



Recommendation for Action

File #: 23-2260, **Agenda Item #:** 134.

7/20/2023

Posting Language

Set a public hearing to consider an ordinance granting a site-specific amendment to City Code Section 25-8-514 of the Save Our Springs Initiative, and granting variances to City Code Sections 25-8-263 25-8-341, 25-8-342, and 25-8-482 to allow construction of the Little Bear Recharge Enhancement Project (SP-2022-0462D, Capitol Improvement Project No. 6660.024) located within the Barton Springs Zone. (Suggested date: August 31, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas).

Lead Department

Watershed Protection Department.

Fiscal Note

Funds for construction are allocated in the Watershed Protection Department Capital Improvement budget for Fiscal Year 2024. Funds for maintenance are in the annual operating budget for Watershed Protection Department.

Prior Council Action:

April 20, 2023 - City Council approved Resolution No. 20230420-026, initiating site-specific amendments to City Code Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), as minimally required to address development related to the proposed Little Bear Recharge Enhancement Project (Capitol Improvement Project No. 6660.024) located within the Barton Springs Zone.

November 18, 2010 - Authorize negotiation and execution of an Interlocal Agreement with Lower Colorado River Authority and the Barton Springs/Edwards Aquifer Conservation District regarding water rights for the Stoneledge Recharge Enhancement Project.

July 17, 2003 - Council passed Resolution No. 20030717-94 authorizing acceptance of funds from Hill Country Conservancy to establish a flow station to gage flow in Little Bear Creek adjacent to the quarry.

April 25, 2002 - City Council approved Resolution No. 20020425-18 to purchase the Wenzel property. To be set for public hearing by City Council on August 31, 2023.

For More Information:

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Council Committee, Boards and Commission Action:

Staff proposal recommended by the Codes and Ordinances Joint Committee June 21, 2023, by a vote of 6-0.

The proposal will be considered by the Environmental Commission on July 5, 2023, and by the Planning Commission on July 25, 2023.

Additional Backup Information:

The Edwards Aquifer is a federally-designated, sole-source aquifer, which serves as a primary source of drinking water for tens of thousands of people and is a vital resource to the general economy and welfare of the City of Austin and the State of Texas.

Through land purchases and conservation easements, the City of Austin now protects over 33,000 acres of land in the recharge and contributing zones of the Aquifer to benefit water quality and quantity. In 2002, the City of Austin used Open Space Bond Funds to purchase an 86.4-acre tract within the Edwards Aquifer Recharge Zone ("Wenzel Tract") in northern Hays County that includes the 18-acre Stoneledge Quarry. The purchase of the abandoned Stoneledge Quarry was in partnership with the Hill Country Conservancy for the purpose of constructing the recharge enhancement facility.

The Little Bear Creek Recharge Enhancement project proposes to divert a portion (30% to 50%) of the flood flows above 50 cubic feet per second from Little Bear Creek through a diversion channel into Stoneledge Quarry, where the water will slowly recharge the Aquifer thereby increasing aquifer storage and enhancing flows at Barton Springs.

The upstream drainage area to the proposed diversion channel is approximately 7,000 acres, of which 42% (approximately 2,900 acres) is protected from future development by fee simple and Conservation Easement purchases and includes the Ashmun, Nester, Hays County Ranch and Cypress Water Quality Protection Lands.

Construction of the Little Bear Creek Recharge Enhancement Facility will require floodplain modification within the CWQZ and development in the WQTZ to construct and connect the diversion channel from Little Bear Creek to the quarry and allow for the diversion of flood waters as proposed. The grading associated with the channel construction also requires cut and fill in excess of 4 feet. The initiated code amendment would allow the Little Bear Recharge Enhancement Project (Capitol Improvement Project No. 6660.024) to allow development in the CWQZ in the Barton Springs Zone (LDC 25-8-514), exceed Cut (LDC 25-8-341) and Fill (LDC 25-8-342), allow Floodplain Modification (LDC 25-8-263), and allow construction in the Water Quality Transition Zone (LDC 25-8-482). Amendments to the Save Our Springs Initiative in City Code Per City Code LDC 25-8-512 require an affirmative vote of a three-quarters majority of the City Council.