



Frequently Asked Questions regarding the City of Buda's agreement with Electro Purification

Where is the City's contract and mitigation with Electro Purification?

The City of Buda is currently in negotiations with Electro Purification which will include a mitigation plan for wells affected by Electro Purification's (EP) well field. When the contract is complete, it will be made public and posted to the City's website.

How much water is the City of Buda purchasing from Electro Purification?

The City is in negotiations to purchase 1 million gallons per day (MGD) from EP's total supply of 5.3MGD. Goforth Water Supply purchased 3MGD and Clark Wilson Builders purchased 1.3MGD for their new residential development near Mountain City. Buda will receive less than one fifth (1/5) of the water supply being pumped by EP.

How was the number of affected wells in Electro Purification's well field determined?

The City's hydrogeologist determined the number of private wells by combining data from the Texas Water Development Board inventoried wells list and from the Texas Department of Licensing and Registration. Water well drillers are required by law to report well construction to the latter agency. For information on the number of wells to be included in the mitigation plan, contact Electro Purification.

Did Buda seek other water sources?

Based on our projected growth, it was determined that the City of Buda will need additional water supply by 2017. Since 2010, when EP came to the City regarding their water source, the City has researched a number of other options. The City attempted to purchase additional water from the Guadalupe-Blanco River Authority

(GBRA), of which Buda is currently a customer, but no additional water was available for 2017.

The City also reached out to the Barton Springs/Edwards Aquifer Conservation District (BSEACD) for additional water. In 2011, a paper transfer for water rights was mentioned, but never acted on during the round of rulemaking. The City was not provided with a firm date as to when such rulemaking would take place again. The City of Buda is working with BSEACD on the feasibility of a desalination project with Texas Disposal Systems for testing the lower Trinity Aquifer on the East side, however water will not be ready for 2017. In addition, the City of Buda sought to provide effluent water to Centex/Lehigh in order to obtain a portion of their water rights from the Barton Spring/Edwards Aquifer water, but BSEACD wants further testing of the affects of effluent water over the recharge area. The City of Buda also discussed the transfer of water with the City of Austin in 2012, but none was available.

The City was able to secure additional water with the Hays Caldwell Public Utility Agency (HCPUA), but that water supply will not be confirmed for Buda until 2023. While interim water through HCPUA may be of use as soon as 2017, there are still unknown factors regarding distribution of the water supply being made available to Buda by that time.

Why did Buda act before allowing other entities to conduct additional studies?

When the City of Buda started its search for an additional water source, it used its consulting engineer, Lockwood, Andrews and Newnam, Inc. (LAN), to help facilitate the efforts. After EP contacted the City, LAN commissioned RW Harden & Associates, Inc. to perform a third-party hydrogeology report separate from EP's report. The review evaluated Buda's current water supply and the water supply of HCPUA and EP. The hydrogeologist commissioned is a reputable and revered engineer in the community, as well as the Groundwater Conservation Districts. Buda is confident in the results of its hydrogeologist.

Why did Buda not agree to community-wide discussion regarding EP as a water source prior to taking action?

The City of Buda has been working with EP to secure the additional water supply since 2010. All information regarding the City of Buda's study of EP as a water source was discussed at City Council meetings, which by law are open to the public. Through these City Council meetings, the City provided the community with the

opportunity for public awareness and input throughout this process. According to EP representatives, they reached out to several entities regarding their project.

Up until this point in time, no feedback or inquiries were made from BSEACD, Hays Trinity Aquifer District or the County Commissioners during the time Buda was conducting the study.

Below are examples of Buda City Council agendas and presentation materials in which this topic was discussed in a public meeting:

<http://www.ci.buda.tx.us/DocumentCenter/View/2065>

<http://www.ci.buda.tx.us/DocumentCenter/View/2066>

Below is a document provided by EP that lists meetings between EP and other Hays County entities and officials regarding the project:

<http://www.ci.buda.tx.us/DocumentCenter/View/2069>

The Trinity is already low, why did we decide to use it as a water source?

The City of Buda had its own third-party hydrogeologist perform an analysis that reported the source was sufficient for the 1MGD being purchased. However, the City of Buda is just a customer. In accordance with our contract, EP has to provide further evidence that there is sufficient water. If EP cannot prove up the quality and quantity, then the City is not contractually obligated to take any water.

What have we done to control our growth?

Growth management means specific regulatory policies aimed at influencing how growth occurs. These affect density, availability of land, mixtures of uses and timing of development. It seeks to accommodate growth rationally, not prevent or limit it. The laws of Texas limit the growth management tools available to Texas cities, but Buda has been aggressive in using the authority it has to preserve and enhance its quality of life and further the citizens' vision for the community.

Award-Winning Planning

The City of Buda has earned awards and accolades for its growth management efforts. In 2012, The City of Buda received the Comprehensive Planning Award from the Texas Chapter of the American Planning Association for the *Buda 2030 Comprehensive Plan* as the best comprehensive plan. Likewise, the Central Texas Section of the American Planning Association recognized the *Buda 2030 Comprehensive Plan* as its 2012 Long-Range Plan of the Year. In both cases Buda

was competing against much larger cities. In 2014, Buda received a Certificate of Planning Excellence from the Texas Chapter of the American Planning Association.

The *Buda 2030 Comprehensive Plan* is particularly relevant due to the amount of citizen participation involved in creating it.

- 31% of survey respondents indicated growth and expansion as the most critical issue facing Buda
- 95% listed managing future growth as important or very important
- 99% indicated maintaining water/sewer service quality as important or very important
- 84% were satisfied or very satisfied with water/sewer service quality
- 65% of respondents rated water quality as good or excellent
- 11% indicated that the most important issue for the city to focus on is water, second only to traffic management
- 90% indicated they would support or strongly support efforts to protect water quality

Securing additional, diversified water sources is critical to meeting citizen expectations to protect & enhance water quality & service.

Tradition of Planning & Dedication to Implementation

The City of Buda takes its obligation to plan for growth seriously. In the early 2000s, Buda adopted a new comprehensive plan and created a unified development code to effectuate better growth management, addressing issues from density and zoning to requirements that development demonstrate adequate public facilities. At the same time Buda began developing and implementing water & wastewater master plans and models to guide growth and identify resource needs. Those infrastructure-related plans are updated on an ongoing basis. This tradition continues to this day, with a new comprehensive plan adopted in 2011 and a complete re-write of the Unified Development Code underway to reflect the vision of the citizens of Buda and circumstances today.

Since 2011, the City of Buda has adopted or updated nine major plans, including:

- Buda 2030 Comprehensive Plan
- Transportation Master Plan
- Parks, Recreation, Trails and Open Space Master Plan
- Economic Development Strategic Plan
- Drainage Master Plan
- Facilities Master Plan and Space Needs Assessment
- Library Long-Range Plan
- Capital Improvements Plan

- Downtown Master Plan

These plans do not simply sit on a shelf gathering dust; their recommendations are implemented in a timely manner. City Council received an update on implementation of the *Buda 2030 Comprehensive Plan* in 2014. The Top 10 projects for both the *Transportation Master Plan* and *Drainage Master Plan* have been funded for design and construction, with many projects currently underway through coordination with other entities. Progress is being made on the *Downtown Master Plan* and *Parks, Recreation, Trails and Open Space Master Plan* as well. Such efforts are the hallmark of well-planned and managed cities.

Growth management is often measured by amount, quality and proximity of open space to residents. Buda has one of the highest measures of parkland per capita in Texas, with over 27 acres per 1,000 people. In addition, 70% of Buda residences are within ¼ mile of a park and 95% are within ½ mile.

Development Required to Pay for Itself

The City of Buda does not subsidize residential growth and development—quite the opposite. This is done through a variety of regulatory tools and policies. For example, Buda requires payment of impact fees by development. These fees, among the highest in the region, were developed based on detailed models, land use assumptions and anticipated capital projects. Buda's fees are set at the highest allowable level under applicable state laws based on models and assumptions developed by independent 3rd party reviews. These fees are evaluated and reassessed on a regular basis.

This philosophy carries through to all development-related fees. Likewise, the City has parkland dedication & development fees that are the highest in the region in order to address open space needs related to growth.

Requirements that Development Prove Adequacy of Public Facilities

The City of Buda requires new development to prove public infrastructure is adequate to support. Each development submits information at the preliminary plan stage of development to demonstrate that the City's water and waste water models, and their anticipated improvements, are sufficient. If not, the developer must find ways to mitigate its impacts. Likewise, developers are required to perform Traffic Impact Analyses to address roadway impact and determine their proportional share. Each of these studies is performed by registered engineers and reviewed by city engineers and planners to ensure the studies were conducted appropriately with the correct data and methods.

The City of Buda also follows state law requirements for infrastructure capacity, always beginning planning and construction of new facilities and securing of new water sources years before they are mandated.

Effective Land Use Management

The City's Unified Development Code, currently undergoing revision, already promotes smart growth practices through zoning and development standards. It includes a variety of environmental standards, including major limits on development over aquifer recharge zones.

But state law limits use of these standards outside of city limits. As a result, the city has embarked on an extensive annexation program since 2009, nearly doubling the city limits. This was done primarily so that the city could enforce land use management regulations in an effort to better manage growth. Counties have few land use management options, as that authority rests almost exclusively with cities under state law.

What is Buda doing to conserve water?

The City of Buda has taken a number of actions itself to conserve water. Over the last three years, Buda has embarked on an aggressive program to implement treated wastewater effluent reuse for irrigation purposes. One of the first steps was to install a reuse water station so that construction projects could use effluent for processes rather than potable drinking water. In addition, it has converted the irrigation systems in both City Park and Stagecoach Park to treated wastewater effluent reuse, along with the road medians of Main Street and Cabela's Drive. Buda has also established a program that will result in treated wastewater effluent reuse on private commercial, industrial and multifamily properties. The first users of this program, a hotel and an apartment complex, are currently under construction. These efforts stand to drastically reduce use of potable water.

In addition, the City of Buda updated its Drought Contingency Plan and Water Resources Management & Conservation Ordinance in 2012. This update was done to reflect additional water resources secured over the prior decade, including from the Guadalupe Blanco River Authority and Hays Caldwell Public Utility Agency, which secured future water supply through 2060. In addition, it created more-enforceable standards for waste of water along with a more understandable watering schedule. It also establishes year-round water conservation and restriction requirements.

The City of Buda continually updates its standard building codes, which include enhancements to the plumbing code to promote water conservation and efficiency.

What are our future water conservation efforts?

The City of Buda is continuing its dedication to conserving water and using it efficiently. It is planning to expand the treated wastewater effluent reuse line westward toward FM 1626 from downtown to serve outdoor water use needs in parks, the Sportsplex and eligible commercial, industrial and multifamily properties. Continued efforts to expand this system reduce need for potable water.

Likewise, the City plans to continue efforts to update regulations pertaining to water conservation. This includes the rewrite of the Unified Development Code to, among other things; require use of efficient irrigation systems and xeriscaping for landscaping for new single-family homes, apartment complexes, and other non-residential projects. The City is also committed to periodically updating building codes in order to incorporate the latest water conservation methods.

Finally, the City of Buda is currently exploring possible updates to the Drought Contingency Plan and Water Resources Management and Conservation Ordinance, establishment of incentive programs for water customers to make conservation improvements, like landscape modifications and rainwater harvesting.

The City recently initiated discussion to consider utilizing treated effluent from its wastewater treatment plant for direct potable re-use. The treated effluent would be processed through a water treatment facility that would be blended into the City's water system.