

Posting Language

Recommend approval of a resolution to submit an application to the U.S. Fish and Wildlife Service to extend the Balcones Canyonlands Conservation Plan regional section 10(a) permit for a duration of 15 years (extended term May 2, 2026 – May 2, 2041), for incidental take of federally listed endangered species under section 10(a)(1)(B) of the Endangered Species Act.

Lead Department

Austin Water

Client Department

Austin Water Assistant Director of Environmental, Planning & Development Services, Kevin Critendon

Fiscal Note

This item has no fiscal impact.

Prior Council Action

April 25, 1996 - Council authorized acceptance of the Balcones Canyonlands Conservation Plan (BCCP) regional section 10(a) permit

Council Committee, Boards and Commission Action

September 13, 2023 - To be reviewed by the Water & Wastewater Commission

Additional Backup Information

The Balcones Canyonlands Conservation Plan (BCCP) provides a fast-track solution to habitat mitigation for Endangered Species Act compliance that supports economic growth and protection of endangered species habitat. It honors multiple community priorities by enabling the construction of roads, utilities, and buildings, while upholding a commitment to natural resources, including the parks, creeks, and preserves that make up our green infrastructure. The BCCP Permit is the name given to the Federal Endangered Species Act Incidental Take Permit issued to the City of Austin and Travis County in 1996 by the U.S. Fish and Wildlife Service combined with the BCCP Habitat Conservation Plan which is the governing document that established the Balcones Canyonlands Preserve (BCP). The permitting process for infrastructure projects and the City owned BCP lands are managed by Austin Water. Some tracts within the Balcones Canyonlands Preserve system are City parks and are co-managed with the Parks and Recreation Department. In the 25+ years since the BCCP was created, more than 1,200 private landowners and developers have applied for BCCP take permits, resulting in the development of over 17,100 acres and the authorization of more than 300 public infrastructure projects.

Since 1996, developers and infrastructure providers have obtained their endangered species take authorization for the BCCP covered species directly from the City or the County, providing a faster alternative to the USFWS permitting process and with much lower mitigation costs and with more certainty in project cost and timing. The current 30-year BCCP Permit expires on May 2, 2026. The City and the County have succeeded in protecting enough land to more than offset the authorized take for BCCP covered species. Mitigation lands protected have outpaced habitat take, allowing for continued take authorization. Travis County continues to see tremendous growth. Extending the



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Council: September 21, 2023**

duration of the BCCP Permit for an additional 15 years will allow the City and County to continue to meet the needs of local development for take authorization under the plan.