



MEMORANDUM

TO: Precinct 3 Commissioner Gerald Daugherty, Member BCCP Coordinating Committee
District 7 City Council Member, Leslie Pool, Member, BCCP Coordinating Committee
Mr. Adam Zerrenner, Member (Ex Officio), BCCP Coordinating Committee

FROM: William A. Conrad, BCCP Coordinating Committee Secretary

DATE: May 21, 2015

SUBJECT: Coordinating Committee Actions Regarding the LISD Proposal for an Access Road Through BCP

On May 15, 2015, Leander Independent School District (LISD) and their counsel, Alan Glen, made a presentation to the BCCP Coordinating Committee seeking authorization to use an existing approved BCP Primary Electric Infrastructure Corridor to build an alternate access road from their campuses on McNeill Road to River Place Boulevard. During that meeting the Secretary also made a presentation that analyzed the District's proposal's ability to comply with BCCP and advised members of potential consequences from authorizing the proposal. The material in the secretary's presentation represented input and concurrence from Austin and Travis County BCP staffs and from legal counsel from the City and County.

On August 5, 2013 LISD submitted a BCCP Infrastructure Habitat Determination Application to the Secretary seeking construction approval to build a road in the aforementioned corridor. On August 22, 2013 the Secretary denied the LISD request for construction approval. He advised the District that their proposal could not be authorized without first amending the BCCP Federal Permit. This denial included the input and concurrence from City and County BCP staffs as well as from their respective legal counsels. The denial was also supported by advice given the Secretary by U.S. Fish and Wildlife Service staff, during an informal review of the proposal with them.

On September 18, 2013 LISD appealed the Secretary's denial of construction approval to the Coordinating Committee. Following extensive input and discussion from the Members, the Secretary, the District, citizens, staffs, and the service, the chair postponed any action on the appeal until the next meeting.

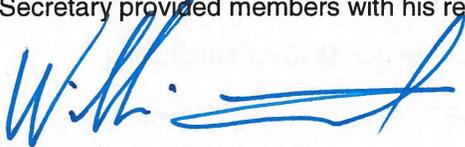
Prior to the November 14, 2013 Coordinating Committee meeting LISD notified the Coordinating Committee members that they were withdrawing their appeal and that they intended to seek their own federal permit to build the proposed road across their proposed route. During that meeting the Coordinating Committee acted to indefinitely postpone any action on the LISD appeal.

On October 16, 2014 LISD submitted their "Draft Habitat Conservation Plan and Environmental Assessment for the Proposed LISD Access Road". Their submittal also included a specific

"request for an incidental take permit under Section 10(a)(1)(B) of the Endangered Species Act". On October 28, 2014, under the Freedom of Information Act, the Secretary formally requested copies of the LISD submittals to the service. Because their proposed route and potential HCP were within or partially within the Balcones Canyonlands Preserve and the BCCP permit area, the Secretary wished to review these documents in order to understand their implications for BCCP and advise the Coordinating Committee.

On January 29, 2015, following reviews by the Secretary, BCP Staffs with the City and County, and the City's Watershed Protection Department, the Secretary provided LISD with staffs' review comments along with the Secretary's advice about how LISD might move their project forward in a manner consistent with BCCP, as a managing partner.

On March 2, 2015, LISD's legal counsel responded to the Secretary's comments, rebuking them, with copies to members, various elected officials and congress members. On March 13, 2015 the Secretary provided members with his response to the District's letter.



William A. Conrad