Mr. Martinez gave an overview of the San Antonio Channel Improvement Project (SACIP) consisting of the Alazan, Apache, Martinez, San Pedro Creeks and the San Antonio River. These channels are federally mandated to be maintained throughout the year. They are also inspected after each rain event for debris removal and restoration repair. They are scheduled for periodic maintenance according to the Infrastructure Management Plan. He explained the channel restoration process and Best Management Practices such as desilting, maintaining free board, reshaping the banks as needed, armoring the pilot channel, grading top soil, and re-establishing vegetation as needed.

This year's maintenance initiative is to mow 6 times a year instead of 4. Crews are also working on improving the reduction of invasive vegetation by planting local grasses. Street sweeping is performed twice a year to remove contaminants from the road before they get into the channel. This year crews are initiating a pilot in-treatment system to catch contaminants before they get into the creeks. The 6-month expenses for maintaining the SACIP are \$475,841.36. This year's expenditure might reach \$1.2 to \$1.3 million due to the repairs on the channels after the May flood event.

Following the presentation Mr. Martinez invited questions. Mr. Rodriguez asked if the City coordinates with the United States Army Corps of Engineers when maintaining the creeks. Mr. Martinez said the City has a permit for regular maintenance, however if it is a significant storm event such as in 2002, the City coordinates with the Corps for repairs. Mr. Rodriguez asked if that work would require additional permits. Mr. Martinez said yes, if it is a specific and large construction project outside of regular maintenance.

Mr. Rodriguez asked how deep is the City allowed to dig when cleaning out a channel. Mr. Martinez said crews remove the silt, stabilize the area and then bring the channel back up to the

original grade. They do not dig in areas where it is not necessary. Mr. Rodriguez said he was curious about the depth and asked if crawdads have been seen in the channels. Mr. Martinez said he had not seen any.

Mr. Rodriguez also expressed concern about a truck pumping water out of the Alazan Creek. David Gonzales answered that they were armoring the channel.

Mr. Ramirez asked if some of the expenditures were for any of the areas of interest regarding the Westside Creeks Project. Mr. Martinez answered that it was not. Mr. Ramirez asked if an effort adopting portions of the creeks for cleanup would be productive or a hindrance to the City. Mr. Martinez answered it would be productive and the City would coordinate with them.

Lourdes Galvan asked who is responsible for cleaning debris after right-of-way mowing. Mr. Martinez answered the responsibility lies with the entity doing the mowing, either the City or City's contractor.

Abigail Kinnison asked how the relationship will work between the City and SARA regarding maintaining the channel once the Westside Creeks are restored. Mr. Martinez answered it will have to be worked out and is currently being discussed.

Skye Curd voiced concerns about using Roundup and the effects on the environment. Mr. Serna said Roundup has been the most effective chemical with the least amount of impact to the environment.

Mr. Rodriguez asked why less money was spent on Martinez Creek compared to the other creeks. Mr. Martinez answered because there wasn't as much damage.

Mr. Rodriguez also expressed concern regarding aging sewer lines in the creeks. He requested details concerning SAWS permit. Mr. Martinez said they would follow up with SAWS on the permitting information. Mr. Rodriguez also voiced concern about sewer leaks into the creeks. Mr. Martinez said that was his concern too and that the City monitors the creeks for sewer leaks and notifies SAWS.

Mr. Martinez said they will keep SARA apprised of their monthly maintenance schedule.

Ms. Kinnison requested a similar slide showing the expenses for a typical year including the boundaries of Martinez Creek that are being monitored. Mr. Martinez said he will come back and give a more in depth report of typical expenditures.

Joanne Walsh asked if there are any records reflecting the number of sewer problems encountered within each of the four creeks. Mr. Martinez said SAWS tracks that and he would get with them on it.

Mr. Ramirez thanked Mr. Martinez and his staff for their presentation.

AGENDA ITEM NO. 5: Update and Discussion on U.S. Army Corps of Engineers Feasibility Study – Danny Allen, U.S. Army Corps of Engineers

Danny Allen reported that the Corps' recommended plan was presented to the public as part of the National Environmental Policy Act (NEPA) requirements in June. Public comments on the plan were being accepted through August and would become part of the recommended plan. In addition to the NEPA requirements, the recommended plan was also going through two internal reviews. The Corps' Headquarters will conduct a 30-day review of the document as well as an independent external peer review that is scheduled to be completed by October 23. The final step in the feasibility study process is a review board presentation scheduled for November 14. If approved, the feasibility study is then approved.

Mr. Allen invited questions.

Mr. Ramirez asked if it was possible for Option 7 to be the recommended plan. Mr. Allen said that would probably take some discussion with SARA and he believes it is a timing issue. He said they would probably have to reevaluate the study and start the review process again. Mr. Ramirez voiced concern that Martinez Creek is not getting much attention.

Olga Lizcano asked what was the deadline for public comments. Mr. Allen said it was August 31.

Ms. Kinnison asked if the report goes to the Environmental Protection Agency (EPA) for review. Mr. Allen answered yes along with Texas Parks and Wildlife, U.S. Fish and Wildlife, Texas Commission on Environmental Quality and other agencies. However, Mr. Allen did not anticipate comments from all agencies since agencies receive numerous requests throughout the year.

Mr. Ramirez asked if Option 7 was the best plan but not accepted because it is \$13.7 million over Option 6. Mr. Allen answered that the point of contention was half the cost was for utility line relocation instead of ecosystem restoration and the federal interest is in ecosystem restoration.

Mr. Ramirez said that 50% of the \$13.7 million incremental increase for Option 7 is for utilities relocation which is about \$7 million. He said EPA just reached a settlement with SAWS for \$492 million dollars and wondered if it was possible to tap into that for \$7 million to enable us to go to Option 7.

Mr. Allen said there is nothing to keep us from going to Alternative 7 but the question is whether the Corps can match funding. The cost share as it stands now doesn't include channel improvements or woody vegetation, just native vegetation for Martinez Creek. The Corps will cost share up to Alternative 6. The Corps has developed a fully formed plan which includes full restoration of Martinez Creek and can facilitate building the full plan with the costs of Alternative 7 coming entirely from the local sponsor and not cost shared with the Corps.

Mr. Ramirez said the objective is to see that all four creeks receive maximum benefits.

Gloria Rodriguez stated that the comment period is July 31 through August 30 as it appears on the Website.

Suzanne Scott asked Mr. Allen if once the comment period ends and the public's preference is Option 7 over Option 6 with recognition of the utility issue, can the public's interest change the

decision. Mr. Allen said the purpose of the comment process is to obtain public input to make informed decisions in the best interest of the public.

Ms. Kinnison asked if EPA includes in their comments a recognition of the lawsuit and settlement with SAWS, with a good chance those utility lines would be replaced prior to the restoration project, could that move them to Alternative 7 instead of Alternative 6. Mr. Allen said he did not have a clear answer but will look into it and welcome discussion with SARA.

Mr. Ramirez asked if they want to receive comments from the public regardless of what they are. Mr. Allen said yes public comments are very important that is why they are included throughout the process and will be incorporated into the environmental package. Mr. Ramirez encouraged comments from the Committee.

Ms. Kinnison suggested the Committee draft a letter to the Corps in support of Alternative 7. Ms. Walsh seconded the motion.

Mr. Ramirez elaborated saying that this Committee should draft a letter stating the purposes that have been expressed here regarding leveraging of the EPA settlement, benefits expressed in the minutes and also presented in the Corps' presentation that make Alternative 7 the best one. Ms. Kinnison said she would draft the letter on behalf of the Committee.

Gabriel Velasquez said they should aggressively pursue formal meetings with SAWS to see what their proactive response would be. He also requested that the will of the constituents who are concerned with pollution be included in the motion.

Mr. Ramirez asked Ms. Scott if this Committee has any kind of authority to approach SAWS directly or should SARA do it at the Committee's recommendation. Ms. Scott answered that they have talked to them as staff but she thinks it would be more important for it to come from the community. SARA could make the request on behalf of the Committee and it would be appropriate if a representative of the Committee, Co-chair or Mr. Rodriguez be included in the meeting.

Mr. Ramirez suggested including in the letter the Committee's willingness and intention to approach SAWS through SARA. Mr. Velasquez suggested it be a separate motion because pollution is something SAWS has to address in the suit.

Ms. Walsh said she would like the cost estimate to include social and environmental consequences from not doing all four creeks. Mr. Ramirez said that falls within the motion.

Mr. Velasquez asked Ms. Kinnison if the motion would be more appropriate if it stated that it was contingent on SAWS being part of the project.

Mr. Ramirez asked Mr. Allen if SAWS allocated some of the settlement funds to the Martinez Creek infrastructure improvement would it have to be specified in Option 6 or 7. Mr. Allen said he did not know the answer and would get with their economist and planner. He also said he would discuss the question internally.

Mr. Ramirez asked with Option 7 being contingent on SAWS allocating part of the settlement and they don't receive any money, would Option 6 be the default. Mr. Allen said the utility relocation costs are part of the overall project costs and he wasn't sure they could split it out, however he will verify the requirements.

Mr. Ramirez asked Ms. Scott if this recommendation is made into a formal motion, will it restrict SARA. Ms. Scott said that it would not because she believes it is the role of this Committee to voice their comments and concerns regarding advocating for Alternative 7. There also needs to be continued discussions with the Corps and SAWS.

Mr. Rodriguez asked Mr. Allen and Ms. Scott when they become aware that SAWS had old infrastructure on the Martinez Creek which was going to be a problem regarding cost effectiveness of this project.

Ms. Scott said the concern is not caused by the SAWS infrastructure being old. Martinez Creek has more conflicts because of where the utility infrastructure is located in the right-of-way, whether old or new. Some of the other creeks have conflicts but not as many as Martinez Creek which is a different situation because of the way the lines were laid. These conflicts will cost more money to be resolved. They became aware of this situation at Decision Point 2 in April. SARA has had numerous discussions about this utility conflict. Because of the cost issue they had to drop back down to Alternative 6 from Alternative 7 which had more overall benefits to the ecosystem restoration. Also in April they did not have the final determination of EPA consent decree which could potentially make revenue available to repair the aging Martinez Creek infrastructure. With these conflicts resolved the Federal project could potentially move forward. I think this new information should be conveyed to the Corps as part of this decision making process in order to maximize the benefits. They are leaving benefits on the table by not going forward with Alternative 7.

Mr. Rodriguez asked if there was a cost estimate to remove the sewer lines in the Martinez Creek. Ms. Scott said they have had some conversations with SAWS but did not think they have identified the cost or the prioritization of what needs to be done so they need to talk with them again.

Mr. Rodriguez mentioned that the minutes state 50% of the \$13.7 million incremental increase for Alternative 7 is for utility relocation. Ms. Scott said it will cost more because SAWS will have to replace the lines.

Ms. Curd requested details for each of the Alternatives. Rudy Farias said the presentation concerning the alternatives along with the Corps report can be found at www.westsidecreeks.com.

The motion passed unanimously. The Martinez Creek Subcommittee Chair will also sign the letter subject to SARA's approval.

Mr. Ramirez asked for other comments.

Mr. Abel Ramirez asked if another motion was needed regarding SARA coordinating a meeting with SAWS on behalf of this committee to discuss due diligence regarding sewage in the creek. Mr. Ramirez said he prefers SARA take the lead.

Mr. Rodriguez said the meeting with SAWS should be initiated by the staff along with himself, Mr. Ramirez and Ms. Lizcano, Co-Chairs. He feels SAWS is acting in good faith and he believes it is time to address these concerns with SAWS especially as they consider a rate increase.

In answer to Mr. Abel Ramirez, Mr. Ramirez presented a motion that SARA request a meeting with SAWS to include representatives of this Committee to further the objective of the letter they will be drafting. The motion passed unanimously.

Ms. Lizcano asked in reference to the Corps reevaluating the public comments, should there be a petition signed by the public reflecting their wish to have these lines replaced and then presented to the Corps. Mr. Allen answered that the Committee and the public can send their comments to him by email and all the comments are included in the package.

AGENDA ITEM NO. 6: Update and Discussion on Elmendorf Lake Park and Westside Creeks Hike and Bike Trails – Fred Blumberg, Arcadis/Malcome Pirnie

Fred Blumberg provided an update on the design and project schedule. He said the public's comments have been incorporated. For the trail design of the Alazan and Martinez Creeks, the 40% plans were submitted July 5 and the 70% plans are due October 7. For the Apache and San Pedro Creeks trail design, the 40% plans were due August 21 and the 70% plans are due October 31. He presented schematics showing types of amenities and photographs of the facilities that are in the process of being designed. He distributed a handout depicting the concept being used on Martinez Creek. The 40% design plans for Elmendorf Lake Park will be submitted this week. He showed park sketches illustrating park amenities. There are three to four locations where stormwater Best Management Practices will be implemented in order to improve the management of runoff from the Our Lady of the Lake University (OLLU) parking lot. Public meetings are scheduled for Martinez and Alazan Creeks the week of September 9 and an open house the week of December 9, 2013. For Apache and San Pedro Creeks there is a public meeting the week of October 7 and an open house the week of January 6th.

Ms. Galvan asked about the swimming pool and Mr. Blumberg said a new swimming pool is in the plans.

Ms. Galvan asked if they have discussed an agreement with OLLU regarding parking. A possible arrangement could be the use of the parking lot for the disabled to allow for shorter access to the island via the new American with Disabilities Act (ADA) compliant bridge. Mr. Rodriguez then asked if the restrooms would be ADA compliant. Mr. Blumberg said yes the new bridge has to be accessible and would use the same design concepts as the existing one.

Mr. Velasquez asked if OLLU would allow public parking on their property to access the bridge. Mr. Blumberg said there have not been discussions with OLLU regarding parking.

Ms. Galvan suggested a discussion with OLLU before the next committee meeting concerning an arrangement for accessibility to the Park through their parking.

Ms. Kinnison asked what the length of the island was. Mr. Rodriguez answered probably about 2-3 blocks.

Ms. Kinnison asked about potential parking issues at the park if OLLU students and visitors began parking at the park and walking onto the campus. Mr. Blumberg said there have been discussions about providing secure access to OLLU however the details have not been worked out. The goal is to enable the students to hike and bike up to General McMullen or the San Antonio River from the trail system or the bridge.

Mr. Velasquez asked if the students have secure access, would the bridge not be considered a public bridge. Mr. Blumberg said yes it would be considered public because the trail system is accessible from the bridge, it does not dead end into the University. They have not had the discussion about the public being able to get onto OLLU property.

Ms. Walsh requested that the maps used in the presentation be consistent with the north arrow being located at the top of the document.

Mr. Velasquez asked if federal permits would be required for the bridge, particularly if the bridge abutments are in the water. Mr. Blumberg said the proposal is to have the bridge anchor points out of the jurisdictional area which would only require a nationwide permit.

Patti Radle asked if the stage, sculpture and boat dock will be replaced. Mr. Blumberg said the stage has historic significance therefore they are not modifying it. They are considering planting a tree to replace the huge oak tree previously located in the center of the structure. They are trying to preserve the structure and increase its usefulness. Ms. Radle suggested looking into the money designated for the historic boat dock.

Mr. Rodriguez asked if there were plans to put a channel in around the area of the retaining wall and the swimming pool. Mr. Blumberg said they don't feel that option was affordable; however they are researching improving water quality on the upstream end of that area.

Mr. Rodriguez asked how soon could there be fishing in the lake. Mr. Blumberg said they are providing access to the water in numerous places and plan on putting in a floating pier. Once the water quality is improved, fish can be stocked.

Ms. Kinnison asked if connections to other modes of transportation could be included on the trail signage, and also at street level indicating trail connections so motorists can watch out for pedestrians or cyclists. Mr. Blumberg said he needs to talk with those responsible for that part of the design. There are very few places where the trails cross at street level but it is something that needs to be addressed.

Ms. Kinnison asked if those details will be at the next public meeting. Mr. Blumberg said the details will be worked out between the 40% and 70% design and at the next round of public meetings there will be actual instead of conceptual renderings showing the designs being proposed.

Mr. Velasquez asked again about restoring the historic boat dock because people really want to canoe again on the lake. Mr. Blumberg said he would research it.

Ms. Galvan asked where they are planning to plant the tree. Mr. Blumberg answered in the historic patio area that once had a large oak tree in the middle. It is still under evaluation but they are looking at the possibility of going back in and planting a tree there which will eventually provide shade for that open area. Ms. Galvan said about \$300,000 has already been spent for the restoration of the stage and the open area and it would be a shame to break it up again to plant a tree. Mr. Blumberg said they are going to make an evaluation before a decision is made.

Mr. Lizcano asked when the next public meetings are scheduled for Elmendorf Lake. Mr. Blumberg said sometime next year but he will find out.

Ms. Lizcano asked for other questions.

Mr. Velasquez mentioned his appreciation that the community's comments have been taken very seriously and he sees evidence this plan is materializing. He also said he appreciates Mr. Rodriguez who has fought and worked hard for this vision.

Mr. Rodriguez thanked him for his comments and said he had a lot of encouragement, for example Lourdes Galvan, former council member and Mayor Garza. He said he is also grateful for Suzanne Scott who caught the vision and for having two very strong Co-Chairs. He said he is very grateful and satisfied that this vision has come to fruition.

Ms. Lizcano asked if there were any other questions regarding Mr. Blumberg's report.

There being no more questions moved back to Item 3.

AGENDA ITEM NO. 7: Citizens to be Heard

Mr. Richard Garza voiced his concern about a 300 year old tree located on El Paso Street. He requested action from the Committee to save it. Mr. Rodriguez suggested contacting the Conservation Society.

Ms. Curd addressed Mr. Blumberg voicing her concern that this project seems to benefit OLLU even though they are not contributing any funds toward the project.

Jesse De Los Santos voiced his concern that the lake needs dredging and the runoff needs to be diverted from flowing into the lake. He also had a concern about property being bought around the lake. Mr. Ramirez said due to his neighbors voicing their concern about the possibility of eminent domain at the second meeting, the idea was abandoned and the proposed conceptual plan only covers the existing property at the park. Mr. Ramirez also said it was explained why the county did not move forward with dredging the lake. Mr. Blumberg explained aeration is an attempt to improve the lake's water quality. Mr. Rodriguez explained that Commissioner Elizondo said the County had \$3.5 million to dredge and clean out the lake. After dredging the lake was evaluated by consultants, the estimate went to about \$8 million. The County determined the costs were too high and discussions turned to evaluating other Best Management Practices.

Rudy Farias said the County is looking at the upstream portion of Elmendorf Lake. The County is not going to dredge the lake, however they are evaluating the use of Best Management Practices from Commerce Street to General McMullen to improve water quality. Also, regarding buy-outs, the only acquisition will be a building on Commerce Street that is being used as a restaurant. The owner is a willing seller.

AGENDA ITEM NO. 8: Miscellaneous Items

Ms. Lizcano requested that any Westside Creeks Restoration Project literature include the website address. Mr. Farias said the website has been updated and he welcomes the Committee's comments.

Ms. Lizcano would like to include a phone number to a translator for people who do not speak English.

Mr. Velasquez suggested putting some texturing on the long triangle from Commerce Street to Buena Vista Street to help reduce traffic speed.

AGENDA ITEM NO. 9: Next Meeting – Tuesday, October 8, 2013

Ms. Lizcano announced the next meeting will be Tuesday, October 8, 2013, at 6:00 p.m.

AGENDA ITEM NO. 10: Adjourn

Since there were no other comments or statement, the meeting was adjourned at 8:45 p.m.