



City of San Antonio

Legislation Details (With Text)

File #: 14-698

Type: Staff Briefing - Without Ordinance

In control: City Council B Session

On agenda: 4/9/2014

Title: A briefing on the \$90 million Edwards Aquifer Protection Program sales tax venue project, to include presentation of the annual report of the program's 2013 activities and the recently completed sustainability study for the Aquifer Protection Program. [Peter Zaroni, Deputy City Manager; Mike Etienne, EastPoint & Real Estate Services; Francine Romero, Chair, Conservation Advisory Board]

Sponsors:

Indexes: CIMS Real Estate

Code sections:

Attachments: 1. EAPP Map_propositions differentiated - 2.24.2014, 2. CAB Roster - 3.18.2014, 3. Annual Report - 1.8.2014, 4. Edwards Program Sustainability Study

| Date | Ver. | Action By | Action | Result |
|----------|------|------------------------|--------|--------|
| 4/9/2014 | 1 | City Council B Session | | |

DEPARTMENT: Office of EastPoint and Real Estate

DEPARTMENT HEAD: Mike Etienne

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT: Edwards Aquifer Protection Program Annual Report

SUMMARY:

City staff and the Conservation Advisory Board (CAB) will provide a briefing to the City Council on the \$90 million Edwards Aquifer Protection Program, a sales tax venue initiative approved by voters in November of 2010.

BACKGROUND INFORMATION:

In May of 2000, voters approved the first aquifer protection program, a 1/8-cent sales tax venue up to \$45 million, for the acquisition of lands over the Edwards Aquifer, for parks and watershed protection. That program, referred to as "Proposition Three," ran from 2000 through 2005, was limited to Bexar County and acquired more than 6,500 acres as Natural Areas for the City of San Antonio.

A second program, the Edwards Aquifer Protection Venue Project, referred to as "Proposition 1," was passed by voters in 2005 and also funded with a 1/8th-cent sales tax up to the amount of \$90 million. It served as an extension of that initial 2000 endeavor, although the scope was narrowed to watershed protection and, due to a change in the legislation, funds could be expended outside of Bexar County. The goal of that program was to

obtain property rights by fee-simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer. Under the 2005 Proposition 1, over 90,000 acres of land over the aquifer were protected for water quality and quantity purposes.

In November of 2010, San Antonio voters passed an extension of the 2005 Edwards Aquifer Protection Venue Project, again authorizing the collection of \$90 million through the 1/8th-cent sales tax to be used toward the acquisition of property interests over the sensitive zones of the Edwards Aquifer. The 2010 program, current underway, was also listed on the ballot as “Proposition 1,” and is known as the Edwards Aquifer Protection Program. The purpose of the Edwards Aquifer Protection Program is to obtain property rights by fee-simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer to protect the quantity and quality of water recharging into the aquifer for the protection of San Antonio’s primary drinking water source.

The principal scope and purpose of this program is defined and limited by the terms found in the authorizing legislation, specifically, the aforementioned ballot measures and Texas Local Government Code §334.001(4)(F) which provides the following definition:

a watershed protection and preservation project; a recharge, recharge area, or recharge feature protection project; a conservation easement; or an open-space preservation program intended to protect water.

In June 2005, Mayor Phil Hardberger and the City Council appointed a Conservation Advisory Board (CAB), the membership of which was re-confirmed in August of 2008 as comprised of the following representatives:

- 1) Texas Parks and Wildlife
- 2) Edwards Aquifer Authority
- 3) San Antonio River Authority
- 4) San Antonio Water System
- 5) Parks and Recreation Advisory Board
- 6) The Economic Development Foundation
- 7) Medina County Board Member
- 8) Uvalde County Board Member
- 9) COSA Parks and Recreation Director

The CAB is charged with providing input and advice to staff and the City Council regarding (i) the acquisition of sensitive lands over the Edwards Aquifer acquired pursuant to the program and the appropriate development and stewardship of such lands; and (ii) the stewardship and monitoring of conservation easements acquired under the program.

Properties are first identified through use of a GIS spatial-model created by the Scientific Evaluation Team (SET). Members of the SET were comprised of the following representatives:

- 1) COSA Parks and Recreation Department
- 2) Edwards Aquifer Authority
- 3) U.S. Department of Agriculture - Natural Resources Conservation Service
- 4) San Antonio River Authority
- 5) San Antonio Water System
- 6) Texas Parks and Wildlife
- 7) U.S. Fish and Wildlife Service
- 8) U.S. Geological Survey

9) Bosse & Associates

A Land Acquisition Team (LAT) composed of non-profit land conservation trusts (Bexar Land Trust *dba* Green Spaces Alliance of South Texas, and The Nature Conservancy) and the program's Project Manager regularly report to the CAB on the availability of certain tracts for acquisition. In addition to the 6,553 acres acquired under the earlier Proposition 3 Parks Venue Program, 90,172 acres were approved by City Council and protected under the 2005 Proposition 1 program, and 23,122 acres have been protected under the 2010 Proposition 1 program so far, for a grand total of 119,847 acres to date. This is equal to over 20% of the land over the Edwards Aquifer Recharge Zone that affects San Antonio. It is also the equivalent of 187 square miles of land, which would be the equivalent of over 45% of the City of San Antonio in size.

ISSUE:

This is an informational briefing to City Council on the status of the City's Edwards Aquifer Protection Program.

Staff, in conjunction with the Chair of the City Council-appointed Conservation Advisory Board (CAB), will present general information on the status of the 1/8-cent sales tax venue funded program, including background information about the program and the Edwards Aquifer, as well as an annual report of the program's activities in 2013. Additionally, the CAB Chair will discuss the results of a sustainability study conducted by national research firm LMI on the City's aquifer protection program for the purposes of assessing the current status and long-term viability of the City's Edwards Aquifer Protection Program.

ALTERNATIVES:

N/A

FISCAL IMPACT:

N/A

RECOMMENDATION:

There is no recommendation associated with this briefing item.