

April 4, 2022

Dear Mayor Adler and Members of City Council,

This is a joint letter from Merlin Tuttle's Bat Conservation (MTBC), Bat Conservation International (BCI), and Austin Bat Refuge (ABR) regarding the South-Central Waterfront development plan proposed by Endeavor. It is clear to us that the City of Austin and Endeavor have carefully considered the bats in the process thus far and that the South-Central Waterfront Plan embraces the Congress Avenue Bridge bat colony as an asset and, in fact, a centerpiece of the development opportunity. Our organizations appreciate the discussions we have had with Endeavor regarding the bat population which seasonally occupies the structure of the Ann W. Richards Congress Avenue Bridge and are pleased to report that Endeavor has been responsive to our concerns. The proposed project, in the design phase, appears to have taken great care to consider its potential impact on the bats.

We offer some additional clarification surrounding the Planning Commission discussion topics and amendments for the 305 S Congress PUD. Our three organizations are national experts on bat conservation and needs. Our individual organizations' qualifications can be found at the end of this letter.

We have worked together to provide a cohesive review and perspective to the four topics discussed at Planning Commission for the 305 S Congress PUD that were specifically created to protect Austin's bat population. Please see our unified responses below:

1. **Planning Commission Amendment #8:** "Applicant shall provide a minimum 10 feet wide natural vegetative buffer along the dedicated parkland adjacent to the Congress Avenue Bridge, exclusive of the reconstructed hike & bike trail."
 - **Unified Bat Expert Response:** There is a 20-22 foot buffer from the bridge to the Applicant's property line with a fence that protects this sensitive area in-place today. We support keeping the current buffer in-place and do not perceive any tangible additional benefits from extending a vegetative buffer 10 feet, which ultimately takes away valued parkland and bat viewing area. Further, we have concerns about adding vegetation in this area due to potential for overgrowth and interference with the bats' emergences and visitor viewing opportunities. We favor replacing the existing fence with a new fence given the fence's current condition, but we are not in favor of adding a vegetative buffer.
2. **Planning Commission Amendment #13:** "Land Use Summary: A minimum of 1,000 square feet of commercial ground floor space adjacent to the parkland or plaza shall be provided for bat education in coordination with Bat Conservation International, Merlin Tuttle's Bat Conservation, and Austin Bat Refuge."
 - **Unified Bat Expert Response:** The Applicant volunteered this idea to Merlin Tuttle's Bat Conservation early in the process as they saw it as an important educational opportunity. The Applicant brought this to the attention of the Planning Commission, and jointly decided to seek advice from the three bat conservation groups on how best to proceed. We greatly appreciate the applicant's offer of space for unique educational opportunities.

3. **Planning Commission topic that did not make it into the final Amendment list:** "Setbacks and Land Use Map: Residential use is prohibited within a 400' radius of the northwest corner of the property below 20' above the elevation of the Congress Ave bridge pavement."
- **Unified Bat Expert Response:** This is not a necessary concern from our perspective. The buildings as proposed are set far enough south that they will not obstruct the flight patterns for the bats. We have worked with the Applicant since the start of their planning process to ensure the location and orientation of their proposed buildings will not be an issue to the iconic Congress Avenue Bridge bat colony.
4. **Planning Commission Amendment #7:** "The landowner may suggest and PARD shall prepare a biennial Annual Park Programming Plan (AP3) for the dedicated parkland and solicit and consider comments from the Watershed Department, Bat Conservation International, and the landowner. The AP3 shall be submitted, along with stakeholder comments, to the South Central Waterfront Advisory Board for recommendation and the Parks and Recreation Board for consideration. The AP3 will take effect upon approval by the Parks and Recreation Board, and amendments to the AP3 shall follow the same procedure."
- **Unified Bat Expert Response:** We understand that the structure of park programming and maintenance has not been finalized yet. As a group, we would like a commitment from the City to have an opportunity annually to discuss and influence the programming plan, rules, and best practices around events taking on or adjacent to Congress Avenue Bridge. The Applicant has fully supported this notion.

This development includes exciting opportunities to further education and conservation efforts of our bat population with local Austinites as well as the thousands of tourists that come to see them every year. Endeavor has been very thoughtful about the protection of the bat colony since the planning phase of their project and have incorporated the ideas we initially brought to the table when we met with them several years ago. We appreciate their receptiveness and look forward to seeing this project become a reality.

Sincerely,



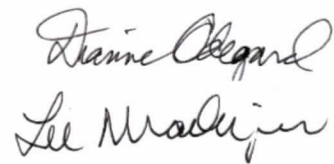
Merlin Tuttle

Merlin Tuttle's Bat Conservation



Mylea Bayless

Bat Conservation International



Dianne Odegard

Lee Mackenzie

Austin Bat Refuge

Merlin Tuttle's Bat Conservation:

Dr. Merlin Tuttle has studied bats for more than 60 years. He founded both Bat Conservation International (BCI) and Merlin Tuttle's Bat Conservation (MTBC), but now exclusively leads MTBC as Founder and Executive Director. He is a Research Fellow, Department of Integrative Biology, University of Texas at Austin. A full listing of Dr. Tuttle's qualifications would be too extensive for this letter but can

be found at merlintuttle.org/summary-vitae/. MTBC is led by Dr. Tuttle, and its mission is to inspire bat conservation worldwide. He personally led the efforts to save Austin's Congress Ave Bridge bats in the 1980s, and made them world famous through countless articles, media appearances, and lectures. He also developed educational signage for the area and convinced the city to erect protective fencing and post signs warning against handling bats to keep visitors safe. Furthermore, he convinced the University of Texas Economics Department to conduct a study documenting the multimillion-dollar-a-year tourism value of these bats. In honor of Dr. Tuttle's accomplishments, Mayor Steve Adler recently declared August 26 as Merlin Tuttle Day in Austin. MTBC is the sole owner of his priceless collection of more than 120,000 National Geographic quality photos of bats worldwide, historical documentation of the Austin bat colony, and other resources that are unsurpassed and available nowhere else. The photo collection has been featured in five *National Geographic* articles and as the sole source for the 400 photos published in the Smithsonian book, *Bats: An Illustrated Guide to All Species*, for which Dr. Tuttle also served as Science Editor. His long-held dream is to secure his legacy by utilizing his photo collection and unique resources to form a firm foundation for a globally relevant bat education center in Austin. Dr. Tuttle has hand-picked and trained MTBC's staff to help him accomplish this goal. His mentorship and experience are invaluable.

Bat Conservation International's mission is to conserve the world's bats and their ecosystems to ensure a healthy planet. For 40 years, Bat Conservation International (BCI) has been dedicated to the enduring protection of global bat biodiversity and working for a world in which bats and humans successfully coexist. Founded in 1982 and headquartered in Austin, TX, BCI has a history of sustainable conservation projects and engaging the public to support bat conservation.

Austin Bat Refuge promotes respect for bats and their place in the environment through education, conflict resolution, and rehabilitation of bats in Austin and Central Texas. Since our founding in late 2015, we have provided bat education to thousands of visitors on weekends via our information table at Congress Avenue Bridge. We have also provided direct care for thousands of orphaned, injured, and displaced bats, including many from Congress and downtown Austin, while promoting peaceful coexistence by helping to resolve bat / human conflict. While we are pleased that many of our suggestions have been implemented in the project plans, we expect to be inevitably busier as the South Central Waterfront develops. We are available anytime to help minimize impacts on the Congress Avenue Bridge bats both during and after construction. We can provide the most recent trends in bat migration dates through our observations of bats via weather radar, data compiled daily since 2012, and we are always available for consultation. We are at the service of Central Texas bats and people, and we look forward to contributing to the education work at Congress Avenue Bridge for years to come.