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RESOLUTION NO.

WHEREAS, the Hays County Commissioners Court adopted an updated Hays County Transportation Plan in July 2021 that includes at least two major road projects that conflict with the recently updated Austin Strategic Mobility Plan, the Imagine Austin Plan, and Travis County’s Land Water and Transportation Plan; and

WHEREAS, one of these proposed projects, labeled RC 5 and RC 6, would build a new highway across City of Austin Barton Springs water quality protection lands and the Barton Springs Edwards Aquifer recharge and contributing zones, and would connect to the southern end of Mopac and/or the southern end of Escarpment, with a spur connection to RM 1826, while extending almost 10 miles to the south to FM 150, as shown on the adopted Hays County Transportation Plan Map, Exhibit A; and

WHEREAS, this road project labeled RC 5 and RC 6 and sometimes referred to as the Rutherford Ranch bypass, has not been supported with any kind of documentation demonstrating a transportation need for the proposed road; and

WHEREAS, if built this road could cause serious harm to both the City owned Water Quality Protection Lands as well as to privately owned lands protected by City of Austin Water Quality Protection Lands conservation easements; and

WHEREAS, the other road project, labeled RC 7 in Exhibit A, would, if built, connect SH 45 to Interstate 35; and

25 **WHEREAS**, this second road project would, if built, have the effect of
26 converting Mopac serving primarily as a local commuter highway for residents of
27 Travis, Hays, and Williamson counties into a partially tolled interstate freeway
28 alternative to Interstate 35, serving interregional and interstate car and truck traffic;
29 and

30 **WHEREAS**, this proposed extension of SH 45 SW was specifically
31 excluded from inclusion in both the Capital Area Metropolitan Planning
32 Organization (CAMPO) 2045 Long-Range Plan and the 2022 Austin Strategic
33 Mobility Plan; and

34 **WHEREAS**, due to its location over the Edwards Aquifer recharge zone as
35 well as crossing the surface catchment area and footprint of Flint Ridge cave, the
36 proposed SH 45 SW segment threatens to pollute Barton Springs and the Barton
37 Springs Edwards Aquifer; and

38 **WHEREAS**, early environmental studies indicated that recharge from the
39 proposed route would take three years to reach Barton Springs, but more recent
40 environmental studies indicate that recharge may reach Barton Springs in fewer
41 than three days; and

42 **WHEREAS**, the City and Travis County jointly hold the Balcones
43 Canyonlands Conservation Plan (BCCP) regional permit with the U.S. Fish and
44 Wildlife service under the Endangered Species Act, which requires that the City
45 and Travis County preserve the environmental integrity of Flint Ridge Cave and
46 protect the species within it, including two species of concern; and

47 **WHEREAS**, preservation of the environmental integrity of Flint Ridge
48 Cave requires protection of surface and subsurface catchment areas of the cave;
49 and

50 **WHEREAS**, the City, Travis County, and other partners have substantial
51 financial investments (more than \$47,000,000 by the City alone) used to purchase
52 Balcones Canyonlands Preserve (BCP) land under the BCCP permit with the total
53 value of improvements to land enabled by BCCP, has been assessed at more than
54 \$6,000,000; and

55 **WHEREAS**, Austin voters, through six bond elections, have invested
56 \$238,400,000 to purchase water quality protection lands to benefit Barton Springs;
57 and

58 **WHEREAS**, if built, this conversion of MoPac from a local commuter
59 highway into an alternative for Interstate 35 interregional and interstate traffic
60 would harm local commuters residing in Hays, Travis, and Williamson counties
61 and would not align with our approved regional CAMPO plan; and

62 **WHEREAS**, the City and Travis County need a clear understanding of any
63 direct and indirect costs, including costs associated with jeopardizing the
64 investment in BCCP preserve land, a potential amendment to the BCCP, possible
65 complications for future development, and increased congestion on MoPac; **NOW,**
66 **THEREFORE,**

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

68 City Council reaffirms its support for full compliance with the requirements
69 of the BCCP and the Endangered Species Act, including protection of Flint Ridge
70 Cave, the Barton Springs salamander, the Austin Blind salamander, and listed
71 endangered species and species of concern protected by the BCCP, and including
72 but not limited to the protection of water quality and quantity in the Barton Springs
73 Zone of the Edwards Aquifer in the construction and operation of all new highway
74 projects.

75 **BE IT FURTHER RESOLVED:**

76 The City Council hereby makes a formal request to the Honorable Hays
77 County Judge Ruben Becerra and the Hays County Commissioners Court to take
78 prompt action to remove the two proposed road projects, RC 5 and RC 6, from
79 their county plan.

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81 **BE IT FURTHER RESOLVED:**

82 The City Council hereby makes a formal request to the Honorable Hays
83 County Judge Ruben Becerra and the Hays County Commissioners Court to place
84 its recently approved study and preliminary design work for the RC 7 connection
85 of SH 45 SW to Interstate 35 on hold.

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87 **BE IT FURTHER RESOLVED:**

88 The City Council hereby makes a formal request to the Hays County
89 Commissioners Court, and directs the City Manager to invite Hays County to
90 initiate cooperative efforts with the City, to improve transportation connections,
91 potentially including regional transit solutions and watershed protections, between
92 the City, Travis County, and Hays County that do not threaten harm to the
93 Edwards Aquifer watershed or to lands overlying the Edwards Aquifer that have
94 been dedicated to permanent watershed and wildlife habitat protection by the City,
95 Travis County, Hays County, or private landowners and that do not undermine or
96 jeopardize the City and Travis County's BCCP obligations; and to continue to seek
97 ways to expand lands dedicated to aquifer watershed and wildlife habitat protection
98 in areas lying over and upstream of the Edwards Aquifer recharge zone.

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101 **ADOPTED:** _____, 2022

ATTEST: _____

Myrna Rios
City Clerk