



City of Austin

P.O. Box 1088, Austin, TX 78767-1088

March 22, 2023

Re: Testimony on H.B. 2239

Dear Chairman Burns and members of the House land and Resource Management Committee:

The City of Austin respectfully submits the following comments on House Bill (H.B.) 2239 by Representative Ellen Troxclair.

It is our understanding that the intent of the bill is to allow for homeowners to be able to remove Ashe Juniper trees from their property and not about commercial/multifamily developments or subdivisions. Since the regulations necessary to protect critical resources are dealt with at the time of subdivision or site plan, a homeowner does not need to worry about these regulations. Therefore, we are working with the author to address these concerns in a way that allows for the intent of the bill without risking critical water quality and environmental resources. We thank the author, Representative Troxclair, for her willingness to work with us to address these concerns.

The City of Austin's concerns regarding the impact of this bill are with commercial/multifamily development or subdivisions at the time of subdivision or site plan. It is during that time that City regulations prohibiting the removal of vegetation, including Ashe Junipers, are used to protect critical water quality and environmental resources. In certain parts of Austin, Ashe Junipers make up significant portions of all-forested areas within a tract of land and removing restrictions related to the removal of Ashe Junipers without any limits could have a significant negative effect on water quality by leaving large areas devoid of vegetation. This could leave these tracts highly susceptible to increased erosion and could greatly increase sedimentation and pollutant loading within downstream water bodies as well as the risk of downstream flooding. Critical resources include protected creek and environmental feature buffers, including buffers protecting recharge features such as caves, sinkholes, and springs, and other features such as wetlands and canyon rimrocks.

Thank you for your time and consideration, and please do not hesitate to reach out to me should you have any questions.

Sincerely,

Brie Franco

Intergovernmental Relations Officer

City of Austin