

TRANSCRIPT:

INTERVIEWEE: Valarie Bristol

INTERVIEWER: David Todd

DATE: May 23, 2022

LOCATION: Austin, Texas

SOURCE MEDIA: MP3 audio file

TRANSCRIPTION: Trint, David Todd

REEL: 4109

FILE:

GoldenCheekedWarbler_Bristol_Valarie_AustinTX_23May2022_Reel4109_NoiseFiltered&SignalBoosted.mp3

David Todd [00:00:02] Okay. Well, good morning. I am David Todd, and I have the great privilege of being here with Valarie Bristol. And with her permission, our plan is to record this interview for research and educational work on behalf of the Conservation History Association of Texas, and for a book and a website for Texas A&M University Press, and finally, for preservation and public access at an archive at the Briscoe Center for American History, which is at the University of Texas at Austin.

David Todd [00:00:37] And I wanted to just stress that she would have all rights to use the recording as she sees fit as well.

David Todd [00:00:46] And I wanted to make sure that that that's okay with you, Valarie.

Valarie Bristol [00:00:51] Yes. I love the Briscoe Center.

David Todd [00:00:55] Good, good. Yeah. It's a wonderful place.

Valarie Bristol [00:00:56] And your project.

David Todd [00:00:58] Oh, well, thank you so much.

David Todd [00:01:00] Well, with that little introduction, let's. Let's get started.

David Todd [00:01:06] It is Monday, May 23rd, 2022. It's about 10:10 in the morning, Central Time. And my name is David Todd, as I said. And I'm representing this nonprofit group, the Conservation History Association of Texas, and I'm based in Austin. And we are conducting a remote interview with Ms Bristol, who's also based in the Austin area.

David Todd [00:01:37] As, as a really brief kind of bio, a profile of Ms Bristol, she is an attorney who has served as a commissioner for Travis County, as Texas State Director of the Trust for Public Lands, as president of the Texas Land Trust Council, as Director of External Affairs for the Nature Conservancy of Texas, and as a trustee and president for Travis Audubon Society.

David Todd [00:02:06] And in each of those positions, she's worked on varied projects trying to ensure wildlife and habitat protection in the state. Today, just as an example of that work and that life, we're hoping that she will talk to us about her efforts in conservation of the golden-cheeked warbler.

David Todd [00:02:30] So, we usually begin these interviews with just a question about your childhood and if you might be able to tell us if there were people in your very early years who were a big influence in your interest in working with nature and animals and conservation.

Valarie Bristol [00:02:49] All right, David. Well, I was born in Bryan, Texas. I'm Texan all the way. And I did not spend my childhood there. But my dad was there at A&M and he was an agricultural student, and then took a job in Dalhart, Texas, where he was working on soils. As you may recall, a little, little thing called the, the Dust Bowl had happened up there.

Valarie Bristol [00:03:19] So at any rate, he gets hired to go to Washington, D.C., during the war to work in particular crops that were needed for the war effort. So, I spent the first early years of my life in Washington, D.C. My mom, who was from Haskell, Texas, she was thrilled to have the opportunity to express all her many interests which had not gotten expression in Haskell, she got in Washington, D.C. She loved being there.

Valarie Bristol [00:03:55] And after we moved from there, mother continued to be our, our great teacher in the life of all of us. I had three brothers. We moved to Greenville, Texas, where Dad took a job as the county agent in Hunt County, which was a big agricultural county on the Blackland Prairie.

Valarie Bristol [00:04:17] But in the fourth grade we moved to Nacogdoches, where I really spent most of my childhood. We had five acres out of town that dad recreated a farm, we always laughingly said. We had a dairy cow, chickens, a big, huge garden and tons of room to play and run with all the woods behind our house.

Valarie Bristol [00:04:41] So, I grew up with nature just being part of my life. It didn't occur to me that it was something else. I cared about what I saw and felt and looked at. I had a horse that I could ride later. When I was about 12, I started riding my horse on the dirt roads in that East Texas woods. No one seemed to be worried in the least that this young lady's off riding a horse all by herself. That was an earlier time. But that's where I really got so used to being in the outdoors and loving and not seeing it as something separate from me.

David Todd [00:05:26] You know, it's, it's apparent that your mom and dad made this outdoor world available to you, just, you know, the five acres that you were living on and then these rural roads that you could ride on and enjoy. But was there anybody who might have been sort of a mentor or, you know, really take a sort of proactive role in showing you the outdoors, teaching you about it?

Valarie Bristol [00:05:59] Not beyond as you just described my family. At the time, I was focusing on school and learning. I was thrilled to, you know, have a chance to talk about history. And I studied all the classes and I really loved. I was an avid student. And So, mostly I looked to my teachers that opened me up to wider and wider academic horizons.

David Todd [00:06:32] And were there any science teachers or other people in your school who might have sort of pointed you in this conservation direction?

Valarie Bristol [00:06:45] No, this this came later in my life. It was not a part where I was at that time.

David Todd [00:06:51] All right. Well, maybe we can tick forward a little bit. As I understand you received your B.A. at the University of Texas.

Valarie Bristol [00:07:03] I did. That was the big, huge thrill my life was getting to go to U.T. I grew up in that small town, Nacogdoches, and all of a sudden, you know, the world opened up with all kinds of fascinating and interesting people, things to do. And I was aiming always at history, government and international affairs.

David Todd [00:07:28] And, in fact, I gather you've got a master's in international affairs from the George Washington University?

Valarie Bristol [00:07:34] That was later. Yes, I did. After I graduated.

Valarie Bristol [00:07:39] I had a year in Bangkok, Thailand, which I should have mentioned. It really shaped a lot of my life. My dad took a job abroad when I was a sophomore in college and I took a year out of the U.T. To go with the whole family to Bangkok, where I taught English and we traveled all over the country. Even went into Cambodia. We, it was a very exciting and interesting year.

Valarie Bristol [00:08:08] So, when I came back, I continued my studies at U.T., but I realized later that I would need to have a more advanced degree. So, I went to George Washington University and was studying international affairs with the aim of being in the Foreign Service, which I took the oral and the written exams and passed them all. In those days, a woman was a kind of a rare thing in the Foreign Service, so I was real proud to receive a letter accepting me.

Valarie Bristol [00:08:46] But at the same time, I had met George Bristol and we decided instead of my going abroad, that I would marry him. And he was very active in Democratic politics in Washington. So it was an exciting life without going abroad. I had two children in Washington, D.C. and then we moved back to Texas.

Valarie Bristol [00:09:17] So, when we moved to Texas, in Austin, I looked for a place that would replicate as close as possible, that wonderful childhood experience that I had had of being able to play fairly freely in words and explore. And so, we bought a house in Westlake, which was very undeveloped at the time, and it turned out to be a great place.

Valarie Bristol [00:09:50] So, my children went all the way through the Eanes school system. I was deeply involved in their schools and was chosen to be a parent leader of two of the schools. And then I was elected to the board of Trustees of Eanes. So my first political career was school board.

David Todd [00:10:16] Okay. Let's take them just one little break from, from class at Eanes ISD. I think that your email program is probably up on your desktop. Is that right?

Valarie Bristol [00:10:33] I'm sorry. What now?

David Todd [00:10:34] Is your email application up on your desktop? Because I hear it dinging. Are you getting emails that are popping up?

Valarie Bristol [00:10:43] Oh. Every So, often I'm getting a text message over here on my phone, which I've put on airport. Yeah, let's do that. Because then we, we won't have to go back in afterwards and try to remove the ding-dongs.

Valarie Bristol [00:10:58] Oh, I'm sorry. That little ding? Okay.

David Todd [00:11:01] Yeah. You know, the, the mic is, is working great, but it's picking up a little bit of extra stuff.

Valarie Bristol [00:11:08] OK.

David Todd [00:11:09] So, if you could turn that off and we can certainly resume..

Valarie Bristol [00:11:13] I will.

David Todd [00:11:13] After the interview. That'd be great.

Valarie Bristol [00:11:15] My son was letting me know that he's got some fun stuff up for me to look at.

Valarie Bristol [00:11:27] Well, let's see, David. I'm trying to turn this off. Why don't I just put it outside this room, if you'll hold for a moment.

David Todd [00:11:36] Not going anywhere. Thank you.

Valarie Bristol [00:11:41] Here we go. Now we can proceed.

David Todd [00:11:45] All right. Hey, thanks for indulging us here.

Valarie Bristol [00:11:48] Sure.

David Todd [00:11:48] We'll get you back online and pronto.

David Todd [00:11:53] So you've told us about your education and the duty and a little bit about George Washington. I gather that during that period in your time, there wasn't like a lot of focus yet on conservation issues. You, you were working in government and politics and history. Is that fair to say?

Valarie Bristol [00:12:17] That is fair to say. I will say, my daughter always reminds me, I had momentary outbreaks occurring because I wanted the schools to have outdoor classrooms. And so, I often worked, both literally, on clearing, helping clear some areas behind or near the schools, and really focusing on helping the schools access the out-of-doors. So, that was my little outbreak of conservation at the time.

Valarie Bristol [00:12:48] And also I was the main school board person who espoused protecting all the trees on the properties, and really being careful as we built new schools to give great thought to the grounds, which they had never done. They always just plopped the school down and were shocked when the water came in. So I think that was my main, one of the things, that showed my interest was always there.

David Todd [00:13:20] You know, I'm curious about your interest in promoting outdoor classrooms at Eanes. You know, it seems like Richard Louv has been promoting this idea of getting kids more in touch and engaged and involved in the outdoors. But it sounds like you were thinking in those terms years before he was writing about that.

Valarie Bristol [00:13:49] It just seemed natural for me, because as I described to you, the outdoors to me just seemed like a part of our living. It didn't occur to me that there was this great barrier. And so, I enjoyed very much working with schools on those aspects. And it was very receptive ground. The teachers at Eanes really loved the ideas too. They were very progressive in their thinking about getting kids outdoors and understanding the importance of even outdoor light in a classroom. We always made sure the buildings had outdoor windows, you know, windows, lots of light, natural light. It was a wonderful school district to work with.

David Todd [00:14:41] Well. And something else that I think is interesting is that, you know, Eanes ISD is a, certainly has grown to be, an enormous institution and there are a lot of issues of human resources and politics and steering a big organization. And I'm wondering if there were lessons you learned there about public service and leadership and working with large groups of people that, you know, might have, you know, given you some, some help in your later conservation work.

Valarie Bristol [00:15:20] Absolutely. In fact, I always look back on it and realize it was my service on Eanes school board that paved the way for my being appointed a county commissioner, because I had built a reputation in the community, which, remember, it was smaller. But still, it was growing fast. We were having to build schools right and left. But I, I think I learned always listen, listen well, to people, listen to their thoughts and ideas. Be respectful of people's thinking.

Valarie Bristol [00:16:00] And at the same time, frame and help people understand a path to achieve what they want to achieve, structuring that path in a way that they embrace it and go for it. And then you get the volunteers, you get all the support you need, and it happens. And it's very important that you take the time to build the groundwork on an idea that you think needs to be followed. And so, I learned a lot about leading volunteers because volunteers don't go anywhere they don't want to go. So, you better pay attention to what their interests are. But you can also help them find a way to do something they can't quite figure out how to get it done. That's what I learned that was very useful.

Valarie Bristol [00:16:57] And when the county commissioner position came open in 1991, I'd gone to law school, and between here, small detour. I went to law school when I was 47 years old. So, I didn't run for reelection to the school board because I needed to get ready to have my own income. And so, I went to law school and fortunately was hired by a real, nice downtown law firm. I practiced for a year and a half.

Valarie Bristol [00:17:36] And that's when the phone call came for, to be county commissioner. The county judge has the sole appointment for an empty slot. The governor was Ann Richards, and she had appointed the commissioner at the time to be on, Pam Reed, to be on the water commission. And so, that opened a seat. He put it out into the community for people to nominate people. I was nominated by several people and he interviewed me. And lo and behold, I was chosen. And what a gift. It was the greatest gift I could have gotten.

Valarie Bristol [00:18:29] I remember my husband, George, at the time, thought he had talked to me out of taking the position and staying at the law firm. But as I drove downtown that day to go back to work, it hit me. You don't get a chance like this, but once in a lifetime. Take it. And that's what I did.

David Todd [00:18:51] Well, it's fascinating when there are these sort of inflection points or forks in the road where, you know, you get to do something new and entirely different. And I gather that that role as Travis County commissioner, which I guess after being appointed, you were re-elected twice.

Valarie Bristol [00:19:10] I was.

David Todd [00:19:11] And, and during your tenure there, I was really interested to hear about your work developing the Balcones Conservation Plan, which of course figures in many big ways into the conservation of the golden-cheeked warbler. Can you just walk us through how that Plan came about and the County's role in it as a partner and, of course, your leadership role in seeing the County follow through there?

Valarie Bristol [00:19:45] Yes. Well, you know, like I said, you don't know what lies ahead sometimes when you accept something. But I just had a feeling it was the right thing to do. And I knew because I had been in law school and practicing law, but, you know, so distracted, trying to do all that and still have two kids at home and that I wasn't paying a whole lot of attention to all the details.

Valarie Bristol [00:20:09] But the Balcones was beginning to take shape in the community. The black-capped vireo had been listed as an endangered species in the late eighties, and as the County was attempting to widen the road that needed it, they ran into this issue. There were golden-cheeked warblers, there were, excuse me, black-capped vireos, right where the road needed to be widened. And there was already a articulate group of people who cared about the birds busy in the community. And so, they began to raise the issue very loudly.

Valarie Bristol [00:20:57] And the County went, "Well, we're not going to break federal law by cutting down the trees where they live." So, it was put on hold. But that began the process of reviewing what would they have to do in order to be able to do projects without having to go every single time through the long arduous process of Fish and Wildlife review - bird surveys. It was a three, at minimum three-year process, to get a permit to do the work they wanted to do.

Valarie Bristol [00:21:36] And some, I'm not sure because all this happened before I got to the court, the idea had come up that you could do a regional plan under what's called the HCP, which is a Habitat Conservation Plan, which is allowed in the Endangered Species Act to give you a permit that you have, that you can hold. But, it has certain obligations and promises that you have to fulfill in order to keep your permit in place. And that's what they decided they wanted to pursue.

Valarie Bristol [00:22:14] And the City soon decided they wanted to do it also. Interestingly enough, Bruce Todd, who was the commissioner for Precinct 2, which had the road project problem, became a big supporter of the Balcones as a way to solve these issues, was elected mayor.

Valarie Bristol [00:22:37] And so about the time I was there, he was already mayor of Austin. I was appointed in the fall of 1991. And, the project was well underway but had not anywhere near gotten completed.

Valarie Bristol [00:22:57] Early in my career, there were two people who were really active leading it, and that was Judge Aleshire and Barbara Carlson, who took Mayor Todd's position

as Precinct 2 commissioner. So, they were taking the lead on it. I was just listening, learning, doing what I could, because my precinct had all the endangered species in it when the golden-cheeked warbler was named as an endangered species.

Valarie Bristol [00:23:29] So, now we all, we had even another bird. And we had six cave critters. So, eight endangered species in western Travis County, and had to be dealt with. And of course, there were people who just wanted to blow right through the federal laws and keep going. But, you know, basically, developers began to understand they had to go through that long, arduous process too. It would take them three years to get a development permit. So, we got, you could see the support beginning to build and the business community, development community.

Valarie Bristol [00:24:15] The environmental community was always pushing for the largest preserves possible, because in this framework you had to have a preserve system that was large enough to make Fish and Wildlife Service believe that you were not participating in the extinguishing of the species. So, it was quite a tension there between how much was enough and how much wasn't.

Valarie Bristol [00:24:50] But to help fill the gap, Congressman Pickle, fabulous congressman, managed to get a wildlife refuge designated for western Travis County and for part of Burnet County, which helped pick up the load of enough preserves to meet the criteria. So, between the wildlife refuge and the proposal for preserves in Travis County, it was getting close.

Valarie Bristol [00:25:30] So, at any rate, that, by the time I really got involved was... And, well, let me go back a second, Mayor Todd - wonderful name, David - got the city bonds in 1992. The Nature Conservancy had lined up the Resolution Trust. You may remember them. They were a large federal holding of all kinds of bankrupt development properties that had been held by Savings & Loans who had loaned money (or banks). So, they had huge tracts of land that had been proposed for development, but had not had been able to go forward.

Valarie Bristol [00:26:19] So, TNC very smartly went out and put under contract close to 12,000 acres of land in the Resolution Trust, and told the City, "We'll hold these for a little while, we'll hold the contracts. If you can come up with the money, you can buy these at a very low price." So, Bruce Todd quickly worked with the Council and got that on a bond package.

Valarie Bristol [00:26:50] But at the same time, another group in Austin had worked diligently for what's called the Barton Creek Wilderness Park. And they wanted on the bond package, too. And so, they were able to get enough support.

Valarie Bristol [00:27:06] So, the package went out with 22 million for the BCP and 20 million for the wilderness part. And people thought, "Oh no, they won't both pass." But they did.

Valarie Bristol [00:27:24] So, it was a wonderful beginning, because right away the City could secure enough land, because the promise of the preserves meant we had to own preserves and we, meaning the City and the County, in order to hold them as to get the permit. So, that was an enormous, enormous beginning.

Valarie Bristol [00:27:51] So, then the County put a bond package up in '93 and Judge Aleshire and Commissioner Carlson, especially Commissioner Carlson, worked on what would

we need to have in order to pay for all the remaining 10,000 acres. The efforts of the 12,000 acres, plus the wilderness park, plus private holdings that had been used for mitigation, and the parks, added up to be about 20,000 acres, total.

Valarie Bristol [00:28:26] So, we still needed about 10,000 acres to meet the permit requirements. And so, they put a package up in '93 for \$48 million and it went to the voters and everybody just kind of went to sleep, except Barbara Carlson and I. But we couldn't campaign because we were commissioners. But there were people who just kind of had the attitude, "Well of course it will pass."

Valarie Bristol [00:28:53] And it didn't. It poured down rain that day and we just didn't have the turnout and it failed by a few hundred votes.

Valarie Bristol [00:29:03] Well, this was devastating to the whole effort to put this package together. So, it looked bleak. With no financing, you can't make that promise that you will have preserves.

Valarie Bristol [00:29:20] We had, always had, a mitigation fee, but it never was enough to pay for the kind of preserve level that we needed. So, we still had that coming in. But we got, the County did continued to participate with the City in planning and looking and trying to figure out what we could do.

Valarie Bristol [00:29:42] Meanwhile, I have to quickly insert here another giant hickey in the Plan. And that was the Southwest Parkway. The Southwest Parkway is in western Travis County in my precinct, which was Precinct 3. And it had been built by private funds, using public bond authority. So it was, it was about to go bankrupt. And the problem was that all that property which was to be developed was in the middle, yes, of endangered species habitat. That was part of their problem.

Valarie Bristol [00:30:26] The other part of the problem was that under ad valorem tax, property tax, the tax goes to value. So, if you build a building, the tax will go mostly to you. Since the others can't really carry very much. They still have, as some people call it, raw land, a phrase I always hated. So, it was a real serious issue. And Judge Aleshire, absolutely, after the failure of the bonds, he had said he would not support bonds ever again for the Balcones. Then he said he had to have the Southwest Parkway issue resolved because of the threat that it could go bankrupt, in which case the County, who had underwritten the bonds, would be liable - a legitimate issue.

Valarie Bristol [00:31:28] So, I it was in my precinct, so I had to go hard to work with him on coming up with a solution. We worked with the main landowner out there, Freeport-McMoRan on coming up with an idea how can we resolve this issue and get these debts paid.

Valarie Bristol [00:31:50] So, they had, I'm not sure who suggested it, but at any rate, our counsel for, the legal counsel for the District was Vinson Elkins. And they suggested we transfer the District from ad valorem to another taxing mechanism so that every landowner who held land in that Parkway area would take on part of the debt proportional to how much land they are. So, obviously Freeport would be the biggest one.

Valarie Bristol [00:32:28] And they agreed to that. So, we did. We went through the mechanisms of transferring it. Then we had to go to New York and I went with because the bondholders, that's where they were. So, Judge Aleshire and I and the representatives from

Freeport, which thank goodness, had a wonderful lawyer named David Armbrust, and we went to New York and we started negotiating with the bondholders.

Valarie Bristol [00:33:00] Of course, they were being very reluctant to consider that they didn't have a whole lot of options. But, so I remember standing in this wonderful old building in the finance district looking out at New York City, thinking, here I am, and here we are, trying to say this wonderful little bird in western Travis County. And they have no idea that we're standing here in New York at a skyscraper trying to do it.

Valarie Bristol [00:33:36] But it did work, eventually. It didn't work that day. But a little bit later, the Freeport was able to come to a resolution with the bondholders. The County agreed to it. And it was, as I described, each landowner would take on the debt. And Freeport made a deal to the other landowners that if you pay cash now, you get a discount. So, at any rate, they worked it all out and that removes that perilous problem from the Balcones going forward. So, in a way, the defeat of the bonds unfortunately did open up the opportunity to get that done.

Valarie Bristol [00:34:19] But, in 1995, the Capital Area Homebuilders said, "Let's try again." So, Bruce Babbitt came, who was Secretary of Interior, came to Austin and sat with us at a round table - development people, the City, the County, Nature Conservancy, other groups. And we talked about ideas about how we could go forward.

Valarie Bristol [00:34:52] The resolution that came out of that meeting was that we put together a small group of people: three environmentalists, three people from the Chamber of Commerce development community, and it would be chaired by me, and we would meet to resolve all the final little issues that were still in the Plan that had not been resolved.

Valarie Bristol [00:35:20] And of course, looming over all of that was how were we going to pay for this thing?

Valarie Bristol [00:35:26] So, I did chair those meetings, and they were quite structured. I'd had training at the law school in negotiation and mediation at the Center for Public Policy Dispute Resolution. So, that was extremely helpful. And we did work our way through all the issues very amiably; when one day, I guess, we were halfway into this, the Capital Area Builders Association man who had started all of this rebuilding idea, said he had to leave and we were all stunned. He said his Washington office told him he could not participate in trying to make the Endangered Species Act work.

Valarie Bristol [00:36:17] Wow! So, he leaves and I'm sitting there thinking, "Oh, no, don't let this be the end of this wonderful journey that we were on." And I looked at David Armbrust, who was representing the Chamber of Commerce, I believe. Yes. And he said, "I'm staying, Valarie, I'm staying. Let's finish it." So, thank goodness. What a moment that was. And I'm glad it was a friendship we had built of trust between us.

Valarie Bristol [00:36:51] Then after that had resolved itself, one of the assistant city attorneys, not city attorneys, city manager, Joe Lazard, came to me and we had lunch. He said, "Let us have lunch." And he said he had been wracking his brain and all the staff over at the City of ideas on different funding possibilities. And he asked me if I had ever considered a tax increment.

Valarie Bristol [00:37:27] And I said, "No, I hadn't, because I knew it was a statutory thing that you could do, but it had certain really strict limitations on it that we did not qualify for." But the more I thought about it, it kind of was like a tax abatement. It could be used that way.

Valarie Bristol [00:37:53] And at that very moment in time, fortuitously, Samsung, with its billion-dollar plant, was asking for a tax abatement and a big one. And it had caught the excitement and enthusiasm of three members of the commissioners' court - the two from the east side and Judge Aleshire. And it involved using the funds that would come to the County from taxes for, leaving it within Samsung, but they would use it for job training and some other issues that were helpful to the community.

Valarie Bristol [00:38:38] Hmm. The more I thought about it, the more I realized this was exactly what we had to have. It fit Judge Aleshire's opposition to bonds because his opposition was he didn't want the taxpayers in Travis County to bear any cost for the preserves. And yet he was okay with Samsung getting this tax abatement, i.e., it must be okay if we set aside a similar amount of money under a tax increment to buy preserves.

Valarie Bristol [00:39:20] Wow! It was just too good to be true. So I worked through how it might work at the County in my mind. Before I tried to take it to anybody else, I wanted to be sure it was legal, when another small miracle happened.

Valarie Bristol [00:39:39] A lobbyist / lawyer brought another tech company in for a tax abatement. But unfortunately for them, they had not asked for it before they built their big plant. And so they wanted what I called a retroactive tax. And I had to disappoint my good friend, the lobbyist, who was making that appeal. But I did ask him, under what legal basis do you feel the County could do this? And the reason I needed to know that answer was I did not realize the County could set aside money from taxes for economic development as a reason. I didn't realize there was a statutory authority for that, because the County can only do things that the Legislature has given its statutory authority to do, unlike a city.

Valarie Bristol [00:40:45] So, I quickly got out my law books after he gave me the, the statute that he was using. And bingo, I thought, "Wow, here it is." I took it, I went to the County attorney that was working on the Balcones. I asked him to review it. He did. He came back, "He said, Commissioner, that would do it. If the court votes for it."

Valarie Bristol [00:41:13] Now, I had exactly the funding that we so desperately needed. And I got Judge Aleshire's agreement to support it. At this time, Karen Sonleitner, the commissioner for Precinct 2, she quickly supported it. And the other commissioners said, "Okay, fine," because they were more interested in Samsung.

Valarie Bristol [00:41:38] So, the Court agreed that this would be a framework they would agree for, and now I had to take it and do it to LCRA, City of Austin and get them all to agree and then present it to Fish and Wildlife and show how it would work and they had to be assured that it would indeed pay for the preserve system.

Valarie Bristol [00:42:05] So, with all those pieces in place, we finally were able to submit our application to Fish and Wildlife Service for this regional permit called the Balcones Canyonlands Plan. And it was a year that it took for them to review it and decide if they thought it was good. And during that year, my staff and I worked, and the County staff worked, to set this framework up. It's one thing to have an idea and think it's great and yay, but you have to do the hard work to make sure it will work.

Valarie Bristol [00:42:51] And so, my staff and I worked with the, the Appraisal District. Why the Appraisal District? Because we wanted a system where when someone used the Balcones permit, that was the agreement that anyone who used the permit, their tax would have this increment taken for the preserves. So, it was a limited one, not everybody who paid taxes, obviously, because of Judge Aleshire's objection. So, we very carefully framed it so that was not happening.

Valarie Bristol [00:43:30] And the tax appraisal district was wonderful. They were so helpful. They helped us set up a system so they would flag any property that came in. We would notify them; we, the County, that that property had used the permit. So, I also worked with the County department who would quote, "flag" the property, because they were the ones issuing the permits. So, this whole system had to function and then we had to have the auditor's office and the budget department and all these other groups. We had to have it all working together, flowing without problems or objections, because a county is a very divided-up place.

Valarie Bristol [00:44:20] While the commissioners' court is sort of the overall manager, you have separate officials like the auditors, as chosen by the county judges. In that case, it was a woman and she didn't have to do anything we asked her to. But she, and she actually was not a real positive person about the Balcones. But she did. And the Budget Office saw the value and they worked on it.

Valarie Bristol [00:44:51] So, by the time Fish finally said, "Okay, we approve," we had it all in place. And sure enough, they approved it. In 1996, we had a fabulous ceremony and celebrated it. Bruce Babbitt, Secretary of Interior, came to celebrate with us because it was the first multi-species habitat conservation plan in the U.S. and it was the largest one in an urban area. So, we felt honored to have him here, of course, and he was thrilled that we had pulled this off because it gave him an example to use in his California efforts in urban areas on some major protections out there.

Valarie Bristol [00:45:45] So, it was a fun celebration. We had it out at Reicher Ranch, which the City owns out near Bee Cave. And it was attended by large crowds. And we were launched.

Valarie Bristol [00:46:02] Now. The Legislature is next.

Valarie Bristol [00:46:06] Do you want to ask anything, David, during this?

David Todd [00:46:08] Well, yeah, I guess I feel really naive about how all this works, but ...

Valarie Bristol [00:46:15] It was hard.

David Todd [00:46:18] You know maybe you can sort of put this tax abatement structure in some sort of layperson's terms. Is it a little bit like mortgaging future income?

Valarie Bristol [00:46:33] No.

David Todd [00:46:34] In order to purchase property up-front? No. Okay. No.

David Todd [00:46:39] Help me out. I'm sorry.

Valarie Bristol [00:46:40] A tax abatement itself, which is what Samsung was asking for, is that company's taxes on its a billion dollar plant is going to be a pretty big amount of money, that a portion of it, an increment, will be set aside for that they would use in that case for their job training and other stuff to help people on the east side of Austin, which is what the goal was.

Valarie Bristol [00:47:11] In my case, we were taking an increment, that's where it gets its name, tax increment, from a property tax that would be paid. We would have no new taxes. So, if you were a landowner in western Travis County and you decided you were going to do a development - build houses, barns, shopping center, whatever - you could come in to Travis County. And I should have told you how the framework worked, because that was a very important piece of it.

Valarie Bristol [00:47:49] The promise to the developers was we would have a system that would be quick and easy, that they wouldn't have to have the three years of bird surveys and they wouldn't have to have the long process with Fish and Wildlife. That we would have a system that they could come in, bring their property boundaries and what they wanted to do, that would constitute a "take", which is a cutting down of trees or changing the landscape or the habitat.

Valarie Bristol [00:48:23] So, they would bring that in to the County's Natural Resources Office. And there were maps that had been developed earlier during all the work on the Plan that took place before we lost the bond package. And on those maps, they had mapped out areas of the County where the highest levels of golden-cheeked warbler habitats, and minimal areas - in other words, transition areas or areas that had some habitat - and then areas that had no habitat. So, these maps had been agreed on as part of the framework, that if you came in with your property, you would put your property down on these maps, or the County would, and they would tell you, "Okay, you've got ten acres of prime habitat. At the time, at the beginning there, it was \$5,500 an acre for your mitigation for prime habitat. It was \$2500 mitigation fee for minimal habitat and nothing if you didn't have any habitat showing up.

Valarie Bristol [00:49:39] So, a person would know within days what their financial obligation would be under the mitigation allowed by the permit.

Valarie Bristol [00:49:52] So, but to get the permit we had to have more preserves promised - that 10,000 acres not talked about. So, this was, this was because we couldn't get it with the amount of the mitigation fees. At the time, those fees were pretty high and yet they didn't buy an acre. \$5,500 at that time did not buy an acre. So, the mitigation fee system was not going to fuel large enough money to buy the remaining 10,000 acres. So, that was what the problem I was trying to solve with the increment.

Valarie Bristol [00:50:40] But meanwhile, back at the ranch, an abatement is just like that. You're not, there's no new taxes on anybody. It's just a tax on the development that you're talking about - in the case of Samsung, on their big huge building, in the case of the Balcones, that would be developers developing properties who came in showed they were going to take habitat. Those people were allowed to go forward with their development after they paid their fee because of our permit.

Valarie Bristol [00:51:19] But the permit was dependent on the promise of the preserves. So. Does that make any sense at all?

David Todd [00:51:30] Yeah. So, I'm going to take another stab at this and see if I have have got a better sense of this. I mean, generally, you take the Samsung example or the HCP example. Generally, your taxes would go into a general fund, you know, your ad valorem taxes. But are you saying this abatement would take some portion of that and put it into a specific use?

Valarie Bristol [00:51:58] That's exactly right.

David Todd [00:51:58] For Samsung, it was job training. But for those on the west side that were in the endangered species habitats, then that money was being segregated to pay for land purchases that would be in the preserve...

Valarie Bristol [00:52:12] That's correct.

David Todd [00:52:13] Augmenting the mitigation fees.

Valarie Bristol [00:52:16] That's absolutely correct.

Valarie Bristol [00:52:17] And nobody, I can guarantee you, nobody in the United States had ever set up a finance system like that to buy land.

David Todd [00:52:27] Well, so here's kind of a follow up question. The money that's segregated, it's trickling in over years and years and years. Right? Decades into the future. And it's segregated for that stream of time and funding. But you've got to purchase the land now.

Valarie Bristol [00:52:49] That was the problem.

David Todd [00:52:50] How did you square that circle?

Valarie Bristol [00:52:53] You have just discovered when the Legislature arrived on the scene.

David Todd [00:52:57] Okay. Well, and I interrupted you before. So let's let's go on. What does the Legislature have to say about this idea?

Valarie Bristol [00:53:05] As I said earlier, counties are totally dependent on authority given them by the Legislature. So, when they heard about this Balcones Canyonlands plan. It came to most legislators as a something they had never heard of, or thought of, or couldn't even conceive of.

Valarie Bristol [00:53:31] And of course, there was a lot of beating on drums. You may remember the Take Back Texas movement about private property rights. There was quite a movement about private property rights that the Endangered Species Act was coming, the big bad feds, and putting requirements on landowners. And they weren't happy about it.

Valarie Bristol [00:53:58] So, and we had some of that here in Travis County. So, some of the landowners in Travis County, who were in the preserves, so they were in the designated preserve areas because they had all these birds, both, mostly golden-cheeked warblers, they went to the Legislature, and worked with a Senator and a Congressman to get a bill passed, which would not allow the County to make this agreement, which we'd already made, but they were trying to undo it.

Valarie Bristol [00:54:38] So, I had taken on, among my other hats, I was also taking on leading the county's legislative efforts. I'd done that in the previous legislative session, when we didn't have to deal with this. And we had passed a whole bunch of bills having to do with roads and, you know, stuff we do as well. And then I went to the, had to go to the Legislature over and over, defending the Balcones Canyonlands. So, I testified before all the committees. I gathered supporters. We had people come. The Chamber of Commerce was wonderful. They came and testified at each hearing, both Senate and House, that this was a good, a good thing, that it was allowing development in western Travis County that otherwise would not take place.

Valarie Bristol [00:55:37] And, but it fell on pretty deaf ears. So, people treated me very nicely, but they thought I was a kind of a rogue county commissioner that would even want something like this.

Valarie Bristol [00:55:53] So, when it was over I was able, thank goodness, too, and my precinct is full, when I was at Eanes, doing school stuff, I met a ton of people, or several, shall we say, who were lobbyists and were skillful and very good at it. So, I tapped in to that resource very quietly, behind the scenes, and talked to them about what would you do if you had this issue, and it was out to at the Legislature, before these committees, and with these sponsors.

Valarie Bristol [00:56:34] And so, I got guided that first time about getting, trying to get it stopped in what's called "Calendars", which is where all the bills have to go to Calendars to be placed on the calendar. So, if they're not placed on a calendar, they can't be voted on by the House or the Senate.

Valarie Bristol [00:56:55] So, that's a real important little, a narrow spot that you can trap a bill. And the first time that happened, I was, we were able to get that done. Other people were helping, of course, and it didn't get out account or it did, I can't remember, it might have, but it was too late. It couldn't, it wouldn't make the final cut. So, that, we survived that first one.

Valarie Bristol [00:57:27] But in 1995. That was the first one in 1995. But the issue arose so starkly, what you just described. Well, you said you're going to buy all this land. Here are these landowners sitting out here and they own this land. They want to sell it. They can't sell it for development. You don't have any money to buy it. This is a disaster for them.

Valarie Bristol [00:57:55] And of course, it was hard to argue it wasn't. Except unless they weren't planning to develop, of course, nothing that happened to them at all.

Valarie Bristol [00:58:04] But, you can see how it would resonate with land, property rights folks in the Legislature.

Valarie Bristol [00:58:13] So, Bruce Babbitt asked, "What could he do?" And I said, "Oh, my Lord, we have to have some money. We have to be able to buy, to start buying property to show that this system is going to work given enough time."

Valarie Bristol [00:58:33] So, fortunately and it could be other, other pressures were on him, but under whatever reasons. Fish, I mean, Interior Department put \$6 million up to support, nationwide, Habitat Conservation Plans.

Valarie Bristol [00:58:53] And, let's see, I'm a little off on my timing here, but yeah, that's right, in '97, we were faced with the Legislature once again saying, but you haven't bought anything, you're still you're still, you know, full of hot air.

Valarie Bristol [00:59:20] We were able to buy a few little things, but nothing big because we still didn't have that money. Remember, the money had to come from development that someone had used the permit. If they didn't use a permit and develop, they didn't pay into the increment.

Valarie Bristol [00:59:39] And slowly but surely people were coming in, were getting permits. But, you know, it takes a couple of years, even when you get a permit, that you're going to actually have on the ground a value, some kind of value, that you can then your tax would increase on.

Valarie Bristol [00:59:57] So, we were hurting. It was, I told the Secretary, it was like being on the rain shadow of the mountains, you know, where mountains keep rain from falling on the side from away from which they come because the mountain shadows it and throws the rain crashed it. And we were in that ranch shadow. We were in trouble.

Valarie Bristol [01:00:24] But, and so, at that same time, in 1997, we had two things going on. We had this new chance to fund a purchase, a big one. The City was able to make a deal with a property that they had long wanted, about 900 acres at the Jester Estate area. And that property was called Ivanhoe. It was owned by Canadians. And they had always said "no" to selling it, but it was full of gold-cheeked warblers, so it was just a prime one to have. So, the City decided they would sell a piece of property that didn't have much habitat in Long Canyon and they would use that money to match. We had been offered 2 million of the 6 million. We'd been offered 2 million of it to buy Ivanhoe. Ivanhoe was going to cost more than that - so about four and a half million, I think. So, the sale of the other property was going to pay for, you know, the match.

Valarie Bristol [01:01:35] But then, mayor, I mean, there's a mayor's race and Kirk Watson is running for mayor and he is in Long Canyon. And everybody out there is going, please, please, please don't sell this property. And he says, "Oh, no, we wouldn't do that." So, oh, my gosh, there goes the new mayor that we all knew he was going to win, promising not to sell the property we needed sold in order for the City to have the match.

Valarie Bristol [01:02:05] So, I have to admit, I got on the phone immediately when I heard this, and Kirk kindly took my call. And I explained to him that we were at a very tenuous moment, both legislatively and federally. If we didn't accept this incredible fact that they were offering us this money, we would never get any more in the future. And this was probably the beginning, I thought, of them starting to do funding for Habitat Conservation Plans and we didn't want to be left out.

Valarie Bristol [01:02:46] So, he quickly understood. Kirk was always a quick study and he understood right away that, but he wasn't going back to Long Canyon. So, he said, "Let me see what I can do."

Valarie Bristol [01:02:59] And he, amazingly enough, came up with a brilliant idea, and that was his staff, Larry Warshaw, I'll never forget, helped him. They found a group of developers in Lakeway who were looking for mitigation properties. They were far enough along and that's what they decided. They were going to just use some of their own land, or buy some

land somewhere for their mitigation, and not go in through the Balcones. So, which some landowners still did at that time.

Valarie Bristol [01:03:36] He got them to commit that their purchase, their money, would instead go to pay the match for Ivanhoe. And miraculously, that was the first really big purchase that the Balcones Canyonlands had. So, that launched both the federal, the stream of federal funds, and it launched evidence that we were able to make this thing work, if we could get the funds.

Valarie Bristol [01:04:06] Meanwhile, back at the Legislature, another bill is put in place and I dubbed it the, "Death Star". It was designed to undermine the County's authority to do what we were doing. At any rate, of course the argument was still, you haven't done it, etc., etc. But we had already come pretty far. We showed we could do it. We were beginning to get money into the pot and so this time making all the arguments. But I saw that my plan that I used before was absolutely not working this time.

Valarie Bristol [01:04:48] I thought, "What is different?" And it occurred to me, eventually, that a very, very top-drawer lobbyist was behind this bill. Otherwise, it would have been able to be stopped and slowed down like we'd done before. This time it was moving. Nothing was stopping it.

Valarie Bristol [01:05:13] So, it hit me that I knew who it was, and it was a person that I had worked with in the past in a very positive way. he was mayor pro tem of a small town, Rollingwood out here. And he wanted so much for Rollingwood Drive to be upgraded. It was, it belonged to Rollingworld, I mean, it belonged to the county. And he wanted it upgraded and had lobbied hard for that at the county all the way from the days that Ann Richards had been a County commissioner.

Valarie Bristol [01:05:55] I looked at all that history when I was in my office long before this moment. This all had happened several years before, and decided to do Rollingwood Drive, got all the money from the county, went to Westlake, got all their approvals, worked with Rollingwood, that they would take the road into their system, so that it would be freed from the county ever having to worry about it again in maintenance or operations. So, we made a deal, it got done and it was very exciting. And he was thrilled.

Valarie Bristol [01:06:30] Well, lo and behold. I decided to call him personally and said, "I need to talk to you. It's urgent."

Valarie Bristol [01:06:42] I didn't hear back from my phone call, but the next day, now the bill has already had two readings in the Senate. Actually we're sitting there in the balcony listening to the second reading. As you know, it takes three ratings before a bill can pass and go to the governor's office. So, my assistant and I were sitting in the balcony watching a disaster about to happen, when he comes and sits behind us and he goes, "Commissioner, I hear you wanted to see me."

Valarie Bristol [01:07:22] And I said, "Oh, my goodness, yes, I do." And I laid out the whole thing. And I said how important it was that this not happen.

Valarie Bristol [01:07:33] And he went, "You, you're telling me, this matters to the county, but what is it, what about the City? Is the city, does this help the city?"

Valarie Bristol [01:07:44] I said, "Not in any way. All the land that we're talking about is out in the county." I said, "The city's already done its mitigation activities. This is purely land that it's in Travis County. And if we don't have this, we can't do the road projects and schools and all these other things that need to be done, and build houses."

Valarie Bristol [01:08:11] He said, "You swear to me it won't help the City?"

Valarie Bristol [01:08:14] I said, "I swear to you it won't help the City."

Valarie Bristol [01:08:19] So, he says, "Well, let me think about it." He disappears.

Valarie Bristol [01:08:26] The next day, my assistant and I, in those days, no cell phones. So, well, we had those big brick things, but we go to the Capitol like at 7 a.m. in the morning because they print out the calendar for the next day. And the next day was the last day. So, if this bill was on that calendar, we knew it would pass and it would be devastating.

Valarie Bristol [01:08:59] We get there. We grab our, the print out of the calendars. And it's not there.

Valarie Bristol [01:09:09] So, of course I am in somewhat disbelief and thrilled and so excited. So, we lived another day.

David Todd [01:09:23] Boy, the Legislature and the lobbyists move in mysterious ways.

Valarie Bristol [01:09:28] Yes, they do.

Valarie Bristol [01:09:30] And one thing I will tell you is later, when I told this story, because Kent Butler went one day, you know, remember him.

David Todd [01:09:37] Oh, yeah, UT. Sure.

Valarie Bristol [01:09:39] Wonderful guy, architecture school at UT. And he had been a real architect in the early days of the Habitat Conservation Plan. So, he cared about it a whole lot.

Valarie Bristol [01:09:49] And I ran into him and he said, "How in the world did you do that?"

Valarie Bristol [01:09:55] And I said, "Well..." I told him the story. And he said, "You know, when I talked to Fish and Wildlife, they thought they had stopped it at the governor, at the lieutenant governor's office."

Valarie Bristol [01:10:08] And I said, "Well, it did get stopped. All I can say is my story. Their story, who knows? You know, maybe it was both of us."

Valarie Bristol [01:10:18] The main thing was it didn't happen. I never mentioned to my friend the lobbyist how much, how grateful, I was. And he never mentioned to me that he had anything to do with it. So, who knows?

David Todd [01:10:34] Very discreet.

Valarie Bristol [01:10:38] Yes. There are some things you don't call people out on. You don't publicize it. You just get it done.

David Todd [01:10:45] Somebody told me once that nothing is often a clever thing to say. So, I guess you and your lobbyist friend have found that little nugget of wisdom, too.

Valarie Bristol [01:11:00] Well, David, the thing about him was, I really believe the reason I told you my story about Rollingwood Drive, is I really think, that played a role. And then, of course, I had no idea when I was doing Rollingwood Drive like three years before, that this event would shape another event. That's the kind of thing you don't know.

David Todd [01:11:23] Yeah.

Valarie Bristol [01:11:24] And you do what you think is the right thing to be doing at that time, after you look at it carefully, and then, you know, when it does turn out to help shape something later, that's just wonderful. Amazing.

David Todd [01:11:42] These ties and contacts are worth so much. Even when the horse trading seems to be, you know, so remote, really apples and oranges, between a road in a small community like Rollingwood, and then, you know, these countywide issues here you're dealing with.

Valarie Bristol [01:12:00] Absolutely. But again, he was working with a client who was against the City of Austin's regulations. So, this was the last of many bills that he had already passed that were hurting Austin. So, once I can assure him that this in no way affected the City of Austin, that that's what made the difference, more than Rollingwood. But he, he came to see me because of Rollingwood.

David Todd [01:12:30] Sure.

Valarie Bristol [01:12:31] He wouldn't have showed up in that, in the balcony looking for me, if, if we hadn't had that earlier relationship.

David Todd [01:12:39] Well, happy, happy result.

David Todd [01:12:43] Well, let's jump forward a little bit from your days at the County and maybe talk a little bit about your work as state director of the Trust for Public Land, which I think you embarked on in 2000. And it's intriguing to me, you know, many things that TPL has done. But I think that you were involved in efforts to protect land that affected the golden-cheeked warbler. And maybe you can talk about some examples of those projects.

Valarie Bristol [01:13:21] Well, obviously, let me quickly say that I ran for county judge. I lost in the Democratic primaries, so I was no longer at the County. I went back to practice law for a year and a half, when I was offered the opportunity to apply to be the state director of the Trust for Public Land, and was chosen, as you just said, in 2000, which was built, and I was there, of course, being offered this job because of what I'd done at the County. So, one thing builds on another.

Valarie Bristol [01:13:57] And so, I went to work and the immediate issue was over in San Antonio. The Nature Conservancy was leading there. At the time, the Nature Conservancy was headquartered in San Antonio, and they were leading a citizen effort to do another little tax

thing and get some tax money from ... I won't try to describe it, but it was a little piece that would have gone to transportation and they could instead dedicate it to land acquisition that would protect the aquifer. It had taken years of many people in San Antonio building up the importance of protecting the aquifer. It was being hammered by developments. So, of course, it looks real familiar to me - same kind of issues here.

Valarie Bristol [01:14:57] And I went to work. First thing I did was go over and meet with the Nature Conservancy, told them I wanted to be a partner working with them on this whole issue and knew them all, of course, from my work at the County.

Valarie Bristol [01:15:12] So, we, there was an election. The citizens overwhelmingly supported a \$60 million package to begin to buy land over the aquifer.

Valarie Bristol [01:15:27] And Government Canyon had been an example of how to buy land to protect a recharge zone of the aquifer. Government Canyon is today a natural area owned by Texas Parks and Wildlife. But at the time, it was just beginning to be bought from different pieces. They were also using Resolution Trust land that was available at lower price than normal. So, a lot of similarities to our Balcones. In fact, the Balcones had been an inspiration, I was freely told by many people for the fact that they were using it as an example of how you could buy land to do a preservation. In this case, their main focus was the recharge of the aquifer. But coincidentally, that happened to be in areas that also had golden-cheeked warblers. How nice!

Valarie Bristol [01:16:30] So, at any rate, I worked with TNC. The election passed. And I quickly hired a young man who was already experienced in land-buying for water in San Antonio. He'd worked for the San Antonio Water Authority, and he did a brilliant job of going out and making deals with landowners around Government Canyon. And I worked with the City again, setting up, with TNC and with the Bexar Land Trust, setting up a system where there would be a criteria for, you know, choosing the lands that the City would say, "Yes, that money will, we can spend that money on that."

Valarie Bristol [01:17:18] And within a year, we bought over 4000 acres of recharge land, we meaning Trust for Public Land. Other groups also bought some land. I mean, it was a huge success and it happened very quickly. And people were so thrilled to see this happen that a couple of years later they voted more money.

Valarie Bristol [01:17:43] And I just want to quickly jump away and let you know where it is today. That same little money has been voted on, I think now four times by the city voters. They've funded over, enough money to pay for over 120,000 acres of easements in Milam and Uvalde Counties. I mean, it's just this huge conservation thing that's happened that most people don't even know about, over in that area of the aquifer.

Valarie Bristol [01:18:26] But in Bexar County, they wanted it to be parks. So, that's why Government Canyon fits so nicely. Although most of the land was added later to Government Canyon, so all the 4000 acres that we bought there around Government Canyon later got added to it many years later. But it's there today. So, that's the main thing I worked on over there.

Valarie Bristol [01:18:56] Meanwhile, I'd already been head of the Land Trust Council as well, right in that same time period. Well, no, that's right, it was right at the end of being at the

Trust for Public Land. In '04, I was asked to be president of the Land Trust Council. So, we can talk about that if you'd like.

David Todd [01:19:20] Yeah, I'd be curious about that. I mean, I, I, as I understand it, the of course, the, the 800-pound gorillas are groups like the Nature Conservancy and Trust for Public Land, that you've already mentioned. But I understand that they're maybe a couple of dozen or more smaller land trusts that have become active over the last 20, 30 years.

Valarie Bristol [01:19:43] Absolutely.

David Todd [01:19:44] I was curious if you could talk about, you know, any initiatives that they had to help the warbler. And maybe just if you could touch on conservation easements as a tool to make those transactions work for both the non-profit and the public interest, and the landowners.

Valarie Bristol [01:20:03] All right. Conservation easements, in my mind, well, they, they had been in Texas when Ned Fritz, I'm sure you've heard of him, had worked out of Dallas, did a lot of work in East Texas and other places. And he had what was called the Natural Area Preservation Association. And they would accept easements from donations. So, they had done that in Texas.

Valarie Bristol [01:20:40] Back at the time that Ann Richards was governor, she appointed two women to be on the Parks and Wildlife Board - Mickey Burleson from Temple and Terry Hershey from Houston. Both of those women called together a conference when I was still County Commissioner to, at the Wildflower Center, to discuss the idea of conservation easements.

Valarie Bristol [01:21:10] And I had come across conservation easements traveling around, up above New York where I saw the City of New York had placed tons of land under conservation easements to protect their water supply. So, I was aware of easements, but I knew that in Texas we never really had much.

Valarie Bristol [01:21:36] So, I eagerly attended that conference. And Andy Sansom was head of Parks and Wildlife at the time and he put Carolyn Vogel in charge of developing a program for, what we call land trusts, to put together as many easements as possible in an effort to conserve more land and habitat.

Valarie Bristol [01:22:06] And the private landowner, the structure is, that an entity, it could be a non-profit, holds an easement on a property, so it can never be developed beyond what the agreement says. But the landowner continues to own the land and can enjoy it.

Valarie Bristol [01:22:26] For instance, if you have a ranch and you say, let's just say you decide to put 100 acres under an easement or better yet, a thousand acres. You, you contribute that and then, or, you sell it: in some cases, like the City of San Antonio was buying them. So, the easement is put in place over the land and it can never be developed beyond what's in that agreement.

Valarie Bristol [01:22:56] But an entity has to hold the easement. In the case of a land trust, it's, it's a land trust. In the beginning, there weren't very many in Texas. Nature Conservancy has always been a land trust. The Trust for Public Land never holds easements themselves.

They will help make them happen for others. But they have, there were already a few land trusts beginning and then it really took off from that original launch in the 1990s.

Valarie Bristol [01:23:34] There are today over 32 land trusts in Texas and well over a million and a half acres have been preserved by leaseholds. So, it's come a long way. It's been a tremendous tool for conservation in Texas.

Valarie Bristol [01:23:49] But at the time I was asked to be on the board, I was still at the Trust for Public Land, and I accepted and met all these wonderful people. Houston Audubon was on that board. The Nature Conservancy was on the board. And several other smaller land trusts that were just beginning were on it. So, it was a great experience. We had the Valley Land Trust came up from the Rio Grande Valley.

Valarie Bristol [01:24:20] And our job was to try to help each of them develop stronger and bigger and have more expertise. So, there was training, there were classes, there were all kinds of activities that Carolyn Vogel at Parks and Wildlife always headed up and handled. And her board, which I was on, we, we helped her plan and decide what to do, and to spread the word. So, that that was very enjoyable.

Valarie Bristol [01:24:53] In the time between, I was president of, asked to be president of that board and the time I actually started it, I changed jobs. I went from the Trust for Public Land over to the Nature Conservancy. And the new director of the Nature Conservancy at the time was Carter Smith, whom I had known very well, both here in Austin, his parents especially, but who worked on, he was the representative of the Nature Conservancy on the Land Trust Council.

Valarie Bristol [01:25:32] So, he knew all the work I had done with government, with other organizations, and he asked me if I would consider, if he could get a job approved by his board that concentrated on external affairs. In other words, who would do the work for the Nature Conservancy with interacting with the various government organizations, interacting with other land trusts, part of coalitions of nature groups who like lobbying for water protection, just a myriad of issues that he, as the director, was not going to have time to handle.

Valarie Bristol [01:26:19] And he had a person who was managing their preserves as his number two person, and that person couldn't take all this on. So, he wanted this new position and he wanted me to apply for it, if he got it. And he did get it. His board approved it. I did apply for it and I was chosen.

Valarie Bristol [01:26:41] So, I went to work for my favorite of all the organizations. Always has been the Nature Conservancy. They do awesome things. And so, that was really exciting to get to work with Carter and get to help continuing to expand the, the reach of the land trusts. Helping, we had conferences, we had training sessions, we continued to build, you know, the expertise and the talent that was needed, and also to help inspire.

Valarie Bristol [01:27:18] You have all these people in Texas who wanted to help preserve lands. In Texas there was not a real platform for it. So, beyond buying, you know, parks, which is very important, but for habitat protections and things of that nature, that you don't have to remove the private landowner, there was very little opportunity for that.

Valarie Bristol [01:27:49] That's why what San Antonio did was so incredibly awesome, because they voted those tax dollars to buy easements on ranch land in Medina and Uvalde

counties, and that is why they were able to preserve so much land for a smaller price than it would have taken to have actually purchased it. So, that always, you know, set up as an example for other communities.

Valarie Bristol [01:28:21] While I was on there, on the Natural Conservancy, I worked for the American Farmland Trust and other groups to try to get the Legislature to put in place an easement program for, especially for agricultural land, because we're all watching Texas just gobbling up agricultural land around our cities and realize that it was going to be a potential problem someday when we want to eat, and there's a shopping center where there used to be a brilliant, a wonderful field of food growing. So, I worked on that at the Legislature in a positive way. And there is one today. I mean, it didn't happen until I had already retired in '08. But it, you know, it takes years to build up support just for an idea and to gather enough organizations and, and to make it happen.

David Todd [01:29:24] Is that the Texas Agricultural Land Trust that Blair Fitzsimons worked on?

Valarie Bristol [01:29:29] M-hmm.

David Todd [01:29:30] Okay.

David Todd [01:29:32] Well so many contributions at different organizations, different communities, parts of Texas.

David Todd [01:29:40] I think the, another chapter that would be good to hear about is your role on the board at Travis Audubon, where I think you were serving from 2008 through 2015. And I thought just as an example of your work there and, you know, how it might have affected the the warbler, could you talk a little bit about the Baker Sanctuary transaction?

Valarie Bristol [01:30:08] It would be my pleasure. Here's another example of past, things I got to do in the past, paying off at another juncture. After our, well, the last year that I was at the Nature Conservancy and I'd made it known to Carter and group that I was going to retire, I was asked by some people from Travis Audubon if I would join their board of directors and bring the knowledge that I had gained to that organization. Well, I was delighted with the idea and I said, of course I'd be glad to. And then they discovered I wasn't a member of Travis Audubon. I was only a member of National Audubon. So, I had to quickly join Travis Audubon.

Valarie Bristol [01:31:00] But at any rate, I was asked to do it and got on that board, with the intent in the minds of the ones who asked me, to really help Travis Audubon look at its land conservation, and what it already had and what it was doing. At that time, they had just added a place called Chaetura Canyon, which is out in western Travis County, a beautiful little canyon. So, they had three preserves. Blair was in east Austin (ten acres), the eight-acre Chaetura Canyon, and they had Baker, which was 720 acres.

Valarie Bristol [01:31:50] So, Baker Sanctuary, which was there for golden-cheeked warbler, and was the first golden-cheeked warbler preserve ever. It was bought early on, a small piece, about 90 acres, had been bought by Travis Audubon way back, earlier, before the bird was listed. They already began to see that the habitat was really getting hammered by development. So, they went out and bought this small piece - struggled so hard to raise the money and got it done.

Valarie Bristol [01:32:23] And then as I got to know their neighbor there, Mr. Baker, they made good friends with him and helped him on some projects on his large piece of property. And he had no heirs. And so, through another miracle, Baker Sanctuary is named for Mr. Baker, who gave the large portion of it to Travis Audubon when he died. Then another 50 acres was given by a developer. And so, that made the big 720-acre preserve, which was of course dedicated to golden-cheeked warbler habitat.

Valarie Bristol [01:33:13] The County was asked about the time that I was on the board, actually, I was president of the board at Travis Audubon. I was on the board for a year. And then I was asked to be president. So, they came and wanted a commitment from Travis Audubon - a permanent, a permanent commitment, that we would always keep the Baker in the Balcones. It had been pledged to the Balcones. I had been managed along with the Balcones. Everybody had counted it as part of the Balcones. But we never made that permanent commitment.

Valarie Bristol [01:33:59] And having just spent all those years with land trusts, I realized that, to make a permanent commitment, you better have a permanent source of money to assure that commitment. In the same way that we had done the money for the Balcones to prove we could buy the preserves. So, and by the way, all those preserves have been bought. It is 33,000 acres now. So, it did turn out to be the right way to go.

Valarie Bristol [01:34:34] Meanwhile, back at the ranch, I was at Baker. They wanted that permanent commitment and. I said, "Whoa, whoa, whoa, whoa. Let's talk about this."

Valarie Bristol [01:34:45] So I told the board that we needed to consider how we could make that commitment. And I proposed that we approach the County for the purchase of an easement, for them to purchase an easement.

Valarie Bristol [01:35:04] And several people went, "Oh, no, they're never going to do that, you know, blah, blah, blah." But we did approach the County, Clif Ladd and I did.

Valarie Bristol [01:35:17] And they thought that was a really good idea. So, and told us, "Well, yeah, I think we can do that." Because by now the dollars were rolling in. Remember back when we didn't have any money? Well, now those development fees are rolling in. The County gets two and three million a year from that tax increment.

Valarie Bristol [01:35:41] So, they were willing to consider making an easement, purchasing an easement. So, we went through this long negotiation process, long, just to make it simple, we finally agreed on three and a half million dollars, of which we had pledged 2 million, was pledged to endow Baker Sanctuary permanently to be managed under the guidance of the Balcones Canyonlands Plan.

Valarie Bristol [01:36:13] And, we also took a million of that to do all the things on Baker Sanctuary that would make it be permanently useful - bathrooms, a sewer system, a rain catchment system. We built a house for the manager on that. It was a super eco house with a rain catchment system for water, solar panels for electricity. It's an amazing demonstration of what you can do. So, that happened.

Valarie Bristol [01:36:57] And then the rest of the money, about a half a million dollars, was placed in the endowment for Travis Audubon itself. So, it could continue to be a good organization.

Valarie Bristol [01:37:09] Meanwhile, the reason ... I guess I should explain the reason why the permanence was important. Fish and Wildlife had told the County they would not count anything in their total land for the final approval, at the end when the permit runs out or when the permit is supposed to be complete on land acquisitions, unless it was permanently committed. So, that's why they were coming to us and asking. And it mattered. They needed that permanent commitment so they wouldn't have to go buy another 720 acres.

Valarie Bristol [01:37:54] So, we happily made that agreement. It took, as I said, a long time. But we finally got it worked out. And now we know Baker is, which has a lot of golden-cheeked warblers, is forever endowed to be managed for golden-cheeked warbler habitat. And Travis Audubon has a nice, solid base to continue its work.

David Todd [01:38:22] That's great. Gosh, it's, it's so interesting how habitat protection and wildlife conservation seems to require so much financial work.

David Todd [01:38:38] And as we sort of wrap this up, I'd be curious about sort of your perspective over the years of trying to organize the money to buy and trade and endow tracts of land so that they can protect golden-cheeked warblers and other creatures.

Valarie Bristol [01:39:00] Sure. And that is something that's really, really important. And it's something that I spent a lot of time leading, both teaching classes and working with different organizations on, because it's obviously a key.

Valarie Bristol [01:39:18] So, in Texas, which is a private-property state, you have to buy everything. Or in the case of easements, you know, depend on donations, which is wonderful. But for acquisition, for park land, for habitat conservation, and for any other conservation purpose - water protection - you've got to come up with a funding source.

Valarie Bristol [01:39:45] And there are federal funding sources that flow through Parks and Wildlife. But you always have to have matches. And so, you have to learn how to work with community on how do you get to the place where you can have, get your funding source, and what is it going to be?

Valarie Bristol [01:40:06] If it's going to be a bond package, and I spent a lot of time helping teach people how to have bond packages, because if the voters are given an opportunity, 99.9% of the time, they vote for conservation.

Valarie Bristol [01:40:25] The problem, in Texas, is getting the opportunity. So, I'll give you a quick example. While I was at the Nature Conservancy, I worked really hard on the, the County, Travis County had a big bond package, on which I helped. And we focused on Reimers Ranch, which I really worked hard to sell to the community. And anyway, long story, short, bond packages are your easiest way if you can get a jurisdiction to choose that. And that's a city council, excuse me, or a county commissioners' court are your main avenues for getting bond packages.

Valarie Bristol [01:41:16] But not all commissioners' court and city councils will find their way to do that. So, the other things you have to look at are ways to lead them to think that that is a good idea. And so, that takes a lot of citizen organizing, planning, having polls, you take polls, you show the leadership, hey, you know, if you put this on the package, they're going to vote for it.

Valarie Bristol [01:41:49] And so, I worked hard on doing that at Hays County, and at then the City of Austin, who have you don't have to educate this on for them. All you do there is help make the package fit what you would like it to be buying and work with the council on that.

Valarie Bristol [01:42:06] So, while I was at TNC, I helped 160 million dollars of bond packages pass. Now I just helped. Lots of other people worked on it too. But it's, it was the County, the City and then the Hays County did a \$30 million package. So, those were all, that that shows what you can do. But it takes years of building that constituency and that support.

Valarie Bristol [01:42:34] And the reason I was so excited about Hays County is that was their first really big one. And their court, the commissioners' court, was nervous. Oh, my goodness. They just didn't know how it would possibly pass. And again, polling, we were able to show them, and the polling has to be paid for by somebody. And this is where the non-profits, the Nature Conservancy, can come in and assist in paying for the polling to show that it would pass, if you put it on there, and give them some different options, different size packages - which ones have the most support, that kind of thing. That gives them a lot more verification that they're not making a bad mistake and putting this out.

Valarie Bristol [01:43:27] In a high, in a private-property state, it's still a nervous thing for a lot of elected officials to talk about habitat preservation, or even parks. Although parks are getting very popular now. So, that, that's very helpful.

David Todd [01:43:46] Well, I guess it's a dilemma because sometimes you don't value the habitat and the open space until it's gone.

Valarie Bristol [01:43:57] Right.

David Todd [01:43:57] And so, you have to sort of maybe do that polling to show the support and do some perspective, kind of, "imagineering": this is what's coming.

Valarie Bristol [01:44:10] M-hmm. The, the most important thing, David, we have to be honest about it, is the Endangered Species Act. If you didn't have that, we wouldn't have 33,000 acres in Travis County, no matter how much we wanted it. It just wouldn't have happened.

Valarie Bristol [01:44:26] So, we have to look at all the different platforms and different things that make something really happen.

Valarie Bristol [01:44:34] And I hate to say it, but, you know, the horrible, awful oil spill down in the Gulf of Mexico has funded millions of dollars of coastal restoration and habitat protection.

Valarie Bristol [01:44:48] So, sometimes things you really didn't want to have happen do bring about something good, if you, if you can frame it and shape it to make it do that.

Valarie Bristol [01:45:02] And this is just all a part of being a part of, you know, the real world, and as it works and operates, and trying to take every, every moment of advantage to consider. And like I said, people are for it. They just often are not give that option.

David Todd [01:45:23] Right. Well, so another question.

David Todd [01:45:28] I think it's so intriguing how you have worn many different hats. You know, you've worked for a private law firm. You've worked for a government, Travis County, nonprofits such as Trust for the Public Land, the Nature Conservancy. You know, you volunteered with the Land Trust Council and Travis Audubon. And I'm curious if you could talk a little bit about the role that government and non-profits play in Texas to protect habitat, and birds like golden-cheeked warbler.

Valarie Bristol [01:46:07] Well, I kind, of, you know, most of the story as I've just told you, is unique. Travis County is the only county that pulled off what we pulled off. The Legislature has banned it. After I left the Court and was no longer working at the Legislature against the bills, they did pass one. But they left Travis County out. Thank you. You finally figured that out. And so, we got to keep our Balcones Canyonlands Habitat Conservation Plan. But they made sure there had never be another one. So, it's hard in Texas.

Valarie Bristol [01:46:50] You still have the Endangered Species Act. You still have that as an issue. It doesn't, hasn't brought about as much concern and care as I would like to see. For instance, Hays County has got golden-cheeked warblers. Comal County has them. Bexar County is just full of golden-cheeked warblers in that northern, western tier. And that's where Government Canyon was such a great protection. And quite frankly, the water protection moneys have helped protect golden-cheeked warblers. You love it when it overlaps. That's, that's the best of all, because you can get different funding sources for those things.

Valarie Bristol [01:47:43] It's, in Texas, you know, there are a lot of people who really love land, and love this place. And that's what you have to focus on, is reminding people of what an amazing place we inherited. I used to say, don't run on, you know, endangered species. Run on the heritage of Texas lands. Focus on what an amazing place we inherited, and focus on why it's so special.

Valarie Bristol [01:48:18] People are absolutely amazed when they learn, for instance, that we are every bird that flies in the Mississippi and Central Flyways, almost every one of them, passes through Texas. So, we have millions of birds come through here on their migration. Nine out of ten people have no idea.

Valarie Bristol [01:48:43] We have a lot of educating and getting people excited about, "Wow, that's happening every night! What's going on during migration? Millions of birds flying overhead. Where do they go?"

Valarie Bristol [01:48:59] Well, by golly, that's important. So, start helping people understand, you know, where are these key places? And make them excited about it.

Valarie Bristol [01:49:10] But then you have to face our very conservative real politics. And finding a way through that is tricky. And I take my hat off to anybody who is successful at it.

David Todd [01:49:26] But yeah, that's that is the reality, the context. This playing field in Texas is challenging, to say the least.

David Todd [01:49:37] So, you know, that was something I also wanted to ask you about, is that, that, you know, you trained as a lawyer, and I think you spent a lot of time working on deeds, and easements, and legislation, and regulations. And, and I'm curious, as a lawyer

myself, I find that's a very different realm than dirt and birds, and, you know, animals that live in caves. It's just a whole different kind of mindset and field of activity. And I was wondering how you connect your care for the natural world with the, the skills and the work in the courtrooms and Legislatures?

Valarie Bristol [01:50:29] Well, you know, I think I just kind of said that when I said you have to learn how to take your passion, your love, your thing you see as being so special. And I was, I was talking about how special Texas is. You have to understand that you can't just wish it would save all this land. You have to help come up with ways in which it can happen. And that's where law is very helpful.

Valarie Bristol [01:51:00] When I was back as a county commissioner, it helped me a lot, knowing what questions to ask, and how to understand the framework as I was working on the tax increment, for instance, for any of the authority that we had to have in order to make decisions on the, on the Balcones Canyonlands.

Valarie Bristol [01:51:25] It's just, it's very helpful. You either need to have a lawyer with you who understands what you're trying to achieve, and who can explain to you what the law is that's applying. Or in my case, I had enough to be dangerous, enough knowledge to at least ask questions and be sure we made sure we were on the good legal foundation. And it's very important.

Valarie Bristol [01:51:57] I mean, you don't want to go out there and do something half-assed. I mean you have to know the framework that, your legal framework that, you're going to put this into for its long term, and in the case of easement for perpetuity, which, you know, David, from law school, law doesn't like perpetuity. So, we have, we do have it in this, this realm of pledging land for conservation.

Valarie Bristol [01:52:30] But anyway, it's just to me that they went together really well and I felt blessed that I got to use my law for a purpose I cared so much about. You know, that's a rare opportunity. It was a gift.

David Todd [01:52:48] Yeah, well, I just have one more question. You've been so patient. I hope you'll let us entertain one more issue together. And that is, that with your lovely daughter, Jen, you have been working for a couple of years now on a book about women in conservation in Texas. And it's just a wonderful topic, and I think you're a leading exponent of that. And I was wondering if you could talk about, you know, your, you know, the sort of legacy you've inherited and passed on in women doing that kind of work.

Valarie Bristol [01:53:29] It would be my pleasure. When I was working in the field both at Trust for Public Land and then at Nature Conservancy, over and over and over, I realized how much women have played a role in all kinds of different projects. As I worked all over the state of Texas, I would learn about how a group had done this or done that.

Valarie Bristol [01:53:54] "Oh, wow, you know, behind a lot of these projects, there are women, but they never get any credit, if they're lucky, if they even get noticed."

Valarie Bristol [01:54:07] And so, I thought, "Boy, I'm going to, someday, I'm going to work on a project." And I talk to my daughter about that. And she loved the idea.

Valarie Bristol [01:54:18] So, she began her career and conservation efforts at Parks and Wildlife, first at Bastrop State Park, and then at Parks and Wildlife leading the Children in Nature program, and then decided she wanted to work full time as a writer. And her husband and she worked out a way for that to happen and, and for their family to still eat. But so she has written a book on birding for the casual birder, and she's got another one, and it's over at A&M right now - cemetery birding.

Valarie Bristol [01:55:02] And so, she said, "Mom, it's time. Let's do it. That idea that you had about women."

Valarie Bristol [01:55:09] And we have had the most fun you can possibly have if you love conservation, history, and women's history, because we have uncovered, or at least re-discovered, so many women who played roles and the past. And some of them were already known, like Connie Hagar, down on the coast, who first told everybody that birds were actually flying across the Gulf of Mexico. And nobody believed her. And then the big ornithologists from Washington come down and go birding with her and they go, "Oh my God, this woman knows what she's talking about."

Valarie Bristol [01:55:57] So, we, we had so much fun uncovering people who weren't even known at all. Connie was at least known. People who helped make parks happen, who helped educate the community on wildlife, birds especially, who wrote, who made conservation be accessible, something people cared about, who articulated it. So, anyway, we've uncovered many women in the past and we've been, I did the research on that, that's why I was at the Briscoe Center.

Valarie Bristol [01:56:42] And then Jennifer and I have interviewed people who are still alive, who have done conservation work because I knew so many of them when I was working, and others I just knew by reputation.

Valarie Bristol [01:56:57] And so Jen, and then also Travis, excuse me, Texas, Audubon Texas began honoring women, which has really, really been a big help of bringing women forward who have done various conservation projects.

Valarie Bristol [01:57:14] And then, David, your project, the Legacy Project, we certainly tapped into to find women who had done many different activities that contributed to our knowledge of conservation as well as actually making it happen.

Valarie Bristol [01:57:34] So, we're pulling those things all together, we hope to have our book out, finished, by the end of this year, if we can, and then try to get it out the next year.

Valarie Bristol [01:57:49] That's great. Well, I look forward to reading it.

Valarie Bristol [01:57:53] And so, I think we've come full circle. And I was wondering if I could just ask if there's anything that we didn't cover, something we didn't give full shrift to that that you'd like to help us emphasize or fill out the picture. Is some story that you want to share with us?

Valarie Bristol [01:58:19] You know, you've been very patient to listen to my stories. The Balcones Canyonlands was the most complex thing I ever worked on, ever - trying to balance all those different pieces and make them all happen at the right moment. So, I'm glad you were patient to listen to me go through all of that, because that kind of Perils of Pauline is what

often happens in habitat stories, and it takes that perseverance. Keep your eye on the prize. You may have to alter your tactics, and you probably will. And you've got to be flexible. But keep working it because that kind of passion and dedication, if you can collect others around you, is going to end up paying off in some way or another.

Valarie Bristol [01:59:19] And sometimes you don't always know which way it's going to pay off. But if you don't work at it, and you don't display why this matters, other people just go about business and kind of don't notice it. So, it's important that people speak up and articulate why it matters and then, when possible, get that out to as wide an audience as possible, which is one of the reasons Jennifer and I are working on this book.

Valarie Bristol [01:59:51] And you have done all your work on recording and keeping the Legacy Project - not just women, but men and women, who played such role.

David Todd [02:00:05] Yeah. It takes a village.

Valarie Bristol [02:00:07] It sure does.

David Todd [02:00:10] And thank you so much for being such an important part of this whole effort in this state. I think about all the, the birds and kids and the wildlands who will appreciate the chance to be out there. So, thank you for your time today, and I hope our paths cross soon.

David Todd [02:00:35] And give my regards to Jen and my compliments to her and all she's doing too.

Valarie Bristol [02:00:41] Oh, I'm very excited about where Jennifer is. She is just an amazing young woman and I'm so happy and proud of her. I couldn't ... She, she still reminds me, David. Just real fast, let me tell you: when she was in elementary school, (remember I told you about outdoor classrooms?),

David Todd [02:00:59] Mm hmm.

Valarie Bristol [02:01:00] Jennifer still accuses me of child labor law breaking, when I got her to help me, behind one of the schools, clear some paths. And she was just a little, you know, seven year old, eight year old kid. So, she still gives me a hard time about that.

Valarie Bristol [02:01:19] But we've had a great time working together. It's a privilege.

Valarie Bristol [02:01:24] And thank you for everything you've done. Your books, your Legacy Project. It's all been great. Everything counts.

David Todd [02:01:34] So true. Yeah. Well, carry on. Have a great day. And again, thanks for your time today. Really appreciate it.

Valarie Bristol [02:01:43] Thank you, David.

David Todd [02:01:44] All right. Stay in touch.

Valarie Bristol [02:01:47] Bye bye.

David Todd [02:01:48] Bye now.