

AGENDA



Thursday, June 8, 2006

[Back](#)**Austin Water Utility
RECOMMENDATION FOR COUNCIL
ACTION**

ITEM 4

Subject: Approve a resolution authorizing the revision of the fee schedule for participation under the Balcones Canyonlands Conservation Plan – Shared Vision for a period of one year (until July 14, 2007).

Amount and Source of Funding: There is no unanticipated fiscal impact.

Fiscal Note: A fiscal note is not required

For More Information: William Conrad, 263-6430;
Denise Avery, 972-0104

Additional Backup Material

(click to open)

- ☐ [W&WW Commission Recommendation](#)
- ☐ [Resolution](#)

Prior Council Action: The revised fee was extended by actions of the City Council and Travis County Commission from July 15, 1999 to July 14, 2000, July 15, 2000 to July 14, 2001, July 15, 2001 to July 14, 2002, July 15, 2002 to July 14, 2003, and July 15, 2003 to July 14, 2004, July 15, 2004 to July 14, 2005, July 15, 2005 to July 14, 2006.

Boards and Commission Action: Recommended by Water and Wastewater Commission.

The Balcones Canyonlands Conservation Plan (BCCP) – Shared Vision was based on a financing plan that used both participation fee revenues and tax increment financing (TIF) by Travis County to generate funds for acquisition of the remaining acreage needed for the Balcones Canyonlands Preserve.

During the first two years of plan implementation, landowners were slow to participate under the BCCP and often chose the alternative route of obtaining an individual 10(a) permit from the U.S. Fish and Wildlife Service. As a result, revenues from both primary financing mechanisms fell short of expectations, despite a historically high surge in land development within Travis County.

A lowering of participation fees to stimulate landowner interest in using the BCCP permit was one of the financing plan modifications recommended by the BCCP Coordinating Committee after extensive discussions with the public and the BCCP Citizens Advisory Committee. On May 4, 1998, the Coordinating Committee passed a revised fee schedule that effectively lowered most fees for BCCP participation for a period of one year.

The City Council (May 21, 1998) and the Travis County Commissioners Court (June 23, 1998) also passed the revised fee resolution as an amendment to the original BCCP-Shared Vision. On March 20, 2006 the BCCP Citizens advisory committee recommended that fees for BCCP participation should increase because land costs for mitigations are increasing. Additionally, they felt that the value to landowners who participate increased as well. However, they recommended only a slight increase to avoid shocking the market. They also asked staff to monitor the results of the changes and report results back to them. They will use the results from this monitoring to consider future recommendations.

The BCCP Coordinating Committee accepted the Citizens advisory committee recommendations and voted to raise fees for BCCP participation on March 22, 2006. They also asked to be advised of monitoring results so that they can make future decisions regarding BCCP Participation fees. The key provisions for the revised fee structure are included in the attached resolution.

No. 050306-D

**RECOMMEND COUNCIL TO AUTHORIZE THE REVISION OF THE FEE
SCHEDULE FOR PARTICIPATION UNDER THE BALCONES CANYONLANDS
CONSERVATION**

**May 3, 2006
REGULAR MEETING
VOTE: 5-3-0-1**

Motion made by: Pool
Commissioners Consenting: Friese, Gonzalez, Lee, Scott-Ryan
Commissioners Dissenting: Coleman, Raun, Warner
Commissioners Abstaining:
Commissioners Absent: Chan

The Water and Wastewater Commission recommend a resolution that recommends Council to authorize the revision of the fee schedule for participation under the Balcones Canyonlands Conservation Plan Shared Vision for a period of one year (until July 14, 2007).

Chairman Warner voted no because he did not want to raise the fees.

Commissioners Coleman and Raun voted no because they did not want to "shock" the market, too sudden of an increase.



Michael Warner, Chairperson
Water and Wastewater Commission

5/3/06
Date

RESOLUTION NO.

WHEREAS, the Balcones Canyonlands Coordinating Committee recommends a new fee structure for participation in the Balcones Canyonlands Conservation Plan (BCP); **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Council adopts the revised fee schedule for participation in the BCP as follows:

1. For simple participation in the Plan based on the BCP fee zone map, the fee shall be \$3,500/acre in Zone 1 Golden Cheek Warbler Habitat, \$1,750/acre in Zone 2 Golden Cheek Warbler Habitat, \$3,500/acre in Black Capped Vireo Habitat, and \$750/acre in Karst Zones 1 and 2.
2. For participation through the alternative method, the fee shall be \$4,000/acre. The fee shall be calculated on United States Fish and Wildlife Services (USFWS) determination of take – both indirect and direct—multiplied by the appropriate habitat quality factor.
3. If the Coordinating Committee adopts a program to allow annual installments of operating and maintenance costs, an additional discount not to exceed \$600 is authorized.
4. When land within the Preserve, or land which as been determined by USFWS to be acceptable as part of the Preserve, is offered as

mitigation in lieu of payment of the fee using the alternative approval method, USFWS shall determine the amount of mitigation credit that is received for land offered in mitigation.

5. This revised fee schedule will become effective upon certification of approval by USFWS and will expire on July 14, 2007.
6. The intent of this resolution is to prevent the new fee structure from having the effect of depressing the value of mitigation land.

ADOPTED: _____, 2006

ATTEST: _____
Shirley A. Gentry
City Clerk

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