

AGENDA



Thursday, September 25, 2008

Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION

Item No. 136

Subject: Conduct a public hearing and approve a resolution authorizing the use of approximately 0.1723 acres in fee simple, approximately 4.168 acres for electric transmission lines use, approximately 2.2065 acres for access use and 0.565 acres for temporary construction use for the construction of the LCRA TSC electric transmission line known as the Friendship to Manchaca Transmission line through Austin Water Utility's Water Quality Protection Lands located along the proposed State Hwy. 45 south, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code.

Amount and Source of Funding: : All costs associated with construction, as well as any restoration will be paid by requester.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Junie Plummer 974-7085, Willy Conrad 263-6430, April Thedford 974-7141

Boards and Commission Action: Recommended by the Environmental Board and briefed by Water & Wastewater Commission.

Chapter 26 of the Texas Parks and Wildlife Code provides that the use of park, recreation area, scientific area, wildlife refuge or historic property for non-protected purposes may be approved upon a finding that there is no feasible and prudent alternative to the use of this land. In August, 2005, LCRA TSC acquired a Certificate of Convenience and Necessity (CCN) to construct an electric transmission line within Hays and Travis counties, and portions of the property that this transmission line will cross are considered scientific areas as they are part of Water Quality Protected Lands. This 8.2 mile transmission line is known as the Friendship to Manchaca Transmission Line. This line is being built to ensure and improve reliability by providing a two-way transmission source to the existing Manchaca Substation, and to provide a transmission power source to the recently completed Escarpment Substation to satisfy the load growth in the vicinity of Loop 1 and SH 45 exchange. Without this project, thousands of customers served by the City of Austin Electric Utility Department, d/b/a Austin Energy, out of the Manchaca Substation would experience loss of electricity in the event the Manchaca-Buda transmission line is out of service.

LCRA TSC is requesting land rights in several locations from Austin Water Utility's Water Quality Protection Lands and Austin Energy's existing electric line easements to construct, operate, and maintain the new 138-kV electric transmission line. This request includes five types of land rights which include (1) fee simple, (2) electric line easement and right of way, (3) access easements, (4) utilization of Austin Energy's existing electric line easements across six privately owned tracts and (5) temporary construction easement. LCRA TSC is compensating both departments for the real estate assets and also implementing mitigating/restoration measurements. Total compensation being paid to the City of Austin by LCRA TSC is \$1,116,491 as determined by an independent third party appraiser.

Approval of the use of protected property is made on the condition that all restoration is completed in accordance with LCRA TSC's agreement to place a strong emphasis on avoidance, minimization, and mitigation of potential impacts. Ensure that planning, construction, operation and/or maintenance of the proposed electric transmission line protects natural resources, protective measures will be implemented. This includes appropriate level of monitoring throughout the planning phase. In addition, LCRA TSC has

agreed to perform appropriate monitoring during the construction phases to ensure the protective measures are properly implemented and achieve their intended results. The protective measures will be developed and implemented, as appropriate, prior to, during and/or after constructions: construction measures, vegetation management measures, endangered species habitat spill prevention/responses measures, storm water pollution prevention measures, and emergency notification measures.

There is no feasible and prudent alternative to the use of the scientific areas which includes all reasonable planning to minimize harm to such lands. The dates of public notification in the Austin American-Statesman are August 31, September 7 and September 14, 2008.