

**Lake Maumelle Watershed
Policy Advisory Council Meeting
November 15, 2006**



Facilitated by




TETRA TECH, INC.

**Roadmap for
Developing
Management
Plan**

Overarching Goals


- Maintain long-term, abundant supply of high quality drinking water.
- Provide equitable sharing of costs and benefits for protecting Lake Maumelle.



11/15 Meeting Objectives

- Overview of draft legal settlement agreement (information item)
- Allowance of performance standards in development agreements (action item)
- Conditions for allowing development in Critical Area A (action item)
- Allowance of Non-engineering Approach in Critical Area A in short term (action item)

**Background: Reminder
of PAC's Action on
Critical Area A**



- September 2006 meeting PAC reached general consensus, i.e., all but 2 members supported the motion to:
 - Delay decision on development in Critical Area A until pilot projects are completed.
 - At that time, determine if stormwater BMPs can be used effectively and if adequate oversight is in place.
- Deferred action on short-term option

**Background:
Tetra Tech's
Recommendations
in Draft Plan**




- Two options for CAW Board to consider for Critical Area A:
 - No development
 - Very limited development with very restrictive measures and five prerequisite conditions




Option 2: Five Conditions for Development in Critical Area A

- (1) Overall risk to the lake and intake must be reduced.
 - Major landowners must agree to follow plan requirements in Critical Area A and elsewhere in watershed.
- (2) Major landowners must work with CAW to obtain other watershed land.
- (3) Major landowners must conduct pilot studies for BMPs.
 - Estimated to last 4 years.




Five Conditions for Development in Critical Area A, cont.


- (4) If pilot studies are not successful, CAW should not be penalized for increased price of land (in four years).
- (5) Administrative, regulatory, and enforcement capacity must be in place.



**Critical Area A
Short-Term:
Large Lot Option**




- 92% undisturbed open space
- Minimum 20 acres per house
- Maximum 2.2% imperviousness
- Paved roads and driveways
- Non-discharging wastewater systems



**Critical Area A Short-Term:
Large Lot Option**

- At build-out, would result in estimated 68 additional houses.
- Tetra Tech believes this option:
 - Poses manageable risk to the lake and intake area.
 - Should be allowed in the short-term (while the pilot studies are being performed).



Tetra Tech's Recommendation

- Consider Critical Area A in the context of the whole watershed.
- Consider overall risk reduction to the water supply.
- Consider how well each option meets the goals and objectives.



**Overview of Proposed Draft
Legal Settlement Agreement
(Information Item)**

**Action Item 1: Allowance of
Performance Standards in
Development Agreements**

- If local governments do not adopt ordinances which include the Performance Standards approach, should the approach be an option under development agreements between landowners and CAW?

Tetra Tech Recommendation

- CAW should determine if the Performance Standards approach:
 - Is in the best interest of implementing the Plan.
 - Can be enforced by CAW through legally binding agreements.
 - Can be adequately administered by CAW (i.e., CAW is willing to assume oversight and enforcement).

PAC Discussion and Action


**Action Item 2: Conditions for allowing
development in Critical Area A**

- Add the three following conditions for the two major landowners in Critical Area A.

**Action Item 2a –
Tetra Tech Recommendation:**


- The two major landowners must abide by Management Plan requirements not just in Critical Area A, but also on land owned in remainder of watershed in order to reduce overall risks to the lake and intake.

PAC Discussion and Action




**Action Item 2b –
Tetra Tech Recommendation:**

- The two major landowners must identify developable land outside of Critical Area A to help meet CAW land acquisition needs for offsetting exemptions.




PAC Discussion and Action




**Action Item 2c –
Tetra Tech Recommendation:**


- The two major landowners must settle on a purchase price before initiation of the pilot projects so as to not penalize CAW for allowing the pilot projects to move forward.



PAC Discussion and Action



**Action Item 3: Allowance of
Non-Engineering Approach in
Critical Area A in Short Term**



**Action Item 3 –
Tetra Tech Recommendation:**

- If CAW decides to follow Option 2 (allow limited development), then allow landowners to use the Non-engineering/Land Conservation approach for Critical Area A in the short-term while pilot studies are performed.

PAC Discussion and Action

Upcoming Tasks and Meeting Wrap Up

