




## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Greg Meszaros, Director, Austin Water 

**DATE:** July 31, 2015

**SUBJECT:** Balcones Canyonlands Preserve Program and Lucas Tract Acquisition – August 6, 2015 Council Items 3 and 23

On August 6, 2015, City Council is being asked to consider two Requests for Council Action (RCAs). The first asks the Council to amend the 2015 Austin Water Operating Budget to fund the purchase of a ten-acre tract of land located at 11101 and 11105 Zimmerman Lane, known as the Lucas Tract. The second request authorizes the City Manager to negotiate and execute the purchase of the ten-acre Lucas Tract through the Office of Real Estate Services.

The ten-acre Lucas Tract is one of the last remaining undeveloped and unprotected private pieces of land on the main tributary of Bull Creek. Where the tributary crosses the property, there is a flowing spring. Jollyville Plateau salamanders occupy this spring and its spring run. Additionally, the tract contains occupied high-quality golden-cheeked warbler habitat.

If approved, this purchase would be a very significant habitat addition to the Balcones Canyonlands Preserves. Existing revenues from the Balcones Canyonlands Conservation Plan mitigation account would be used to purchase this tract.

As background, in 1996, Travis County and the City of Austin entered into an Interlocal Agreement to create the Balcones Canyonlands Conservation Plan (BCCP). This was the first regional, multi-species Habitat Conservation Plan in the country. The BCCP was established to provide for conservation of eight endangered species and 27 species of concern (or 27 species considered to be at risk), and to promote continued economic development in Austin and Travis County. To achieve this, the Balcones Canyonlands

Conservation Plan calls for the creation and maintenance of a preserve system of at least 30,428 acres of suitable endangered species habitat in western Travis County, and biological monitoring and research activities.

As authorized by the Endangered Species Act, the Balcones Canyonlands Conservation Plan allows the incidental “take” of these endangered species outside of the proposed preserve lands, as long as provisions in the Plan are followed. (“Take,” in this case, is the removal of occupied endangered species habitat in a manner that directly or indirectly adversely affects protected species.) Landowners and developers may elect to participate in the BCCP rather than mitigating directly through the US Fish and Wildlife Service. The regional partnership also includes the City of Sunset Valley, Travis Audubon Society, Lower Colorado River Authority (LCRA), the Nature Conservancy of Texas, and several private preserve owners.

More specifically, the BCCP Agreement allows development to continue within the area covered by the Plan by allowing private property owners to voluntarily purchase Endangered Species Mitigation Credits from the BCCP. As called for in the Interlocal Agreement, when revenues are collected from the sale of mitigation credits, the City and County split these revenues and deposit them into accounts that have been established to fund the acquisition of preserve land and other preserve needs.

The BCCP Partners have established the majority of the Balcones Canyonlands Preserve, protecting and managing 30,540 acres, in addition to 48 of the 62 caves required to be protected by the BCCP federal permit that authorizes the implementation of the Plan. (Though the current total acreage exceeds the original numerical goal specified in the Plan, there are specific configuration requirements regarding different macro-sites or management units that must still be met, including those within the Bull Creek macro-site.) The Balcones Canyonlands Preserve system not only provides habitat and protection for these rare and endangered species, but also provides important air quality, water quality, and open space benefits to communities in Central Texas. There are a few key areas where land acquisitions are still needed to complete the preserve system. This transaction is in one of those areas.

Please feel free to contact me if you have any questions.

cc: Marc A. Ott, City Manager  
Robert Goode, Assistant City Manager