



Item 4c

ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING
DATE REQUESTED: OCTOBER 16, 2013

NAME & NUMBER
OF PROJECT: OVERLOOK AT DAVENPORT
SPC-2012-0425C

NAME OF APPLICANT
OR ORGANIZATION: Hanrahan Pritchard Engineering Inc.
(Contact: Lawrence Hanrahan 512-459-4734)

LOCATION: 6001 Bold Ruler Way

PROJECT FILING DATE: December 17, 2012

WPD/ENVIRONMENTAL
STAFF: Jim Dymkowski, 974-2707
james.dymkowski@austintexas.gov

WPD/
CASE MANAGER: Donna Galati, 974-2733
donna.galati@austintexas.gov

WATERSHED: St. Stephen's Creek Watershed (Water Supply Rural)
Drinking Water Protection Zone

ORDINANCE: Lake Austin Watershed Ordinance (840301-F)

REQUEST: Variance request is as follows:
1. To allow fill greater than 4 feet not to exceed 9.2 feet
Lake Austin Watershed Ordinance Section 9-10-409(a)

STAFF RECOMMENDATION: Approved with condition.

REASONS FOR RECOMMENDATION: Findings of fact have been met.



MEMORANDUM

TO: Mary Gay Maxwell, Chairperson and Members of the Environmental Board

FROM: Jim Dymkowski, Environmental Review Specialist Senior
Planning and Development Review Department

DATE: October 16, 2013

SUBJECT: Overlook at Davenport – SPC-2012-0425C

On the October 16th agenda is a request for the consideration of one variance from the Lake Austin Watershed Ordinance (840301-F), Section 9-10-409(a) - To allow fill greater than 4 feet not to exceed 9.2 feet.

Description of Property

The subject property is located in the St. Stephen's Creek Watershed, which is classified as Water Supply Rural within the Drinking Water Protection Zone. It is within the City of Austin full purpose jurisdiction. There are no classified waterways on-site. The project is approximately 900 feet southeast across Loop 360 from a minor classified waterway section of St. Stephen's Creek.

Existing Topography/Soil Characteristics/Vegetation

The property contains slopes greater than 15% with some areas reaching 35% that grade to the southwest across the site toward Loop 360. There is approximately 80 feet of fall across the site. Vegetation generally consists of an over story of Live oak, Texas oak, and Ashe juniper and an understory of Texas persimmon, Huisache, and Sumac. Groundcovers consist of twisted leaf yucca, and other native grasses and forbs. According to the Environmental Assessment, soils consist of Brackett soils and Rock outcrop.

Critical Environmental Features/Endangered Species

There is one CEF on-site. It is a seep/spring and is centrally located near the southern property line. The required 150' setback has been placed around this feature to prevent impacts by the proposed development.

Description of Project

The project proposes the construction of a single office building with parking, drive, and water quality/detention pond. The property is within the Davenport West PUD and is subject to those code modifications as listed in the zoning restrictive covenant C814-88-0001.01 and the PUD land use plan. Per these documents, the allowable impervious cover, construction on slopes, and cut/fill requirements will be reviewed under the Lake Austin ordinance 840301-F and as amended 841213-L. The associated findings of fact for this variance are also subject to review based on the findings in the Lake Austin ordinance.

The calculation of allowable impervious cover under the Lake Austin ordinance differs from current code. Under Lake Austin, the calculations were based on gross site area not net and were given an allowable percentage based on the slope category not an overall allowable percentage of the net site area. These allowable percentages were 50% on slopes up to 15%, 15% on slopes from 15% to 25%, and 5% on slopes from 25% to 35%. Based on these slope categories and allowable percentages, the PUD land use plan allowed a total of one acre of impervious cover for this lot. This project proposes .706 acres of overall impervious cover and is compliant with the percentages allowed on the individual slope categories per the Lake Austin ordinance.

Environmental Code Variance Request

The following variance to the land development code is being requested:

1. To allow fill greater than 4 feet not to exceed 9.2 feet. Lake Austin Watershed Ordinance (840301-F), Section 9-10-409(a)

Conditions for Staff Approval

1. The remaining allowable impervious cover on this site may only be used for site plan revisions in which no additional environmental variances will be required.”

Recommendation

Staff recommends approval of the variance with one condition as the Findings of Fact have been met (see attached)

Similar Cases

Staff was unable to find similar cases within the PUD for comparison.



**Planning and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Project:	Overlook at Davenport – SPC-2012-0425C
Ordinance Standard:	Lake Austin Watershed Ordinance (840301-F), Section 9-10-409(a)
Variance Request:	To allow fill greater than 4 feet not to exceed 9.2 feet.

Findings:

A. Land Use Commission variance determinations from Sec. 9-10-409 (a) of the Lake Austin Ordinance: According to Section 9-10-377 (a) of the Lake Austin Ordinance, "Variances... may be granted by the Planning Commission only if it is found that:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development? **YES**
The site's topography dictates the location and slope of the driveway which can be readily accessed and traversed. No points of access to the site provide a better driveway location than that shown on the site plan. The access street has a running slope of 17%. Strict application would deny access to the site, particularly for emergency vehicles. The Davenport West PUD prohibits access to this site from Loop 360. The applicant has also worked with the neighborhood Association and their concerns about not accessing from Canonero Drive which would be the only other possible access street. This would not be practicable as the drive would require greater overall disturbance and would be located over a greater area of slopes in excess of 15%.
2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences? **YES**
The affected area has been limited to the greatest extent feasible and the proposed driveway grade and cross slope meets the minimum requirements of the fire department for emergency vehicle access. The driveway cannot be placed any closer to Loop 360 as the associate parking cannot be built within the Loop 360/Hill Country Roadway setback buffer. While shifting it further away from Loop 360 along Bold Ruler would cause the building to be built on steeper slopes and greater disturbance to protected size trees. The proposed fill will be stabilized behind a proposed retaining wall.
3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. **YES**

The proposal does not provide special privileges not enjoyed by similarly situated properties and is not based on a condition created as a result of the way the land has been subdivided. Functional grading and drive access was designed for the project which did not require a variance, but AFD has requested modifications to allow for access to the site by the largest of their equipment, and the ability to set up and extend outriggers over a more level parking surface. The Davenport West PUD prohibits access to this site from Loop 360. The applicant has also worked with the neighborhood Association and their concerns about not accessing from Canonero Drive which would be the only other possible access street. This would not be practicable as the drive would require greater overall disturbance and would be located over a greater area of slopes in excess of 15%.

**Variance approval requires all above affirmative findings.

Environmental Reviewer:


Jim Dymkowski

Environmental Program Coordinator:


Sue Barnett

Environmental Officer:


Chuck Lesniak

Date: October 2, 2013

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).

Overlook at Davenport
SPC-2012-0425C
Driving Directions

Beginning at Austin City Hall 301 W 2nd Street:

Go west on Cesar Chavez approximately 1.2 miles.

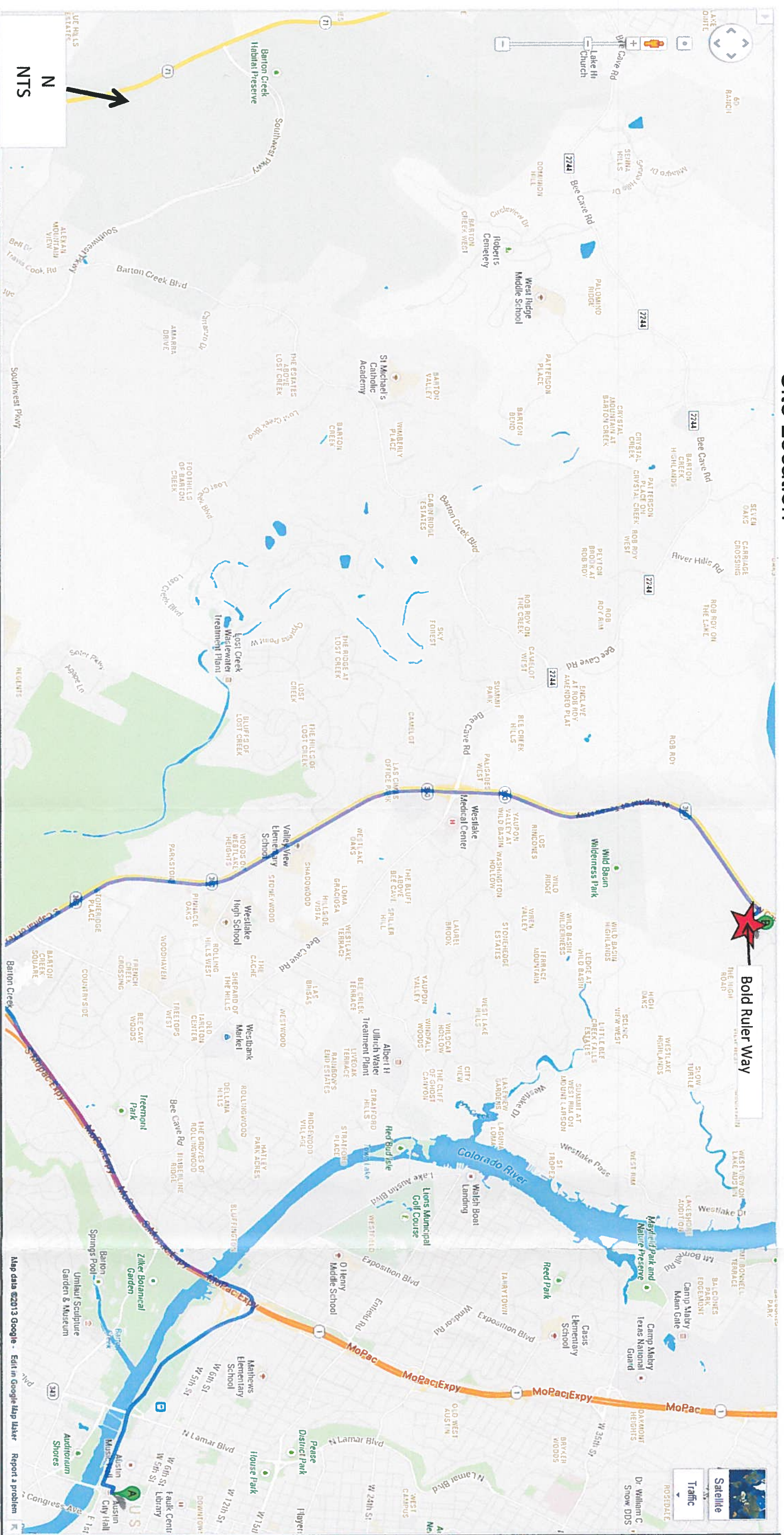
Go south on Mopac Loop 1 approximately 2.8 miles to exit for Loop 360.

Turn right and go approximately 5.7 mile on Loop 360.

Turn right onto Bold Ruler Way. Site is on the right.

6001 Bold Ruler way is on the south side of Bold Ruler Way at the intersection of Loop 360 and Bolder Ruler Way.

Overlook at Davenport SPC-2012-0425C Site Location



Overlook at Davenport
SPC-2012-0452C
Aerial Site View



Overlook at Davenport
SPC-2012-0425C
Site Photos



View of site from Loop 360 looking southeast



Loop 360 ordinance buffer area 50 feet looking west

Overlook at Davenport
SPC-2012-0425C
Site Photos - Continued



Seep/Spring CEF centrally located along the southern property line



Area of proposed fill greater than 4' not to exceed 9.2 feet
at entrance off Bold Ruler Way and into proposed parking area looking west

September 26, 2013



ENVIRONMENTAL BOARD VARIANCE APPLICATION TEMPLATE

September 26, 2013

Hanrahan • Pritchard Engineering, Inc.
8000 Anderson Square Road, Suite 110
Austin, Texas 78757

HPE
Phone: 512.459-4734
Fax: 512.459.4752
E-Mail: info@hp-eng.com

April 24, 2013

Planning & Development Review Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704

RE: Overlook at Davenport
Request for Variance
C.O.A. Lake Austin Ordinance Section 9-10-409(a) (Fill)

We hereby request a variance from the Lake Austin Ordinance which governs development of this site, to exceed four feet of fill on the above site. Section 9-10-409(a) of the ordinance limits fill to a maximum of four feet of depth.

Extent of Fill. The area affected by this variance is primarily within the drive and loading area of the surface parking lot. A structural wall is proposed along the west side of the parking area, ranging in height from five to twelve feet. In addition, portions of pond walls exceed four feet as shown in the exhibit accompanying this request.

The reason for the variance is due to the relatively steep slopes of Bold Ruler Way, to which the drive ties, and slopes on the site. No point of access to the site is available where slopes are less than 15%. The driveway location was chosen based on several factors:

1. Bold Ruler Way is a better access road (versus Canonero Drive) due to topography.
2. Bold Ruler Way provides better sight distance and separation from street intersections.
3. The location avoids placement of an office driveway near driveways serving residences.
4. No direct access is permitted to Loop 360.


Fire Department rules prohibit driveways in excess of 14% slope (for concrete drives). In order to limit fill to less than four feet, driveway grades would approach 20% and, as a practical matter, slopes of this magnitude present difficult driving conditions, particularly in wet or icy conditions. In addition, the fire department limits grade changes to a maximum of 10% over a distance of 20 feet, and a 5% cross slope. The proposed plan meets these minimum requirements.

Pond walls exceed four feet of height in order to minimize disturbance of a larger area of the site. No fill is proposed in the pond area; only walls are proposed that exceed four feet in height (up to seven feet for the water quality portion).

September 26, 2013

Attached is a Finding of Fact to aid in your consideration of our request. If you have any questions or concerns about this request, please do not hesitate to contact me.

Respectfully,



Lawrence M. Hanrahan, P.E.
Hanrahan Pritchard Engineering, Inc.

PROJECT DESCRIPTION
Applicant Contact Information

Name of Applicant	Michael Ayer
Street Address	3202 Native Dancer Cove
City State ZIP Code	Austin, Texas 78746
Work Phone	(512) 328-2522
E-Mail Address	stewp047@gmail.com

Variance Case Information

Case Name	Overlook At Davenport
Case Number	SPC-2012-0425C
Address or Location	6001 Bold Ruler Way; Austin, Texas 78746
Environmental Reviewer Name	James Dymkowski
Applicable Ordinance	Lake Austin (840301-F)
Watershed Name	St. Stephens Creek
Watershed Classification	<input type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Water Supply Suburban <input checked="" type="checkbox"/> Water Supply Rural <input type="checkbox"/> Barton Springs Zone

Edwards Aquifer Recharge Zone	<input type="checkbox"/> Barton Springs Segment <input type="checkbox"/> Northern Edwards Segment <input checked="" type="checkbox"/> Not in Edwards Aquifer Zones
Edwards Aquifer Contributing Zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Distance to Nearest Classified Waterway	Approx. 800 feet
Water and Waste Water service to be provided by	Austin Water Utility
Request	The variance request is as follows (Cite code references): To exceed 4' of fill (Lake Austin Ordinance Sec. 9-10-409(a))

Impervious cover	Existing	Proposed
square footage:	<u>0</u>	<u>30,750</u>
acreage:	<u>0</u>	<u>0.706</u>
percentage:	<u>0</u>	<u>21</u>
Provide general description of the property (slope range, elevation range, summary of vegetation / trees, summary of the geology, CWOZ, WQTZ, CEFS, floodplain, heritage trees, any other notable or outstanding characteristics of the property)	<p>The site slopes toward the southwest, with a 95-foot grade change across the site. Slopes vary from 5% to over 35% slope, with approximately 2/3 of the site within the 0-15% slope range. The upper (eastern) portion of the site consists primarily of dense Ashe Juniper and scattered Spanish oak, and the lower portion contains scattered brush, Ashe Juniper and Spanish oak trees. No heritage trees exist on the site.</p> <p>Brackett association soils are present, overlaying Glen Rose limestone as evidenced by the "stair-step" topography on the site.</p> <p>No CWOZ, WQTZ, or defined floodplain exists on or adjacent to the site. City of Austin geologists identified a seep/spring critical environmental feature (CEF) located in the draw along the southern property line, and a 150-foot setback is provided for this feature. Proposed development is down-gradient of this feature.</p>	
Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)	<p>The project proposes up to 9.2 feet of fill in areas shown on the attached fill exhibit. The Lake Austin Ordinance allows a maximum of four feet of fill without a variance.</p>	

FINDINGS OF FACT

As required in Section 9-10-409(a) of the Lake Austin Ordinance, in order to grant a variance Planning Commission must make the following findings of fact:

Include an explanation with each applicable finding of fact.

Project: Overlook at Davenport

Ordinance: Lake Austin Ordinance (840301-F) Section 9-10-409(a)

A. Land Use Commission variance determinations from Sec. 9-10-409(a) of the Lake Austin Ordinance: *According to Section 9-10-377(a) of the Lake Austin Ordinance, "Variances...may be granted by the Planning Commission only if it is found that, because of special circumstances applicable to the property involved, strict application deprives such property of privileges or safety enjoyed by other similarly situated property with similarly timed development. Where such conditions are found the variance permitted shall be the minimum departure necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences. Provided, however, in no case may a variance be granted that will provide the applicant with any special privileges not enjoyed by other similarly situated properties with similarly timed development. Provided, further, that the Planning Commission shall have no authority to grant a variance based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivides land after October 20, 1983."*

- 1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development? **YES**

The site's topography dictates the location and slope of the driveway which can be readily accessed and traversed. No points of access to the site provide a better driveway location than that shown on the site plan. The access street has a running slope of 17%. Strict application would deny access to the site, particularly for emergency vehicles.

- 2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences? **YES**

The affected area has been limited to the greatest extent feasible, and the proposed driveway grade and cross slope meets the minimum requirements of the fire department for emergency vehicle access.

The driveway location preserves a natural area that will provide a buffer between the proposed office and existing residences. The location of all improvements is at the flattest portion of the site, and preserves existing stands of trees and native vegetation to the greatest extent feasible.

3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. **YES**

Similar proposals (cuts/fills in excess of four feet) have been approved in this area, due to topographic constraints and the need to provide reasonable and safe access to sites.

Functional grading and drive access was designed for the project which did not require a variance, but AFD has requested modifications to allow for access to the site by the largest of their equipment, and the ability to set up and extend outriggers over a more level parking surface. Since the site abuts a large greenbelt area of steep topography and heavy vegetation, the proposed driveway ingress and parking area represent the closest access point in the area for wildfire control.

While the site has an alternate building location and access area on Canonero Drive at the top of the hill, the Davenport Neighborhood Association (which supports this project) is vehemently (and rightly) opposed to the introduction of commercial traffic into this location of their neighborhood when far more reasonable access exists on Bold Ruler Drive.

****Variance approval requires all above affirmative findings.**

Exhibits for Board Backup and/or Presentation
Please attach and paginate.

- Aerial photos of the site (backup and presentation)
- Site photos (backup and presentation)
- Aerial photos of the vicinity (backup and presentation)
- Context Map—A map illustrating the subject property in relation to developments in the vicinity to include nearby major streets and waterways (backup and presentation)
- Topographic Map - A topographic map is recommended if a significant grade change on the subject site exists or if there is a significant difference in grade in relation to adjacent properties. (backup and presentation)
- For cut/fill variances, a plan sheet showing areas and depth of cut/fill with topographic elevations. (backup and presentation)
- Site plan showing existing conditions if development exists currently on the property (presentation only)
- Proposed Site Plan- full size electronic or at least legible 11x17 showing proposed development, include tree survey if required as part of site or subdivision plan (backup and presentation)
- Environmental Map – A map that shows pertinent features including Floodplain, CWQZ, WQZ, CEFs, Setbacks, Recharge Zone, etc. (backup and presentation)
- An Environmental Assessment pursuant to ECM 1.3.0 (if required by 25-8-121) (backup only)
- Applicant's variance request letter (backup only)

September 26, 2013

Aerial Photo of the Site



OVERLOOK AT DAVENPORT
EXISTING SITE
6001 BOLD RULER WAY
AUSTIN, TEXAS

HARVARD • RICHARD ENGINEERING, INC.
10000 N. DAVENPORT
AUSTIN, TEXAS 78758
OFFICE: 512.444.1111
FAX: 512.444.1112
HPE
SHEET
01 of 01

September 26, 2013

Site Photos



Typical vegetation in the eastern portion of the subject area

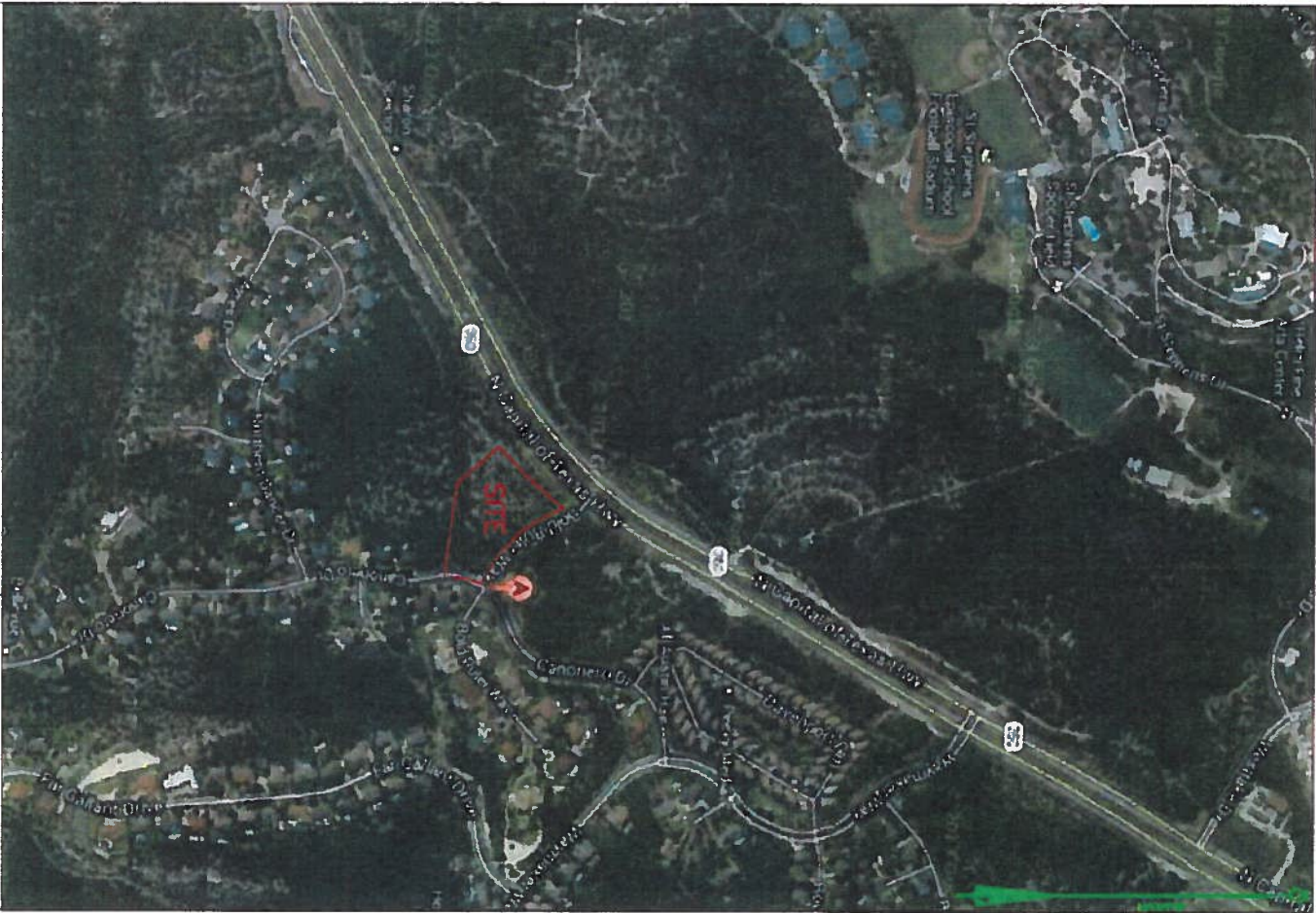
September 26, 2013



Typical vegetation at the western portion of the subject area

September 26, 2013

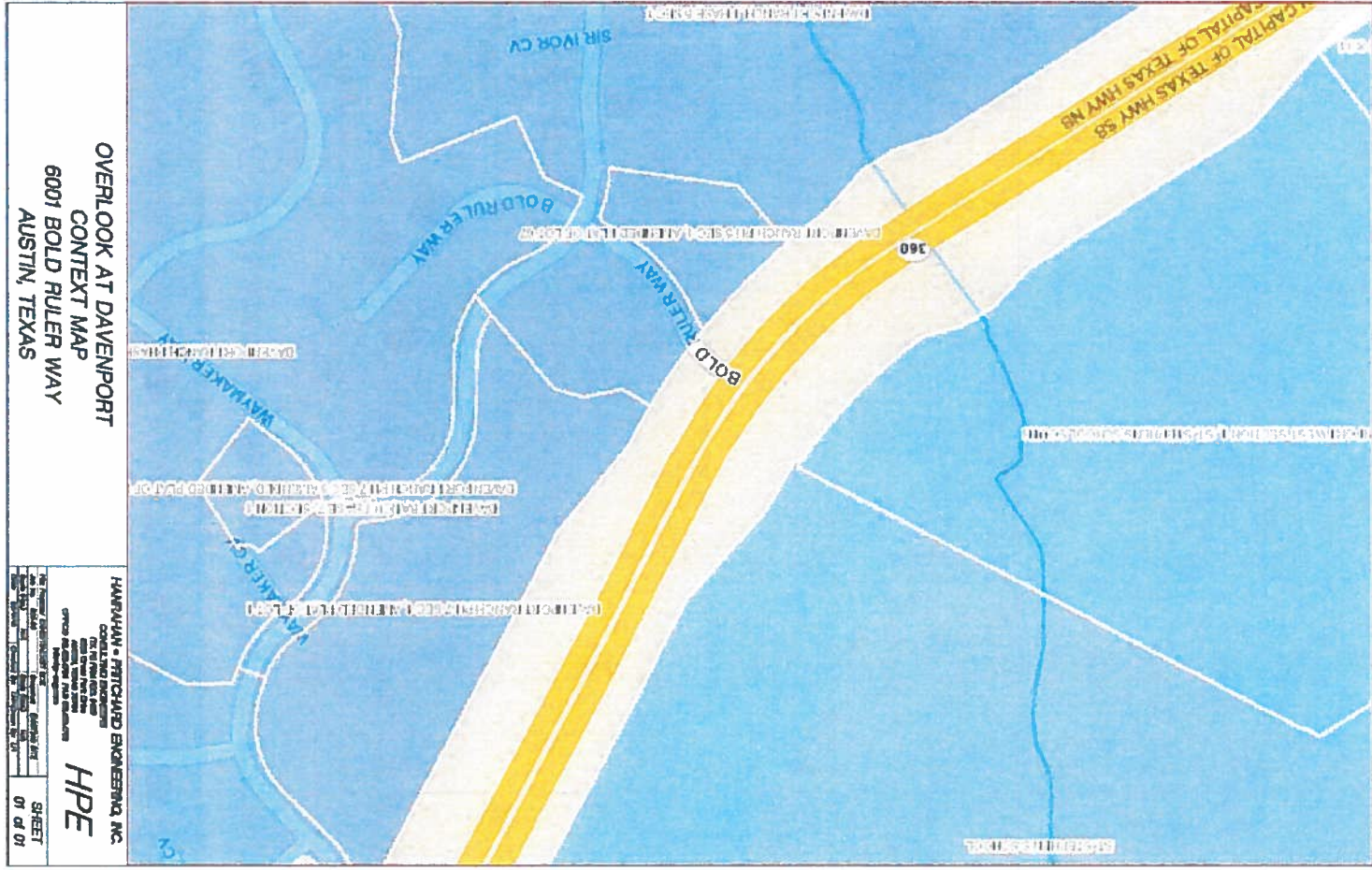
Aerial Photos of the Vicinity



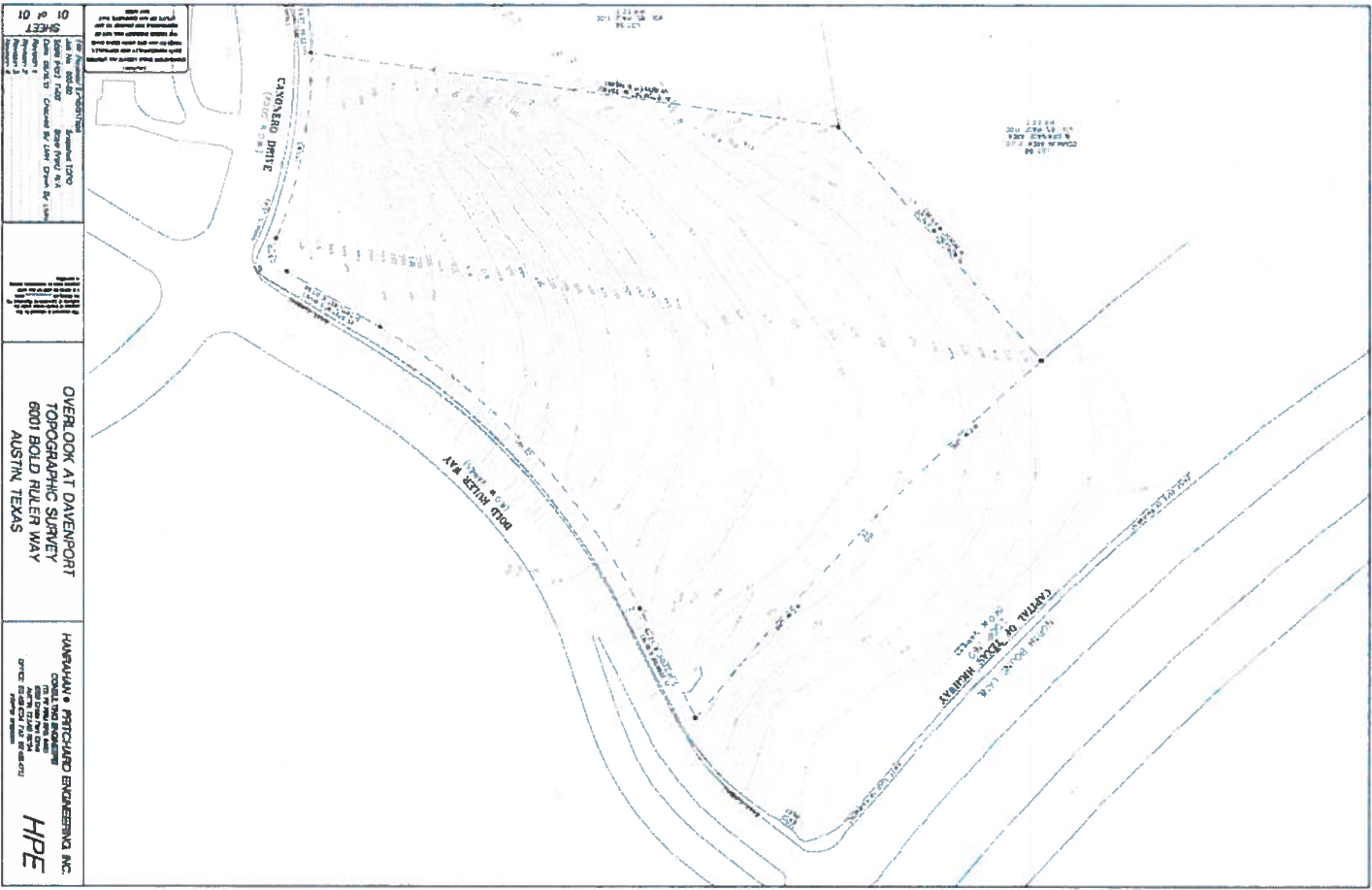
OVERLOOK AT DAVENPORT
VICINITY MAP
6001 BOLD RULER WAY
AUSTIN, TEXAS

HANFMAN • FITCHARD ENGINEERING, INC.
10100 N. MOORE AVE.
SUITE 100
DALLAS, TEXAS 75243
OFFICE: (214) 343-1100
FAX: (214) 343-1101
WWW.HFE-INC.COM
HFE
SHEET
01 of 01

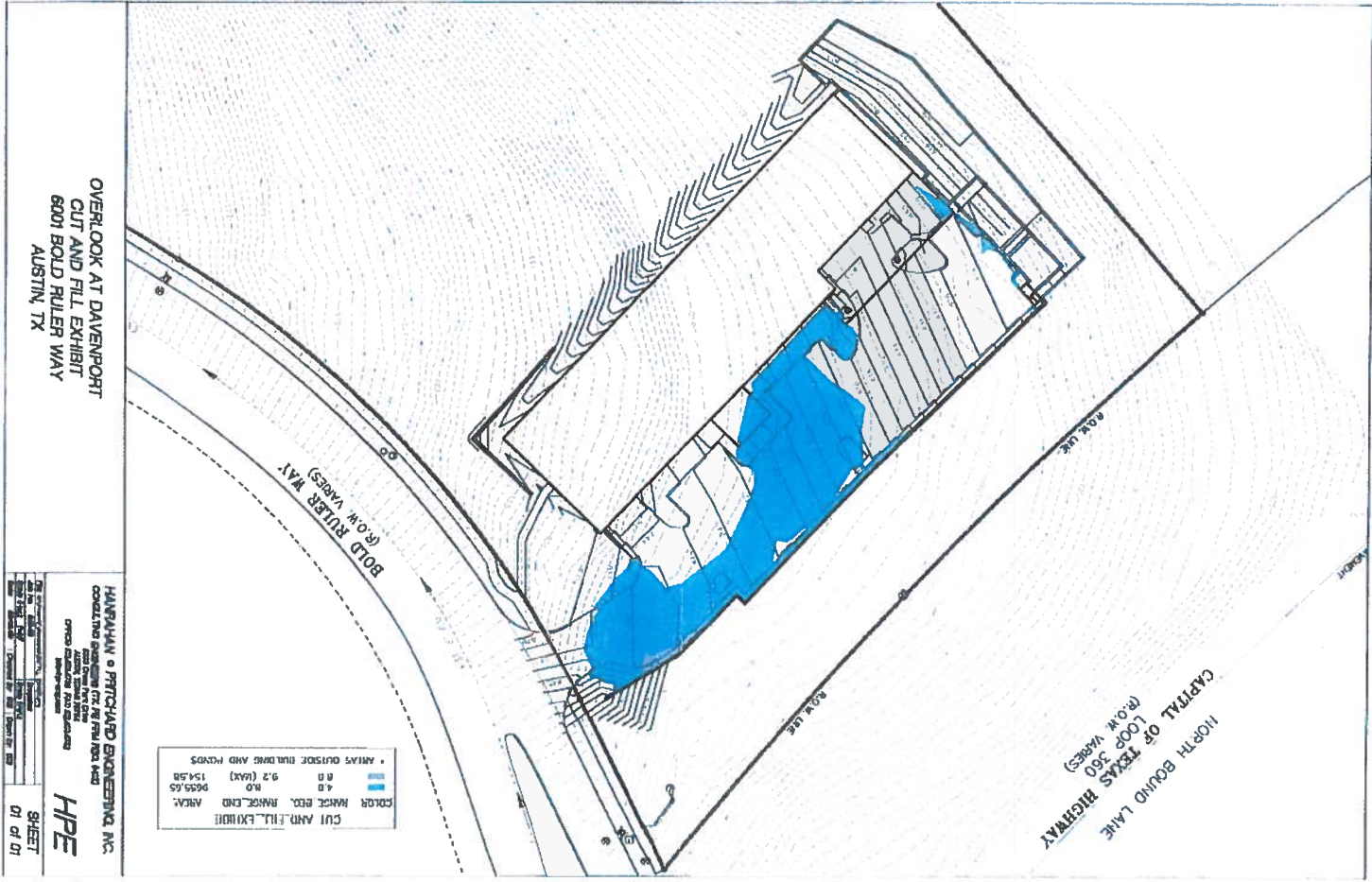
Context Map



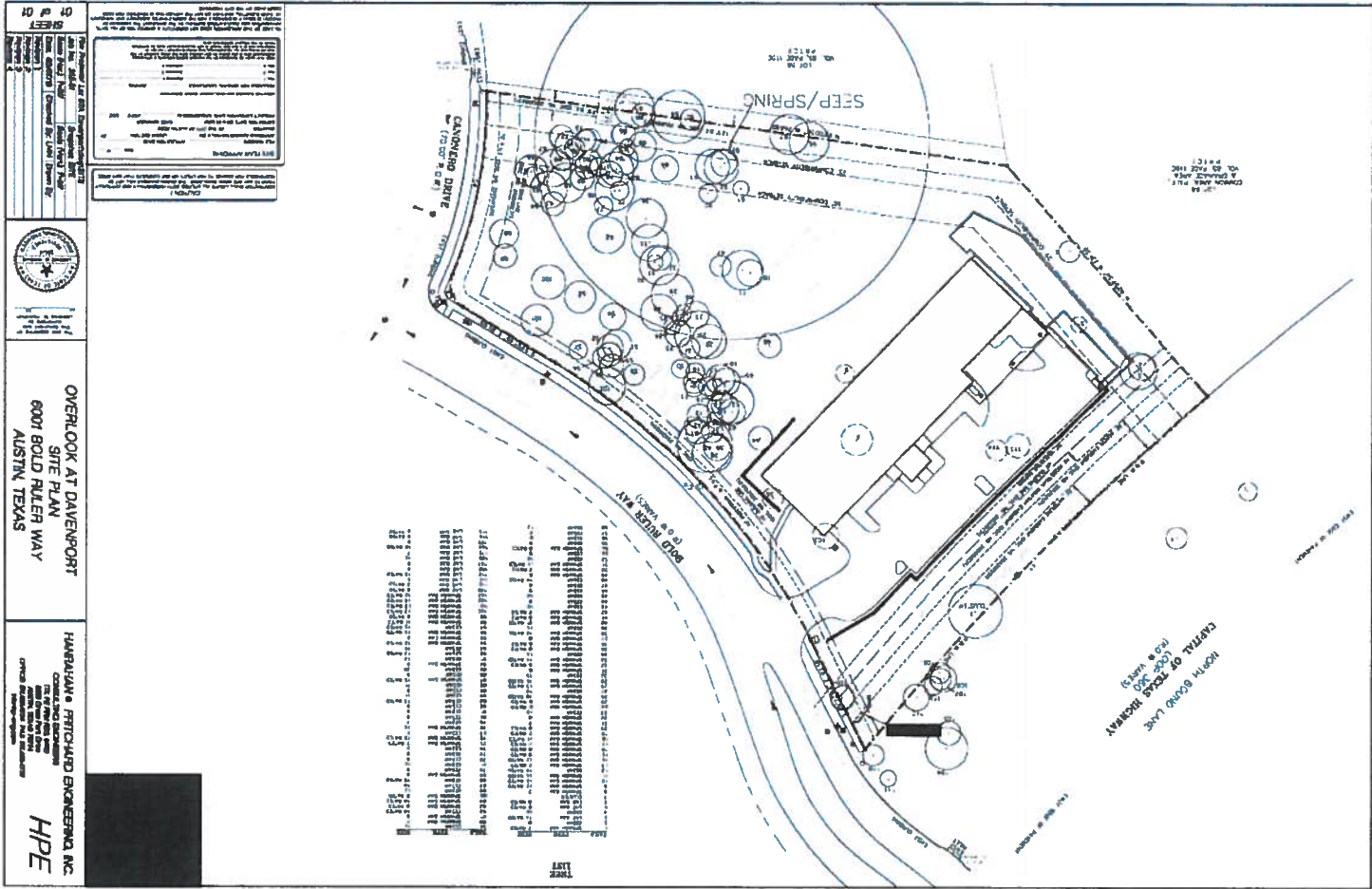
Topographic Map



Fill Exhibit



Proposed Site Plan Showing CEF Setback



September 26, 2013

Environmental Assessment
(follows this page)



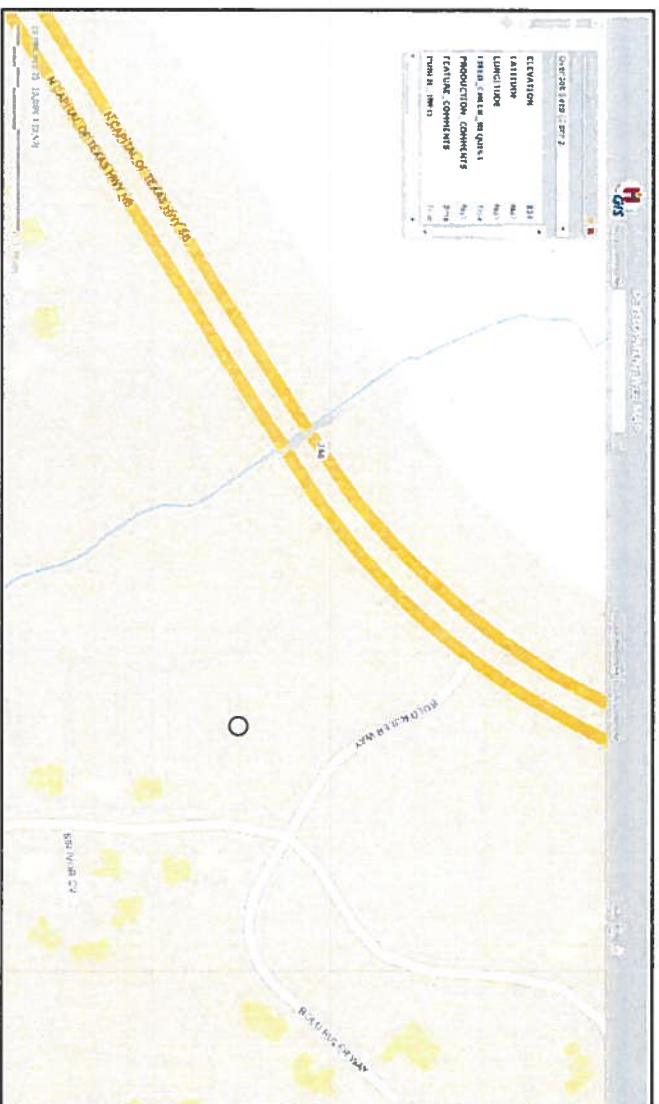
City of Austin Environmental Assessment Update

To: Scott Taylor, Tierra Concepts, LLC
From: Mark T. Adams P.G./C.A.P.M., aci consulting
Subject: 6001 Bold Ruler Way (Formerly 6007 Canonero Drive)
Date: October 3, 2013

In September 2012 aci consulting conducted a City of Austin Environmental Assessment on a property that was known as 6007 Canonero Drive. No potential CEFs were located on the subject property by aci consulting staff.

The City of Austin identified a seep on the subject area. The following table and map summarizes the information available on their GIS development web map viewer.

BRG_ID	23896
NAME	Overlook Seep
FEATURE_TYPE	Seep
CASE_NUMBER	SPC-2012-0425C
OTHER_ID_NUMBER	Null
PLAN_SET_DATE	Null
FEATURE_STATUS	Buffer
ELEVATION	834
LATITUDE	Null
LONGITUDE	Null
FIELD_CHECK_REQUEST	True
PRODUCTION_COMMENTS	Null
FEATURE_COMMENTS	Small seep in upper Glen Rose not too far below the contact with the Walnut Formation.
PUBLIC_INFO	True



View of the City of Austin Development Web map showing the seep on the southern edge of the subject property. The white dot is the approximate location of the seep.

There is a 150 foot buffer being applied to this seep as shown in the variance application.

This seep is the only critical environmental feature that has been identified on the subject property.

Please feel free to contact me at (512) 775-3968 or madams@aci-group.net if you have any questions or comments.

Sincerely,

Mark T. Adams P.G./C.A.P.M.

September 26, 2013



**CITY OF AUSTIN ENVIRONMENTAL ASSESSMENT
FOR THE
3.38-ACRE CANONERO TRACT**

Travis County, Texas

September 2012

Submitted to:

Michael Ayer
3502 Native Dancer Cove
Austin, Texas 78746

By:

aci consulting
1001 Mopac Circle
Austin, Texas 78746

aci consulting a division of aci group, LLC
1001 Mopac Circle Austin, Texas 78746 phone – 512.347.9000 fax – 512.306.0974 www.aci-group.net



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Appendix B – City of Austin Site Review CEF Worksheet



**Environmental Assessment in Accordance with the City of Austin Land Development Code
for the 3.38-acre Canonero Tract located in Travis County, Texas**

September 2012

1.0 PURPOSE

The purpose of this environmental assessment is to evaluate the 3.38-acre Canonero tract, hereafter referred to as the subject area, in accordance with the City of Austin Land Development Code ("LDC") §25-8-121. Specifically, this assessment evaluates the subject area for the occurrence of critical environmental features (CEFs) as defined in the LDC and for potential endangered species habitat. A site investigation was performed by aci consulting scientists on September 21, 2012.

2.0 PROJECT DESCRIPTION

The 3.38-acre subject area is located at 6007 Canonero Drive in central Travis County (Figure 1). Residential homes form the eastern boundary of the subject area while undeveloped land forms the northern, southern, and western boundaries of the subject area.

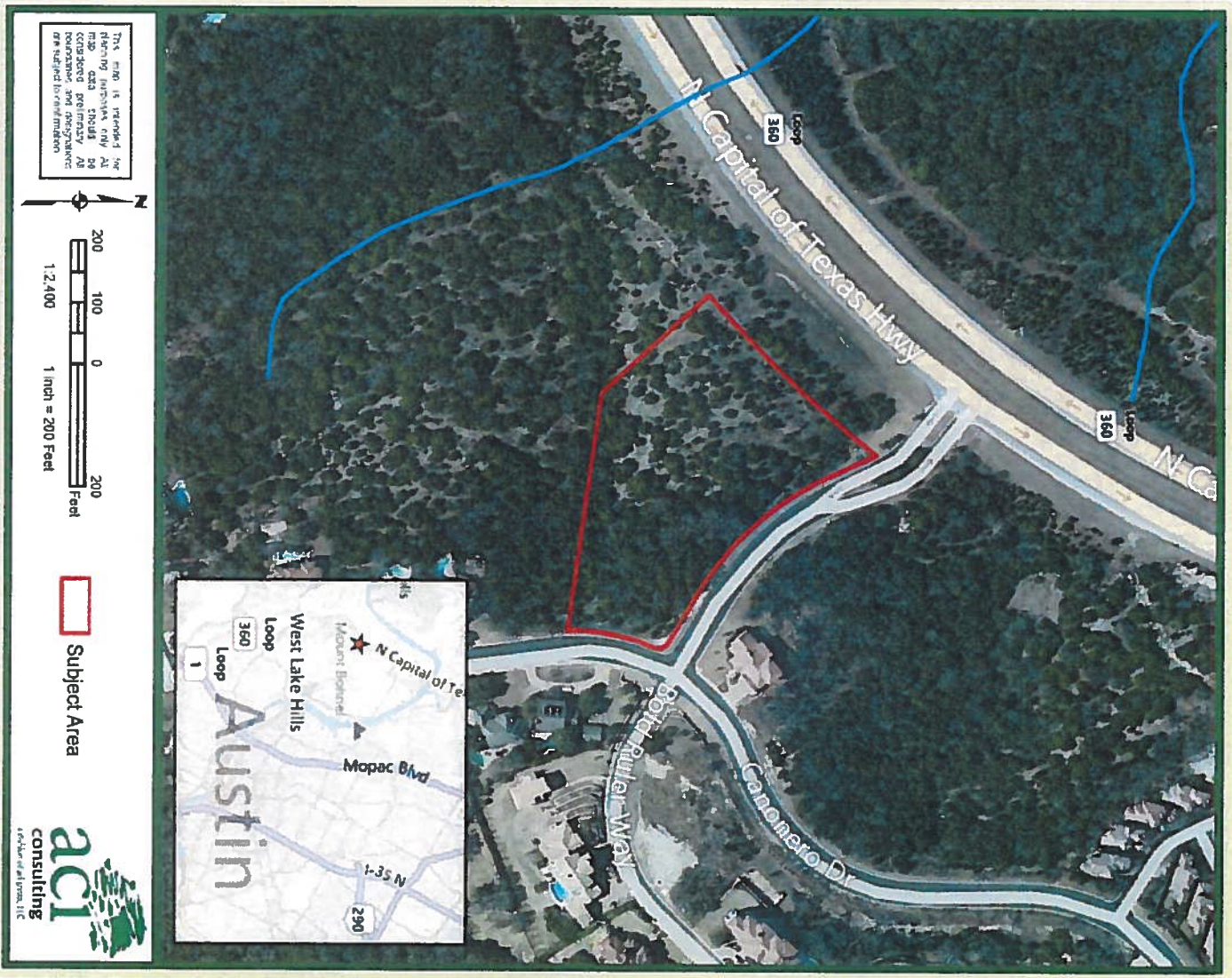
3.0 EXISTING ENVIRONMENT

3.1 Hydrology

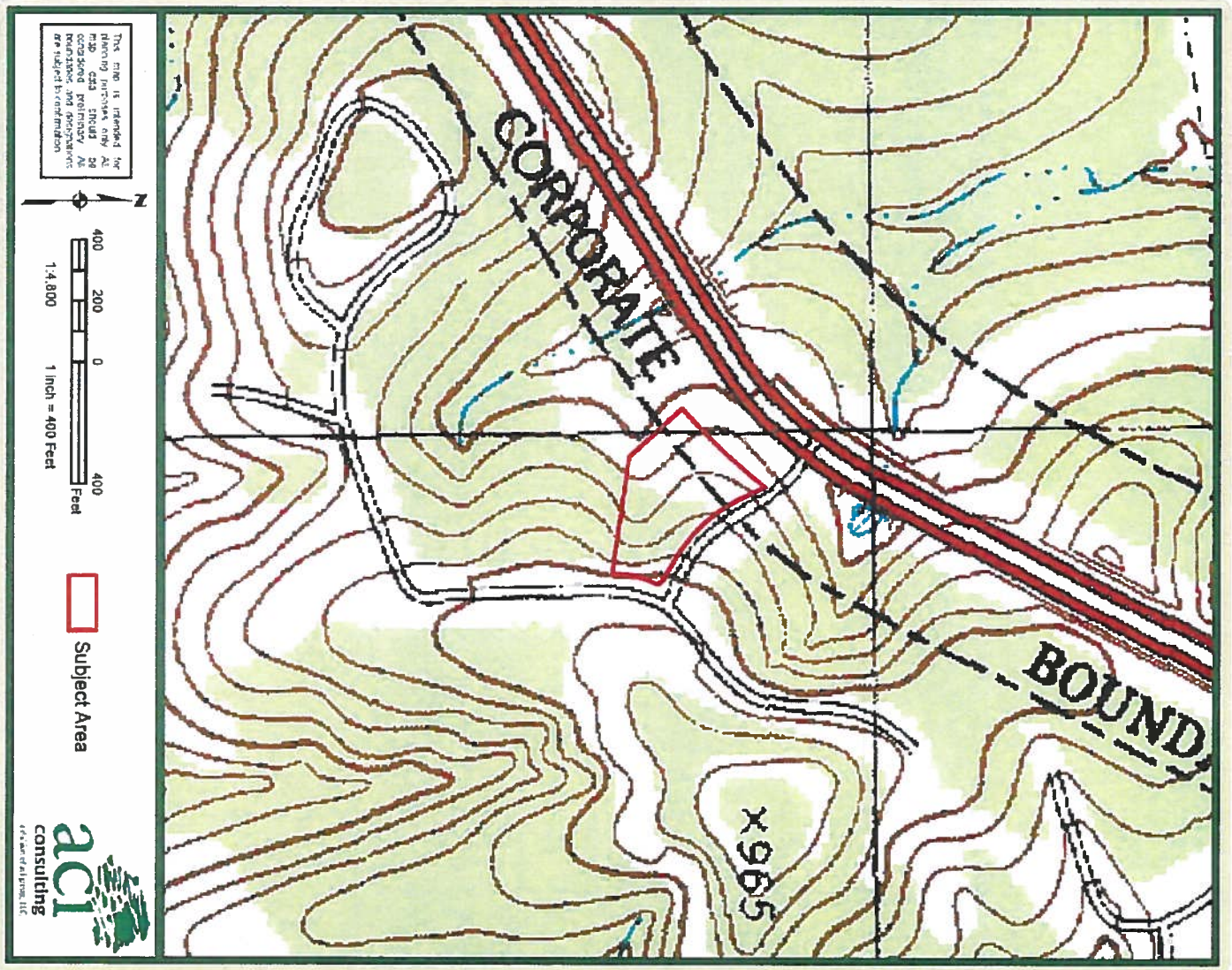
The subject area lies within the Lake Austin watershed and within the City's rural water supply regulation area. According to Edwards aquifer recharge zone maps, the subject area is not within the recharge, contributing, or transition zone of the Edwards aquifer (TCEQ 2001). The subject area is not located within the City of Austin recharge zone. No tributaries were observed on site.

3.2 Topography

According to the *Austin West* USGS 7.5-minute topographic quadrangles, the elevation of the subject area ranges from approximately 820 to 900 feet above mean sea level (Figure 2). The topography slopes from west to east towards an unnamed tributary of Bee Creek. The subject area is not within a FEMA floodplain.



8007 Canonero Drive COA EA
Figure 1: Subject Area



September 2012



3.3 Geology

The subject area lies within the Glen Rose Limestone, Upper Member (Kgr(u)). The Glen Rose consists of alternating resistant and recessive beds forming stair-step topography. It is aphanitic to fine grained, hard to soft marly, and light gray to yellowish gray. Dolomite is fine grained, porous, and yellowish brown. The Upper Glen Rose formation is relatively thinner bedded, more dolomitic, and less fossiliferous than the Lower Glen Rose Formation (Barnes 1974).

3.4 Soils

Soils in this area are classified as the Brackett Association. These gently undulating to steep soils are shallow, stony, and gravelly, and the underlying material consists of interbedded limestone and marl (SCS 1974). Two soil units occur within the subject area:

- Brackett soils and Rock outcrop, steep (BoF) – This soil occurs within a majority of the subject area. It is found along steep breaks in creeks and rivers. Individual areas are long and narrow or irregular in shape and up to 1,000 acres in size. The surface layer is light brownish-gray gravelly clay loam or gravelly loam about four inches thick. Coarse fragments cover about 60% of this top layer. The next layer is pale-brown clay loam that extends to a depth of 15 inches with an underlying interbedded limestone and marl material. It is shallow and well drained and the permeability is moderately slow with a low water capacity.
- Brackett soils, rolling (BID) – Found along undulating to rolling topography over interbedded limestone and marl in individual areas over 1,000 acres in size. The surface layer is made up of 75% broken limestone fragments, with the addition to gravelly clay loam, gravelly loam, loam or clay loam. It is shallow and well drained and the permeability is moderately slow with a low water capacity.

3.5 Vegetation

The study area lies within “Live Oak – Ashe Juniper Woods” as noted on the Texas Parks and Wildlife “Vegetation Types of Texas” map (McMahan et al. 1984). Woods generally consist of woody plants mostly nine to 30 feet tall with closed crowns or nearly closed crowns (71 to 100 percent canopy cover). A midstory layer is usually lacking. Field investigations confirmed that the subject area is generally consistent with this designation.

Vegetation species observed within the subject area include, but are not limited to: live oak (*Quercus virginiana*), Texas oak (*Quercus texana*), Ashe juniper (*Juniperus ashei*), Texas persimmon (*Diospyros texana*), huisache (*Acacia farnesiana*), possumhaw (*Ilex decidua*), evergreen sumac (*Rhus viridis*), coma (*Bumelia celastrina*), Turk’s cap (*Adiantum drummondii*), Texas prickly pear cactus (*Opuntia engelmannii*), greenbrier (*Smilax bona-nox*), agave (*Agave trifoliolata*), Lindeheimer’s senna (*Senna lindheimeriana*), prairie tea (*Croton monanthogynus*), twist leaf yucca (*Yucca ripicola*), aster (*Symphoricarpos* sp.) and various other native grasses and forbs. Photographs of typical vegetation of the subject area are included in Appendix A.



The subject area is located in Sector 13 of the City of Austin Biological Resource Sector Map and appears to be designated as priority woodlands.

4.0 CRITICAL ENVIRONMENTAL FEATURES

Section 25-8-1 of the City of Austin LDC defines CEFs as “features that are of critical importance to the protection of environmental resources, and include bluffs, springs, canyon rim rocks, caves, sinkholes, and wetlands.”

On September 21, 2012, **aci consulting** scientists conducted a field investigation within the subject area in accordance with the City of Austin LDC. The field investigation was performed by surveying the entire subject area.

Aerial photographs and topographic maps were utilized to orient surveyors in the field. If potential CEFs were identified in the field, they were carefully examined and recorded, and each potential feature was described, photographed, and its location recorded using a handheld Garmin 520HCx GPS unit.

No potential CEFs were identified within the limits of the subject area.

5.0 SPECIES INCLUDED UNDER THE CITY OF AUSTIN ENDANGERED SPECIES ORDINANCE

The City of Austin Endangered Species Ordinance (“COA ESO”) requires that an endangered species habitat survey be conducted prior to application for site development of a parcel of land (LDC §25-8-695). Plant and animal species for which habitat surveys must be conducted include: bracted twistflower (*Streptanthus bracteatus*), canyon mock-orange (*Philadelphus ernestii*), black-capped vireo (*Vireo altilapillus*) (“BCV1”), golden-cheeked warbler (*Setophaga chrysoparia*) (“GCWA”), whooping crane (*Grus americana*), red wolf (*Canis rufus*), Barton Springs salamander (*Eurycea sosorum*), and six species of karst invertebrates including: the Tooth Cave ground beetle (*Rhadin persephone*), Kretschmarr Cave mold beetle (*Texanurogys reddelli*), Tooth Cave spider (*Necroleptonea myopica*), Tooth Cave pseudoscorpion (*Tartarocaregys texana*), Bee Creek Cave harvestman (*Texella reddelli*), and Bone Cave harvestman (*Texella reyesi*). Warton’s Cave meshweaver (*Cicurina wartonii*) is currently listed as a candidate species. The Jollyville Plateau salamander (*Eurycea tonkawae*) and Austin Blind salamander (*Eurycea waterloensis*) are proposed for listing as endangered by USFWS.

On September 21, 2012, a habitat survey in accordance with LDC §25-8-695 and the City of Austin Environmental Criteria Manual was also conducted by **aci consulting** scientists. Descriptions of the habitat within the subject area and potential habitat for each endangered species are included below.



5.1 Bracted Twistflower

This annual plant has delicate pink flowers and usually grows no taller than three feet. Bracted twistflower occurs on thin clay soils blanketing limestone. All Travis County populations occur in oak-juniper woodland with a canopy cover of 25 to 100 percent, and most known sites are in areas that contain thick brush which appears to provide protection from deer. Plants that occur in association with bracted twistflower include evergreen sumac (*Rhus virens*), Mexican silkgrass (*Garrya ovata* var. *lindheimeri*), shin oak (*Quercus sinuata* var. *breviloba*), elbowbush (*Forsteria angustifolia*), and myrtlecot (*Bernardia myricifolia*) (BAT 1990). Habitat for the species was not observed during field investigations. It is unlikely that this species would occur on the subject area.

5.2 Canyon Mock-orange

This plant can be found growing on Cow Creek, Edwards Limestone, and a few strata of Glen Rose Limestone. The two limestone formations contain holes and solution cavities, which often give the rock a “honeyscombed” appearance. Canyon mock-orange can be found in both xeric and mesic juniper woodland and typically grows in full shade to full sun along cliffs in humid canyons. It is found in association with the following plants: elbowbush, shrubby boneset (*Eupatorium havanense*), shin oak, fragrant sumac (*Rhus aromatica*), Mexican silkgrass, Texas mulberry (*Morus microphylla*), Ashe juniper, and yaupon holly (*Ilex vomitoria*) (BAT 1990). The subject are did not possess cliffs or humid canyons. It is unlikely that this species would occur on the subject area.

5.3 Black-capped Vireo

Black-capped vireo (BCVI) was federally listed as an endangered species on October 6, 1987 (USFWS 1987). BCVI primarily nest on the Edwards Plateau and the Lampasas Cut-Plains regions of central Texas. The range is considered to be discontinuous across the Llano Uplift region. The eastern and southern edges of the range follow the Balcones Escarpment closely from Waco, Texas (McLennan County) to Bracketville, Texas (Kinney County) (USFWS 1987).

USFWS habitat assessment reporting requirements for BCVI (USFWS 2011) recognize BCVI habitat in accordance with the BCVI habitat description in TPWD’s “Endangered and Threatened Animals of Texas” (Campbell 2003). The following is a summary of that description:

BCVI require broadleaf shrub vegetation reaching to ground level for nesting cover. They typically nest in shrublands and open woodlands with a distinctive patchy structure. Habitat generally consists of shrub vegetation that extends from the ground to approximately 6 feet, covering 30 to 60 percent or greater of the total area. In the Edwards Plateau and Cross Timbers Regions, BCVI habitat occurs where soils, topography, and land use produce scattered hardwoods with abundant low cover. Typical BCVI habitat in the Edwards Plateau Region consists of Texas (Spanish) oak (*Quercus texana*), lacey oak (*Quercus glaucoides*), shin oak (*Quercus sinuata* var. *breviloba*), Texas mountain laurel (*Sophora secundiflora*), evergreen sumac (*Rhus semper-virens*), skunk-bush sumac (*Rhus aromatica* Alt. var. *flabelliformis*),



flameleaf sumac (*Rhus copallinum*), redbud (*Cercis canadensis* var. *texensis*), Texas persimmon (*Diospyros texana*), mesquite (*Prosopis glandulosa*), and agave (*Berberis trifoliolata*). Although Ashe juniper is often part of the plant composition in BCVI habitat, preferred areas usually have both low density and low cover of juniper (Campbell 2003).

The subject area does not lie within BCVI habitat according to the *Austin West* USGS 7.5-minute Quadrangle Balcones Canyonland Endangered Species Habitat and Potential Preserve System Map (TNR 1996). Field investigations indicated that the project alignment is not consistent with the TPWD description of potential BCVI habitat.

The next survey season for BCVI begins April 2013.

5.4 Golden-cheeked Warbler

The GCWA is a migratory songbird endemic to Texas and only present during its breeding season of early March through early August. GCWA habitat typically consists of mature Ashe juniper woodlands interspersed with deciduous species. The areas most likely to be utilized by GCWA consist of nearly continuous cover of trees with 50 to 100 percent closed canopy (Campbell 2003). Deciduous species common in GCWA habitat include escarpment black cherry (*Prunus serotina*), Texas black walnut (*Juglans microcarpa*), ash, Texas oak, and cedar elm (*Ulmus crassifolia*).

USFWS protocol for performing habitat assessments for GCWA (USFWS 2010) recognizes three categories of potential GCWA habitat, as published in a section of the Texas Parks and Wildlife management guide for Texas endangered species titled “Management Guidelines for the Golden-cheeked Warbler in Rural Landscapes” (Campbell 2003). The three categories of potential GCWA habitat include:

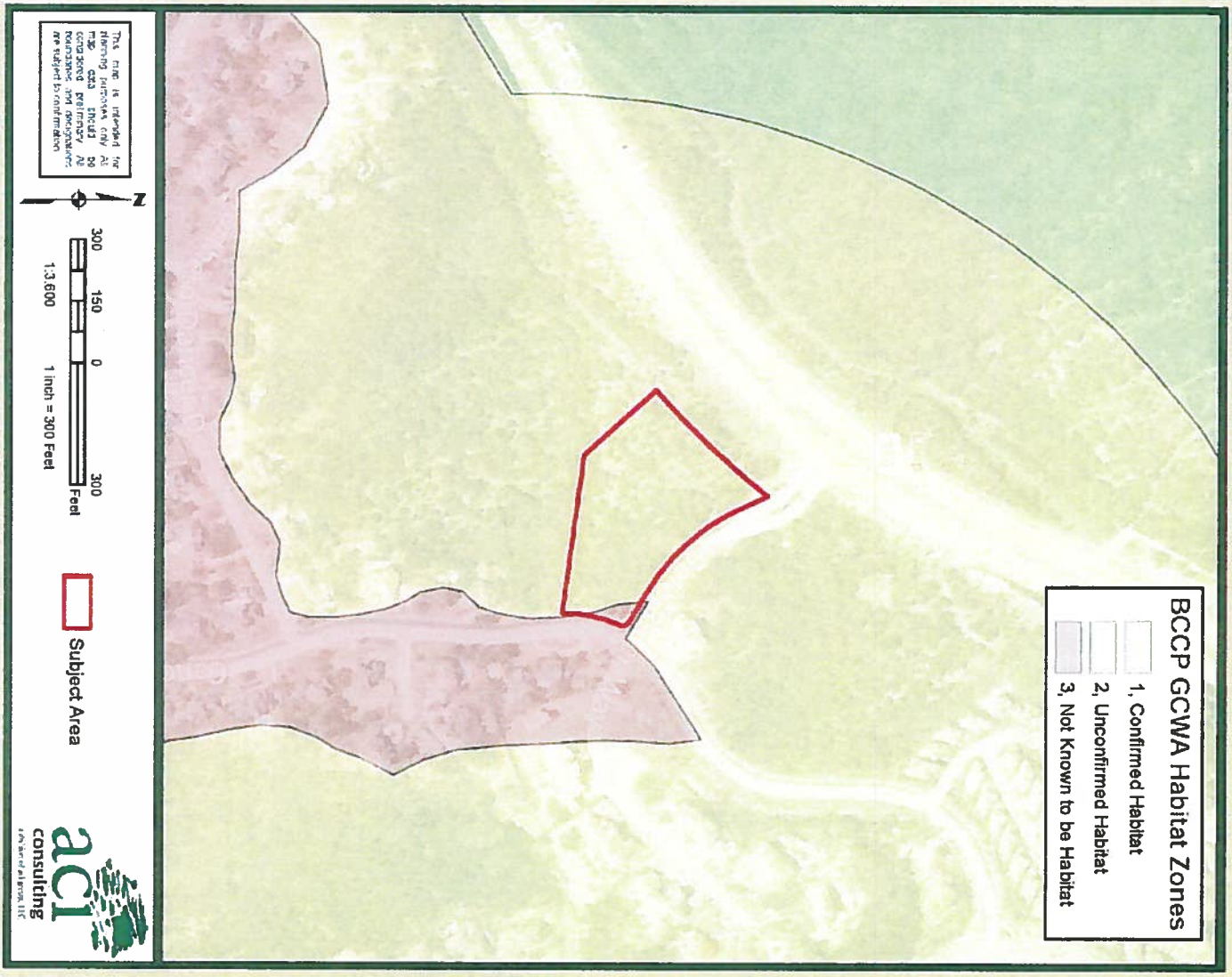
1. **Vegetation associations where GCWAs are expected to occur** (“high quality habitat”) include woodlands with mature Ashe juniper in a natural mix with oaks, elms, and other hardwoods in relatively moist areas including steep canyons, slopes, and adjacent uplands. The guidelines detail mature Ashe juniper trees to be those that are at least 15 feet in height with a diameter-at-breast height (dbh) of approximately 5 inches. These areas should have a nearly contiguous canopy cover of trees with 50-100 percent canopy closure and an overall woodland canopy height of 20 feet or more (Campbell 2003).
2. **Vegetation associations that may be used by GCWAs** include four additional types of areas that may be used by warblers, but are not representative of what is typically thought of as “best” warbler habitat:
 - Stands of mature Ashe juniper with shedding bark with scattered live oaks (≥10 percent total canopy cover), where the total canopy cover exceeds 35 percent and overall woodland canopy height is ≥20 feet.



- Bottomlands along creeks and drainages which support deciduous trees with at least 35 percent canopy cover with an average canopy height of 20 feet. Mature Ashe juniper must be present at the bottom or on nearby slopes.
 - Mixed stands of post oak and/or blackjack oak with 10-30 percent canopy cover, with scattered mature Ashe juniper where total canopy cover exceeds 35 percent overall woodlands canopy height is 20 feet.
 - Mixed stands of shin oak with 10-30 percent canopy cover with scattered mature Ashe juniper where total canopy cover exceeds 35 percent overall woodlands canopy height is 20 feet. (Campbell 2003)
3. **Vegetation associations where GCWAs are not expected to be found** include areas where GCWA are not expected to occur, unless adjacent to warbler habitat areas. The five areas are:
- Stands of small Ashe juniper, averaging less than 15 feet in height and 5 inches dbh. These areas are often dry and relatively flat, lacking oaks and other broad-leaved trees and shrubs. These areas often include open rangelands, previously cleared areas, and old fields.
 - Pure stands of larger Ashe juniper greater than 15 feet in height and 5 inches dbh with few or no oaks or other hardwoods.
 - Open park-like woodlands or savannas (even with old junipers) where canopy cover is less than 35 percent. These areas often have scattered live oaks and other trees.
 - Small junipers and other trees coming up along existing fences.
 - Small junipers less than 15 feet tall coming up under larger hardwoods where junipers have been removed in the last 20 years. (Campbell 2003)

Field investigations indicated that the majority of the vegetation within and adjacent to the project alignment is consistent with Category One of the TPWD categories of potential GCWA habitat. The majority of the subject area is located within GCWA zone one "confirmed habitat" according to the Balcones Canyonlands Endangered Species Habitat and Potential Preserve System Map (TNR 1996). The eastern corner of the subject area lies with GCWA zone three "not known to be habitat." According to U.S. Fish and Wildlife Service (USFWS) digital files of historic GCWA observations, GCWA is known to occur within the region of the subject area. GCWA occurrences were recorded less than 0.55 mile north, 0.40 mile southwest, and 0.15 mile east of the subject area in 1994.

The next survey season for GCWA begins March 2013.



6007 Canonero Drive CoA EA
Figure 4: BCCP GCWA Habitat Zones

September 2012



5.5 Whooping Crane

The whooping crane is a migrant species whose flyway crosses the northeastern portion of Travis County, an area characterized as the Blackland Prairie ecoregion. The whooping crane utilizes a variety of habitat during migration; croplands are preferred for feeding, and vast wetland areas are selected for feeding and roosting, preferring secluded areas removed from human disturbance (Campbell 2003).

The proximity of the subject area to human disturbance is not ideal for whooping cranes. The subject area also does not contain cropland or vast wetlands typical of whooping crane stopover habitat. The probability of whooping cranes feeding or roosting in the subject area is considered very low.

5.6 Red Wolf

The red wolf is considered extirpated in Travis County. It was formerly known throughout the eastern half of Texas in brushy, forested, and coastal areas.

5.7 Barton Springs and Austin Blind Salamanders

The Barton Springs salamander is an entirely aquatic and neotenic amphibian known only to occur around four spring outlets within Zilker Park, Austin, Texas. The springs are collectively known as Barton Springs and consist of Parthenia, Eliza, Old Mill, and Upper Barton Springs [62 FR 23377] (USFWS 1997). The salamander inhabits areas near the spring openings where food sources are abundant, water chemistry and temperature are relatively constant, and where the salamander has access to both surface and subsurface habitat. The primary threat to the Barton Springs salamander is degradation to the quality and quantity of water that feeds Barton Springs from the Barton Springs watershed.

On August 22, 2012, USFWS released a proposed rule for the Austin Blind Salamander to be listed as endangered (USFWS 2012). This species is an entirely aquatic and neotenic salamander known to occur in three of the four spring outlets of Barton Springs in the City of Austin's Zilker Park, Austin, Texas. This salamander has not been observed at the fourth Barton Springs outlet known as Upper Barton Spring. The species was listed as a candidate species; priority number two June 13, 2002 (USFWS 2002), and was petitioned to be listed May 11, 2004. This salamander grows to a length of approximately 2.5 inches, lacks external eyes, and has permanent external gills, a narrow head, and an extended snout. The salamander's coloring is described as faintly reflective and pearly white in color with a lavender hue (USFWS 2002). The Austin blind salamander is described as a primarily subsurface dwelling species that spends most of its time living in the Edwards aquifer.

The primary threat to this species is habitat modification in the form of reduced flows and degradation of water quality of spring habitats as a result of urbanization within the watersheds and recharge and contributing zones of the Edwards Aquifer (USFWS 2012).



The Barton Springs and Austin Blind salamanders are known to exist only in four spring outlets within the Barton Springs segment of the Edwards aquifer. The subject area does not lie within the Edwards aquifer zones, and is approximately 4.5 miles from Barton Springs. Therefore, the probability of occurrence of these species within the subject area is considered very low.

5.8 Jollyville Plateau salamander

Jollyville Plateau salamander (*Eurycea tonkawae*) (JPS) was previously listed as a candidate species based on a 2007 USFWS 12-month finding (USFWS 2007). On August 22, 2012, USFWS released a proposed rule for the JPS to be listed as endangered (USFWS 2012). This species occurs in the Jollyville Plateau and Brushy Creek areas of the Edwards Plateau in Travis and Williamson Counties. JPS is known from Brushy Creek and, within the Jollyville Plateau, from Bull Creek, Cypress Creek, Long Hollow Creek, Shoal Creek, and Walnut Creek drainages. JPS has also been documented within the Lake Creek drainage. Cave-dwelling JPS are known from one cave in the Cypress Creek drainage and 12 caves in the Buttercup Creek cave system in the Brushy Creek drainage (USFWS 2012).

The JPS's spring-fed tributary habitat is typically characterized by a depth of less than one foot (0.3 meters) of cool, well oxygenated water supplied by the underlying Edwards Aquifer (USFWS 2007). This species is typically found near springs or seep outflows, and are thought to require relatively constant temperatures. Salamander densities are generally higher in pools and riffles and in areas with rubble, cobble, or boulder substrates rather than on solid bedrock. Surface-dwelling JPS also occur in subsurface habitat within the underground aquifer (USFWS 2007).

The primary threat to this species is habitat modification in the form of reduced flows and degradation of water quality of spring habitats as a result of urbanization within the watersheds and recharge and contributing zones of the Edwards Aquifer (USFWS 2012).

The subject area is distant from known JPS spring locations and as is not within any proposed critical habitat. The probability of occurrence of the species within the project area is considered very low.

5.9 Karst Invertebrates

Karst invertebrates are subterranean species that have adapted to areas with consistent humidity and temperature levels with a continual influx of nutrients from the surface. The caves in which the invertebrates occur were formed as a result of dissolution of the limestone formations making up the Edwards aquifer.

Verni and Associates (1992, revised 2007) delineated four karst zones throughout central Texas. The subject area is within Zone 4, which is an area not known to contain habitat for endangered cave species. No karst features were identified within the subject area during site reconnaissance. The probability of occurrence of the species within the subject area is considered very low.



6.0 STATEMENT OF FINDINGS

No potential CEFs were identified during site reconnaissance.

The subject area is generally consistent with the TPWD Category 1 for GCWA habitat, “vegetation associations where GCWAs are expected to occur”. The next survey season for GCWA begins March 2013.

The subject area does not lie within BCVI habitat according to the *Austin West* USGS 7.5-minute Quadrangle Balcones Canyonland Endangered Species Habitat and Potential Preserve System Map (TNR 1996). Field investigations indicated that the project alignment is not consistent with the TPWD description of potential BCVI habitat. The next survey season for BCVI begins April 2013.

Habitat within the subject area is unlikely to be regularly utilized by the bracted twistflower, canyon mock-orange, whooping crane, red wolf, Barton Springs salamander, Austin blind salamander, Jollyville Plateau salamander, or endangered karst invertebrates.



7.0 REFERENCES

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(USFWS) U.S. Fish and Wildlife Service. 2012. Endangered and Threatened Wildlife and Plants; Endangered Status for Four Central Texas Salamanders and Designation of Critical Habitat; Proposed Rule. 77 FR 50767 50854.

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September 26, 2013



APPENDIX A

Typical Vegetation Photographs

September 26, 2013



Typical vegetation in the eastern portion of the subject area

3.38-acre 6007 Camonero Trail, September 2012

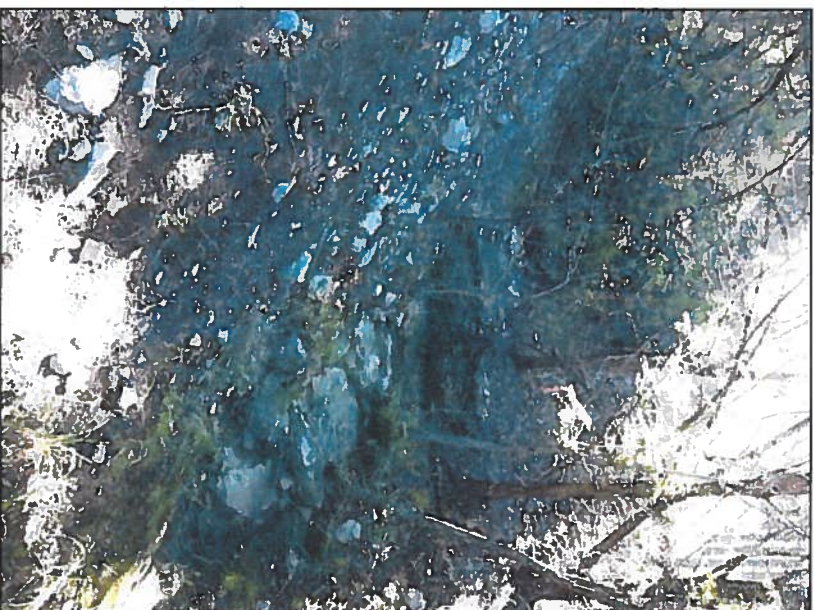
September 26, 2013



Typical vegetation at the western portion of the subject area

3.38-acre 6007 Canowero Tract, September 2012

September 26, 2013



A dry, ephemeral tributary along the southern boundary of the subject area. No springs or wetland plant species were observed during field investigations.

3.38-acre 6007 Camonero Trail, September 2012

September 26, 2013



APPENDIX B

City of Austin Site Review CEF Worksheet

3.38-acre 6007 Canomero Tract, September 2012

September 26, 2013

City of Austin Site Review Critical Environmental Feature Worksheet

1	Product Name	3	Product Code Name	4	Repeating
2	Product Address	6	Product Address	7	Repeating
3	Product Date	7	Product Date	8	Repeating
4	Product Description	8	Product Description	9	Repeating

[illegible]