

DRAFT



**ANIMAL ADVISORY COMMISSION RECOMMENDATION 20230814-006**

Date: August 14, 2023

Subject: Zilker Metropolitan Park Vision Plan

Motioned By:

Seconded By:

**Recommendation**

The Animal Advisory Commission recommends that Austin City Council approve a plan for Zilker Metropolitan Park only after the conditions described below are met.

**Description of Recommendation to Council**

The Animal Advisory Commission (AAC or Commission) commends the Council for shelving the May 2023 draft Zilker Metropolitan Vision Plan (May 2023 draft plan, or draft plan) and for indicating the need for a fresh start and a new vision. The Commission recommends that Council direct staff to incorporate the following into any renewed planning effort.

**Approach the new planning effort by:**

- (1) Broadening the focus beyond human users of the park to genuinely include people and local ecology; and
- (2) Consulting with the native people of the area, specifically the Coahuiltecan Miakan Garza Clan, who revere Tza Wan Pupako (Barton Springs) as part of their creation story; and
- (3) Framing the new vision consistent with the City’s 2020 Climate Equity Plan, where equity and environmental interests enhance, rather than compete with, one another; and
- (4) Centering a future plan on the protection of Barton Springs and the two endangered species, recognizing that the salamander is as iconic to the springs, as the springs are to Zilker Park, and Zilker Park is to Austin.

**The Commission recognizes the hard work of many people to develop the May 2023 draft plan and at the same time recommends the following changes to improve a future plan:**

(5) Adopt a vision of a nature- and recreation-based park that prioritizes daily park users and enhances physical and mental health, rather than a vision of enhanced events and entertainment; that includes affordable, convenient options for accessing the park from all quadrants of the city instead of supporting a car-centric culture; and that results in areas with a functioning ecosystem vs. a groomed, landscaped design; and

(6) Flip the focus of the budget from  $\frac{3}{4}$  construction to  $\frac{3}{4}$  land and water restoration and significantly reducing the \$200 million price tag; and

(7) Expand areas to be “rewilded,” to bring back pockets of wildlife habitat amid the city’s concrete and asphalt, to add more shade, to reduce the urban heat island effect, and to enhance climate mitigation, and

(8) Add more wildlife-friendly features such as lighting that meets “dark skies” standards (excepting the Moontower); placing a greater emphasis on the City’s commitment to habitat for the migratory monarch butterfly population; and demonstrating a greater commitment to biodiversity and connectivity, and

(9) Omit from a future plan:

(a) two of the three parking garages due to their proximity to the critical habitat of two federally protected endangered species;

(b) the theater on the Great Lawn that would reduce open green space, and (by providing a venue for more events) that would potentially reduce the number of days that Zilker Park is open to people walking their dogs and to other daily park users; and

(c) two of the three bridges over Barton Creek; bridges— during construction and over the long-term—have significant potential to cause erosion, take out trees and other vegetation, and negatively affect aquatic habitat.

#### **Rationale:**

Section 2-1-102 of the City Code states that the Animal Advisory Commission shall advise the Council on animal welfare policies and on budget priorities identified by the Commission and the community; promote collaboration between the City and private citizens, institutions, and agencies interested in or conducting activities relating to animal welfare in the city; and identify proactive, creative approaches to engage and facilitate communication within the animal welfare community. The Commission may study, advise, and report on policy recommendations it deems effective to promote animal welfare outcomes consistent with City goals and objectives as outlined by City Council and the City Manager. The term “animal welfare” encompasses both the wellbeing of pets and domesticated animals, as well as captured and free-roaming wildlife.

The City of Austin Parks and Recreation Department prepared a draft Zilker Metropolitan Park Vision Plan (May 11, 2023), originally scheduled for consideration by Council on August 31, 2023. The draft plan, although shelved by Council on August 7, 2023, had significant implications for animals—for pets, birds, and other terrestrial and aquatic wildlife, including two species of federally protected salamanders, the Austin blind salamander and the Barton Springs salamander, both of which are critically endangered; however, the draft plan almost exclusively focused on human uses of the park and did not adequately consider impacts on other species.

Of most acute environmental concern are the threats the draft plan posed to the continued survival of endangered species that reside within the park, species that, in the case of the Barton Springs Salamander, are found in Zilker Park and nowhere else in the world. The Edwards Aquifer recharge zone, which includes Zilker Park, is the critical area where water enters the aquifer through karst limestone that contains caves, faults, and conduits that do not filter out contaminants. Water from the recharge zone flows out in the prolific Barton Springs system and creates habitat for the endangered Austin Blind Salamander and Barton Springs Salamander. Activities, management actions, and construction in the park impact the recharge zone and areas immediately adjacent to the springs.

Some recommended actions in the draft plan supported the springs and salamanders by increasing water infiltration, reducing stormwater runoff, and improving water quality; however, other recommended actions in the draft plan would threaten the springs and the salamanders, such as construction and on-going use of two of the three parking garages. The Azie Morton Road parking garage was to be sited 100 yards from Zenobia Springs (aka Sunken Gardens or Old Mill) which is surface habitat of the Barton Springs salamander; this location is also directly above sub-surface habitat of the Austin Blind salamander. The centrally-located, underground parking garage was to be sited 300 yards from the main springs which is surface habitat of the Barton Springs salamander; this location is also at least partially above sub-surface habitat of the Austin Blind salamander.

For comparison, a 2018 residential geothermal well drilling incident 4,000 feet (1,333 yards) from Barton Springs caused a discharge of sediment into Barton Springs pool.<sup>1</sup> The draft plan did not adequately address the impact of proposed construction on these fragile populations and raised serious concerns that likely implicate the Endangered Species Act. If these large-scale construction projects in the draft plan were to move forward, it is very likely that any resulting action would trigger a long and protracted litigation that would consume City tax dollars and other resources that might be better dedicated to serving other community needs.

The May 2023 draft plan would also have led to significant changes in the Great Lawn of the park. The Great Lawn is the largest central city off-leash area and serves as the city's "backyard" for many residents of apartments and condominiums and their pets. The draft plan included elements, especially the theater, that would undermine the recommendations from the City's 2016 Parkland Events Task Force about limiting the number of days for events in the park. Limiting events both curbs environmental damage and keeps the park open to daily park users.

The draft plan proposed some actions to restore both land and water and to improve habitat for wildlife abundance and diversity, such as enhanced plant communities and tree canopy, riparian restoration of Barton Creek, green stormwater infrastructure, and climate mitigation; however, on balance, restoration efforts in the draft plan fell short as many mature trees would have been taken out to accommodate construction projects, landscaped areas would have required resource-intensive long-term management, bridge construction would have threatened riparian habitat, and carbon emissions would actually have exceeded carbon sequestration<sup>2</sup>. Rewilding—a restoration process where nature takes the lead guided by

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<sup>1</sup> Barton Springs Pool Turbidity Event, December 2018. City of Austin/Environmental Commission June 19, 2019 David A. Johns, PG <https://services.austintexas.gov/edims/document.cfm?id=321884>

<sup>2</sup> Letter, Carbon Analysis <https://drive.google.com/file/d/1-PE4hmAHyqUXILLDKEpf0RosgzRE49mb/view>

adaptive vegetation management—presents a more ecologically and economically sustainable model for restoration and in the context of a city also accommodates the needs of people and infrastructure.

**Vote**

For:

Against:

Abstain:

Absent:

Attest: *[Staff or board member can sign]*