

Riparian Zone Mitigation Fund

Clarifying the current language



WATERSHED
PROTECTION



Background

- Current Code allows qualifying projects to pay into the Riparian Zone Mitigation Fund when unable to provide 100% on-site mitigation for floodplain modifications.
- Enabling ordinance language explicitly gave staff the ability to use funds to purchase mitigation land.
- Due to rising land costs, staff find that a more effective use of this fund would be for restoration projects in many cases.
- Degraded condition of most floodplains in east Travis County will require restoration to improve function.
- WPD staff request that City Council amend the relevant ordinance language to clarify that the fund can be used for floodplain restoration projects.



Background

- Floodplain Modification prohibited in the Critical Water Quality Zone
- Floodplain Modification prohibited outside the Critical Water Quality Zone, with exceptions
 - Existing health and safety
 - Floodplains in fair or poor condition
 - Significant demonstrable environmental benefit



Background

Requirements

- be designed to accommodate existing and fully-vegetated conditions;
- encourage sound engineering and ecological practices, prevent and reduce degradation of water quality, and encourage the stability and integrity of floodplains and waterways, as prescribed in the floodplain modification criteria in the Environmental Criteria Manual;
- restore floodplain health, or provide mitigation if restoration is infeasible, to support natural functions and processes as prescribed in the floodplain modification criteria in the Environmental Criteria Manual; and
- comply with the requirements of Chapter 25-7 (Drainage), the Drainage Criteria Manual, and the Environmental Criteria Manual.



Background

Intent

- **preserving** the natural and traditional character of the land and waterway;
- encouraging sound engineering and ecological practices;
- **preventing** and reducing degradation of water quality;
- encouraging the stability and integrity of floodplains and waterways; and
- **restoring** floodplain health to support natural functions and processes.

Country Club Creek⁶ Trail



Current language

PART 81. The Riparian Zone Mitigation Fund is established. The director of the Watershed Protection Department may allocate money from the Riparian Zone Mitigation Fund for the purchase of restrictions on or fee title of property within the same watershed classification as the proposed floodplain modification either inside or outside the City of Austin's jurisdiction, as provided in City Code Sections 25-8-364 and 30-5-364 (*Floodplain Modification*). The fee for mitigation under City Code Section 25-8-27 (*Redevelopment Exception in the Barton Springs Zone*) shall apply to mitigation required under City Code Sections 25-8-364 and 30-5-364 (*Floodplain Modification*).



Current language

The Riparian Zone Mitigation is established. The director of the Watershed Protection Department may allocate money from the Riparian Zone Mitigation Fund for the purchase of restrictions on or fee title of property within the same watershed classification as the proposed floodplain modification either inside or outside the City of Austin's jurisdiction, as provided [...]



Proposed language

The Riparian Zone Mitigation is established. The director of the Watershed Protection Department may allocate money from the Riparian Zone Mitigation Fund for the purchase of restrictions on or fee title of property, or for the implementation of projects or programs to restore or protect floodplain health, within the same watershed classification as the proposed floodplain modification either inside or outside the City of Austin's jurisdiction, as provided [...]



Why is this important?

- Adds clarity in the language
- Clarifies original intent of the Floodplain Modification provisions in code and criteria
- Helps emphasize addressing urgent restoration needs, particularly in the urban and suburban watersheds within the Blackland



Request from the Environmental Comission

Issue a recommendation to change in language to provide clarity and meet the intent of the floodplain modification provisions in code and criteria



Questions/Comments

