



**To: Mayor Bill Foulds Jr. & City Council**  
**From: Tory Carpenter, AICP – Planning Director**  
**Date: January 21, 2025**  
**RE: Big Sky Drip Fields License Agreement**

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## **I. Background**

Big Sky Development is in the process of constructing a temporary wastewater treatment plant (WWTP) to serve as an interim solution for wastewater treatment until the City's treatment plant has the capacity to accommodate additional flows. To support this temporary system, the developer has requested the use of drip fields to manage treated effluent. The specific area requested for drip field installation is a portion of parkland that was swapped with the developer in 2019 for the right-of-way for Founders Park Road.

The Texas Parks & Wildlife Department has granted approval to allow the use of this parkland. Once the temporary WWTP is no longer required, the drip fields will be abandoned in place. The City will then have the opportunity to connect its effluent line to the system for continued irrigation use once there is excess effluent generated from the City-run plant.

## **II. Parkland Characteristics**

The parkland requested for this use is predominantly vegetative turf, with a pedestrian path running through the area that will remain undisturbed. There are several trees primarily along the fence line abutting Founders Park. Staff was made aware that the developer previously removed three trunks from two separate oak trees without authorization from the City. The total number of caliper inches removed is approximately 34”.

## **III. Agreement Conditions**

The draft license agreement includes the following key provisions:

1. **No Further Tree Removal:** No additional trees may be removed from the parkland or the drip field area. If any trees are removed as part of the installation or operation of the drip fields, they must be replaced according to the aggregate Caliper Inches of the removed trees, as defined in the agreement.
2. **Tree Mitigation:** The developer, Meritage Homes, is responsible for replacing any trees removed during the installation of the drip field facilities. Mitigation is calculated at a rate of 1:1 for removed standard trees and 3:1 for removed heritage tree. The replanting must

occur within 60 days of the completion of the drip fields, unless extended by a written agreement with the City. The tree species and planting locations must be approved by the City to ensure compliance with local ordinances.

3. **Maintenance:** The HOA will assume responsibility for the long-term maintenance of the drip field facilities.

#### **IV. Parks & Recreation Commission**

Staff presented the request of a license agreement and the removal of trees with the Parks & Recreation Commission on October 16, 2024 and November 20, 2024. The Commission directed staff to require mitigation for the trees that were removed.

#### **V. Recommendation**

Staff recommends approval of the license agreement allowing the use of the parkland for drip fields to serve the temporary wastewater treatment plant for the Big Sky development as outlined in the attached agreement.