

**BALCONES CANYONLANDS PRESERVE
LAND MANAGEMENT PLAN**

TIER I

**BALCONES CANYONLANDS PRESERVE
OVERVIEW**



August 2007

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USFWS ENDANGERED SPECIES ACT PERMIT # PRT-788841 ISSUED JOINTLY TO THE CITY OF AUSTIN AND TRAVIS COUNTY ON MAY 2, 1996

APPENDIX B

SPECIES OF CONCERN FOUND IN OR WITH THE POTENTIAL TO BE FOUND IN TRAVIS COUNTY

APPENDIX C

LAND MANAGEMENT PLAN UPDATE COMMENTS

EXECUTIVE SUMMARY

The Balcones Canyonlands Preserve (BCP) is an assemblage of properties in western Travis County established to protect federally-listed endangered species and numerous other species of concern. The BCP was created by and managed under U.S. Fish and Wildlife Service (USFWS) permit PRT-788841 issued under Section 10(a)1(B) of the Endangered Species Act. The City of Austin and Travis County share responsibility as joint Permit Holders for compliance with the terms and conditions of the federal permit issued on May 2, 1996. The Permit Holders are joined by a Managing Partner (the Lower Colorado River Authority) and other cooperating entities (including private landowners, The Nature Conservancy of Texas, Travis Audubon Society and others) in owning and managing designated properties within the Preserve. These entities are collectively referred to as the BCP Partners.

The BCP provides an important component of the USFWS species recovery plans for two endangered neo-tropical migratory songbirds, the golden-cheeked warbler (GCWA) and the black-capped vireo (BCVI). The federal permit requires that at least 28,428 acres be set aside in perpetuity as preserve land for the GCWA, and at least 2,000 acres be set aside and managed for the BCVI. Permit conditions also direct the protection of 62 karst features which provide habitat for six endangered karst invertebrates (Tooth Cave pseudoscorpion, Tooth Cave spider, Tooth Cave ground beetle, Kretschmarr Cave mold beetle, Bone Cave harvestman, and Bee Creek Cave harvestman) and 25 other karst invertebrates of concern. Two plant species of concern (canyon mock-orange and Texabama croton) are also covered under the permit. The protection of these non-listed species provides assurances to the permit holders under the USFWS “No Surprises” policy should any of these species be listed in the future. The regional permit does not include the aquatic *Eurycea* salamanders of Travis County. One member of this family, the Barton Springs salamander, is covered by a separate section 10(a)1(B) permit held by the City of Austin.

BCP land acquisition activities are focused within or contiguous to USFWS defined preserve acquisition areas. The Permit Holders split land acquisition and management funds generated through the sale of Participation Certificates. These certificates provide a mitigation process for otherwise lawful activities that result in “take” of endangered species or their habitat on private property. Travis County also generates land acquisition funding through redirected tax revenues on new development taking place in habitat areas. Landowners outside the BCCP permit area engaging in activities resulting in “take” may comply with the Endangered

Species Act through the USFWS consultation process. Lands within the USFWS designated potential BCP and BCNWR are not within the BCCP permit area.

The BCP Partners shall retain ownership and management responsibility of lands dedicated to the Preserve throughout the 30-year term of the regional permit. The BCP Partners are obligated to abide by the Land Management Plans and Guidelines found in the permit's Final Environmental Impact Statement/Habitat Conservation Plan. Land management plans complying with the federal permit and with guidelines found within this document are created by land managers and submitted to the USFWS. The BCP Land Management Plan directs all activities on newly acquired tracts until an individual management plan is finalized.

This BCP Overview is the summary document for all BCP land management planning. It represents the top of a three-tiered pyramid concept representing a comprehensive preserve management plan. Detailed information concerning land management guidance and specific preserve properties is located in the accompanying Tier II and Tier III documents.

BALCONES CANYONLANDS PRESERVE OVERVIEW

1.0 PRESERVE MANAGEMENT PLANS CONCEPT

1.1 Preserve Management Overview

This document provides an overview of the preserve system known as the Balcones Canyonlands Preserve (BCP) that was created by the terms and conditions of the Balcones Canyonlands Conservation Plan (BCCP). The BCCP is the basis for the USFWS regional 10(a)1(B) permit issued to the City of Austin and Travis County in 1996. This document describes the relationship between the BCP and the federal BCCP permit, the associations between private and public partners, the species whose protection initiated this endeavor, and the management obligations ensuring the protection, maintenance and enhancement of populations of protected species.

1.2 Tiered Document Concept

The BCP management overview comprises Tier I, the first document in a three-tiered pyramid of land management plans prepared to comply with federal BCCP permit conditions. Tier II consists of three components: a Management Handbook that provides technical guidance on a variety of topics (Tier II-A); a Plan Administration description that details operation of the plan and how it achieves the terms and conditions set forth in the BCCP permit (Tier II-B); and a description of the seven key macrosites that make up the BCP (Tier II-C). Tier III consists of land management plans for each individual tract dedicated to the BCP or managed by the BCP Partners as a portion of the preserve. Detailed information about individual tracts and management activities are described in the Tier III section of the document.

The tiered concept of the BCP land management plan was created to facilitate cooperation among property managers as they worked to achieve common preserve stewardship goals. Cooperation among BCP Partners in the development of the land management plan and subsequent revisions ensures that proposed management actions comply with common preserve goals and the key regulatory conditions of the federal BCCP permit.

2.0 PURPOSE AND NEED FOR THE PRESERVE SYSTEM

2.1 Regional Permit

The BCCP is a regional habitat conservation plan created to protect eight federally endangered species and numerous other species of concern that exist in western Travis County, Texas. The City of Austin and Travis County jointly applied to the USFWS for an incidental take permit under section 10(a)1(B) of the Endangered Species Act (hereafter, the

Act). Issued on May 2, 1996, the BCCP permit required that a minimum of 30,428 acres within designated BCP acquisition areas be set aside and managed as mitigation for loss of protected species and their habitat. In addition, the permit-holders agreed to protect populations of rare or unique plant species found within the preserve, and to protect a total of 62 significant karst features located throughout the western Travis County located outside of identified bird nesting and rearing habitat. A copy of the permit is included as Appendix A of this document. As co-permit holders, the City of Austin and Travis County are jointly responsible for ensuring compliance with BCCP permit terms and conditions.

The regional BCCP permit allows for the incidental take of the golden-cheeked warbler (*Dendroica chrysoparia*), the black-capped vireo (*Vireo atricapilla*), and six karst invertebrates known to occur within the BCCP permit area. Landowners wishing to undertake otherwise legal activities on their land that may result in “take” of protected plants or animals may purchase Participation Certificates through the BCCP public participation process that provides mitigation in accordance with the Act. Proceeds from these Certificates and other funding sources are used to acquire and manage the acreage necessary to complete the habitat preserve for these species. Lands identified as important nesting or rearing habitat by the USFWS in 1996 comprise potential BCP acquisition boundaries, and are not incorporated within the BCCP permit area. Landowners with property inside these BCP acquisition boundaries must comply with the Act for activities that constitute “take” through individual consultation with the USFWS.

2.2 Preserve Partnership

The City of Austin and Travis County are responsible for BCCP permit oversight of all lands purchased for and dedicated to the BCP. The Lower Colorado River Authority (LCRA) has entered into formal agreements with the BCCP permit holders granting this entity certain rights as a BCP Managing Partner. Other entities, including private landowners, the Nature Conservancy of Texas, the Travis Audubon Society, and others also manage lands in cooperation with the BCCP permit holders as portions of the BCP. These governmental, non-governmental and private entities together constitute the BCP Partners. Each BCP Partner is responsible for management of the tracts within the BCP system that they own and/or operate. Table 1 below lists the current BCP properties within each macrosite, their acreage and respective owner and/or managing partner.

The BCCP Permit Holders and the BCP Partners are responsible for ensuring that their BCP-dedicated lands are managed properly for the benefit of the species during the 30-year term of the permit. All land management activities must be consistent with the standards set forth

in the “Land Management Plans and Guidelines” described in more detail in Section 5.4 and in the Management Handbook (Tier II-A). These guidelines are taken from the management directives outlined in the Final Environmental Impact Statement and Habitat Conservation Plan for the BCCP including the “Shared Vision” and “Interlocal Cooperation Agreement” (see Appendix A of Tier II B, BCP Plan Administration).

Cooperation among BCP land managers working to achieve goals established by the BCCP has facilitated efficient and effective use of limited staff, personnel and financial resources. Collaborative efforts addressing research, biological monitoring, stewardship activities and education needs throughout the BCP are highly encouraged.

2.3 Interaction with Individual Permit Mitigation Areas

The USFWS has determined that certain privately held lands set aside as mitigation under the terms and conditions of individual section 10(a)1(B) permits, particularly those within or adjacent to the BCP acquisition boundaries, may be considered part of the BCP. See Table 1, BCP Ownership, for a listing of BCP properties owned or managed by the private sector in accordance with USFWS permits. Though land managers responsible for these mitigation parcels are bound only by those specific regulatory requirements set forth in their approved habitat conservation plans and associated USFWS permits, they are encouraged to participate in BCP Land Manager’s meetings. These quarterly meetings provide an open forum to discuss issues, practices, and concerns shared by all stewards of BCP lands.

2.4 Relationship to the Balcones Canyonlands National Wildlife Refuge (BCNWR)

The BCNWR is a federally owned and operated component of the Department of the Interior’s National Wildlife Refuge system and represents a key element of the species recovery plans for the golden-cheeked warbler (GCWA) and black-capped vireo (BCVI). Recovery strategies for each of these species include maintenance of self-sustaining populations in prescribed areas delineated upon geologic, vegetational or watershed boundaries (USFWS 1991, 1992). The BCNWR and the BCP protect and maintain high quality habitat within the breeding regions described in the recovery plans for these species.

The BCNWR was created by the USFWS in 1992. When complete, the BCNWR is anticipated to encompass approximately 46,000 acres of high quality nesting and rearing habitat for these two listed songbirds. The BCNWR currently comprises approximately 20,000 acres in Travis, Burnet and Williamson counties (D. Holle pers com). The close proximity of the BCNWR and the BCP are anticipated to allow mixing and genetic flow in populations of GCWA and BCVI within central Texas.

The BCNWR is considered an important partner in achieving the species recovery goals set forth in the BCCP. BCNWR staff cooperates with BCP land managers to address common issues, concerns and opportunities, and routinely participate in quarterly BCP Land Manager's meetings.

TABLE 1. BALCONES CANYONLANDS PRESERVE MANAGEMENT

(as of April 26, 2007)

<i>Macrosite</i>	<i>Property</i>	<i>Land Manager</i>	<i>Acreage</i>	<i>Total</i>
Barton Creek	Barton Creek Greenbelt	COA	813	
Barton Creek	Barton Creek Habitat Preserve	Nature Conservancy	4,084	
Barton Creek	Barton Creek Wilderness Park	COA	44	
Barton Creek	Barton Creek Wilderness Park	COA	955	
Barton Creek	Friesenhann	COA	62	
Barton Creek	Senna Hills	COA	35	
<i>Barton Creek Macrosite total acreage</i>			5,993	5,993
<i>Target preserve size</i>				6,330
<i>Remaining acres to manage</i>				337
Bull Creek	Barrow Preserve	COA	8	
Bull Creek	Beard Family Tract - Canyon Creek	COA	54	
Bull Creek	Beard, One Canyon Ridge, phase A	Private 10(a)	33	
Bull Creek	Bull Creek District Park	COA	28	
Bull Creek	Bull Creek Greenbelt	COA	197	
Bull Creek	Canyon Creek	COA	236	
Bull Creek	Canyon Creek Ltd - 4 tracts	NWTC MUD #2	405	
Bull Creek	Canyon Vista	Travis County	237	
Bull Creek	Canyon Vista Conservation Easement	Travis County	1	
Bull Creek	Concordia University	Travis County	250	
Bull Creek	Forest Ridge	COA	410	
Bull Creek	Four Points	Private 10(a)	187	
Bull Creek	Franklin Federal	COA	151	
Bull Creek	Gibson/Knott	COA	9	
Bull Creek	Hanks	COA	88	
Bull Creek	Hiller	COA	17	
Bull Creek	Hilltop	COA	50	
Bull Creek	Ivanhoe	COA	942	
Bull Creek	Jester/Burris	COA	294	
Bull Creek	Kruger	COA	96	
Bull Creek	Lanier	COA	133	
Bull Creek	Ribelin Ranch	Private 10(a)	240	
Bull Creek	Ribelin Ranch	Travis County	319	

Macrosite	Property	Land Manager	Acreage	Total
Bull Creek	St. Edwards Park	COA	50	
Bull Creek	Spicewood Springs Preserve	COA	8	
Bull Creek	Water Treatment Plant #4	COA - AWU	138	
Bull Creek	3M	COA	215	
Bull Creek Macrosite total acreage				4,796
Target preserve size				5,638
Remaining acres to manage				842
Cypress Creek	Attwood	Travis County	31	
Cypress Creek	Austin Simon	COA	100	
Cypress Creek	Baker Sanctuary	Travis Audubon	680	
Cypress Creek	Blake	Travis County	38	
Cypress Creek	Bunten	Travis County	141	
Cypress Creek	Cedar Park	City of Cedar Park	33	
Cypress Creek	Comanche Canyon Ranch	Private 10(a)	305	
Cypress Creek	The Crossings	Travis County	175	
Cypress Creek	Volente	Private 10(a)	827	
Cypress Creek	Grandview Hills 10(a)	Travis County	287	
Cypress Creek	Grandview Hills 10(a) Verandah Apts.	Travis County	24	
Cypress Creek	Grandview Hills, phase one	Travis County	263	
Cypress Creek	Grandview Hills, phase two	Travis County	318	
Cypress Creek	Grandview Hills Section 14, Lot 2	Travis County	35	
Cypress Creek	King	Travis County	59	
Cypress Creek	Lake Perspectives	Travis County	124	
Cypress Creek	Lehmann	Nature Conservancy	160	
Cypress Creek	Lime Creek	COA	494	
Cypress Creek	McGregor	LCRA	363	
Cypress Creek	Mirtsching	Travis County	2	
Cypress Creek	Nootsie	Travis County	120	
Cypress Creek	Romberg	Travis County	40	
Cypress Creek	Schulze	LCRA	13	
Cypress Creek	Stratton	Travis County	6	
Cypress Creek	TSNL Caves	Travis County	6	
Cypress Creek	Toops	Travis County	170	
Cypress Creek	Tomen Caves Tract	Travis County	141	
Cypress Creek	Vaughan, Davenport and Seven Oaks	LCRA	128	
Cypress Creek	Vista Point	Travis County	490	
Cypress Creek	Wheless	LCRA	2,176	
Cypress Creek Macrosite total acreage				7,749
Target preserve size				8,111
Remaining acres to manage				362

Macrosite	Property	Land Manager	Acreage	Total
N Lake Austin	Brown	Private 10(a)	9	
N Lake Austin	Coldwater Canyon	COA	427	
N Lake Austin	Cortana	COA	1,752	
	Gray Mountain Conservation			
N Lake Austin	Easement	Travis County	25	
N Lake Austin	Emma Long Park	COA	950	
N Lake Austin	Franzetti Conservation Easement	Travis County	53	
N Lake Austin	Greenshores	Travis County	52	
N Lake Austin	Greenshores II	Private 10(a)	19	
N Lake Austin	Hereford	Travis County	10	
N Lake Austin	Hunt	Private 10(a)	9	
N Lake Austin	Lake	Private 10(a)	9	
N Lake Austin	Long Canyon	COA	450	
N Lake Austin	Park West	COA	468	
	First River Place Res.			
N Lake Austin	River Place	& MUD	330	
N. Lake Austin Macrosite total acreage				4,563
Target preserve size				5,117
Remaining acres to manage				554
Pedernales	Hamilton Pool Preserve	Travis County	232	
Pedernales	Westcave Preserve	LCRA	27	
Pedernales Macrosite total acreage				259
Target preserve size				259
Remaining acres to manage				0
S Lake Austin	Balfour, 1	Baldin Development	121	
S Lake Austin	Bohls Ranch	COA	450	
S Lake Austin	Commons Ford Park	COA	115	
S Lake Austin	Double J&T	COA	1,729	
S Lake Austin	Lake Pointe, one Lk Pt. 1,2,3	SWTC MUD #5	147	
S Lake Austin	Lake Pointe, one Lk Pt. 4	SWTC MUD #5	93	
S Lake Austin	Medway Ranch	Travis County	344	
S Lake Austin	Reicher Ranch	COA	820	
S Lake Austin	Sansom	COA	13	
S Lake Austin	Schram Ranch	City of Lakeway	198	
South Lake Austin Macrosite total acreage				4,030
Target preserve size				4,491
Remaining acres to manage				461

Macrosite	Property	Land Manager manage	Acreage	Total
West Austin	Mount Bonnell	COA	3	
West Austin	Ullrich WTP Habitat Management	COA - AWU	18	
West Austin	Area	COA	214	
West Austin	Vireo Research Area	Travis County	227	
		West Austin Macrosite total acreage	462	462
		Target preserve size		482
		Remaining acres to manage		20
		Total Acreage to date		27,852
		Target preserve size		30,428
		Remaining acres to manage		2,576
N Lake Austin	Steiner Ranch	Travis County	819	
		Total Acreage outside the Preserve boundary managed as BCP land	819	

2.5 Macrosite Locations

For planning purposes, the western portion of Travis County was divided into 10 primary units based upon discrete watersheds. These subdivisions, referred to as macrosites (identified as Bull Creek, Cypress Creek, North Lake Austin, South Lake Austin, Barton Creek, West Austin, Pedernales River, Devils Hollow, Lake Travis, and Southwest Austin) range in size from 12,876 acres to greater than 103,500 acres (based on a 1997 Geographic Information System assessment by Travis County). **Figure One** below illustrates the relative locations of each macrosite. Each macrosite was assessed by the BCCP Executive Committee during the development of the habitat conservation plan to determine a relative priority rating (high, medium, or low). These ratings were intended to quantify relative long-term species viability and long-term habitat quality by macrosite. Considerations establishing the relative priority rankings included:

1. distribution and occurrence of species covered under the permit;
2. presence of potentially important karst-forming strata;
3. presence, size, and configuration of potential preserve land;
4. potential long-term viability of the potential preserve area; and
5. quality of the habitat expected with long-term management.

Of the ten identified macrosites, seven contain habitat identified as significant for inclusion within the 30,428 acre preserve system. These seven areas are the subject of the Tier II-C macrosite descriptions. Based on the considerations listed above, the regional BCCP permit established the following BCP acquisition priorities:

1. Bull Creek and Cypress Creek macrosites
2. South Lake Austin macrosite
3. North Lake Austin macrosite

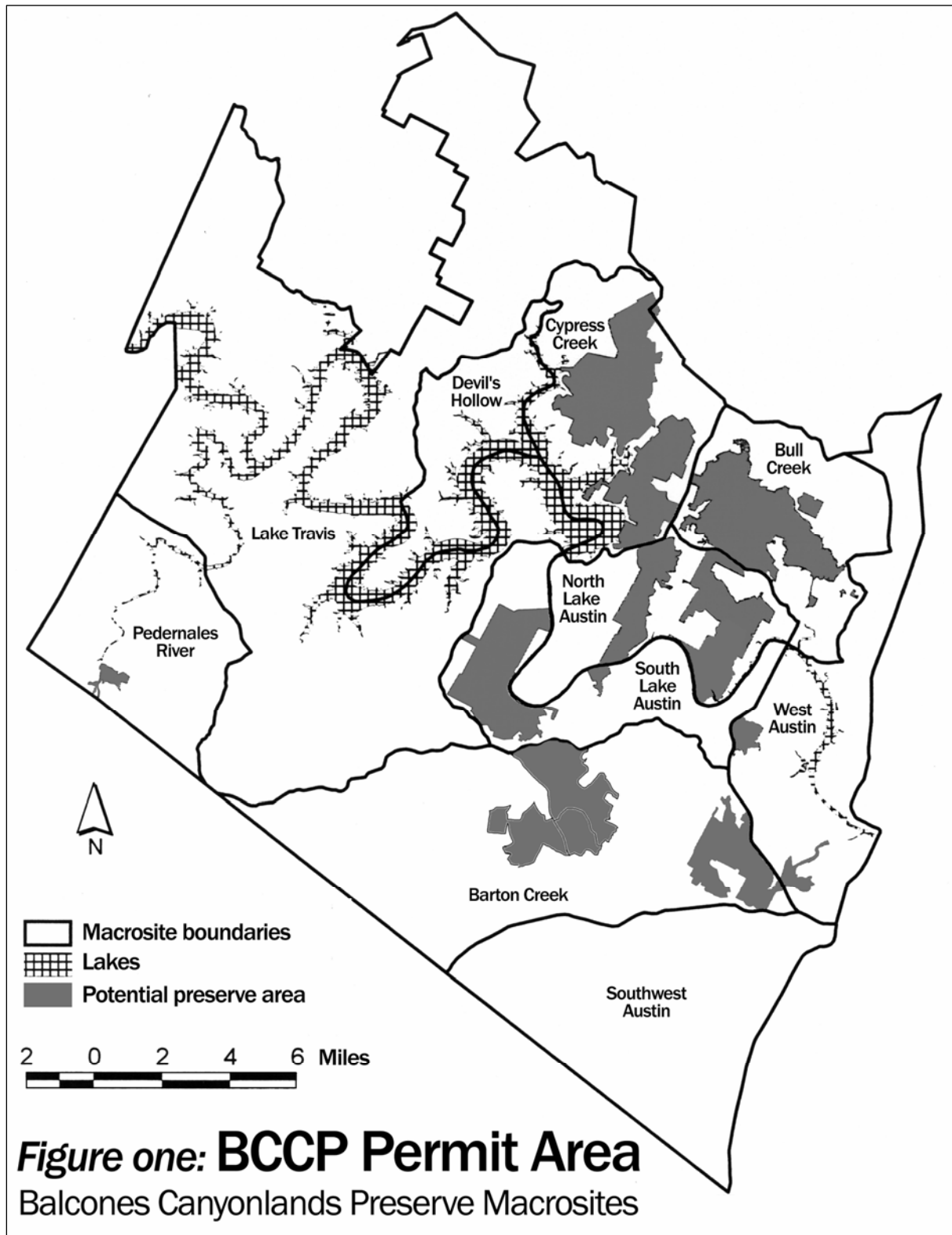
These priorities will guide future acquisition efforts within the identified potential preserve areas. Acquisition of property elsewhere in the Preserve may be considered when development threats are present or resources are available to assist motivated sellers.

3.0 BIOLOGICAL RESOURCES

3.1 General Flora and Fauna of the Edwards Plateau in Western Travis County

The permit area lies at the eastern edge of the Edwards Plateau Ecoregion where the Balcones escarpment marks the geological boundary between the uplifted Edwards Plateau on the west and the Blackland Prairie to the east. Western Travis County terrain, also referred to as a part of the Balcones Canyonlands, is characterized by high topographic relief of the Balcones escarpment and is highly dissected by the Colorado River and its tributaries.

Dominant vegetation communities found in western Travis County include grassland/savannah, oak-juniper woodlands, and bottomland/riparian woodlands. A high degree of endemism and distinct relict populations are characteristic of the Edwards plateau flora. A more thorough discussion of vegetation in western Travis County may be found in the Comprehensive Report of the BCCP Biological Advisory Team (BAT 1990). Section 3.2, Listed Species, provides a discussion of the two plant species (canyon mock-orange and *Texabama croton*) included in the BCCP permit.



Invertebrates of the Edwards Plateau occupy numerous ecological niches. Though little descriptive or quantitative data are available on the magnitude of the region's invertebrate fauna, over 700 invertebrate species have been collected from Texas caves including more than 100 troglobitic species (i.e., adapted to the subterranean environment). The unique species assemblages associated with the subterranean features and spring-fed drainages of the Balcones Canyonlands are of particular interest. The BCCP regional permit addresses six federally listed karst species and 25 other subterranean invertebrates that are species of concern (see Sections 3.2 and 3.3).

Karst invertebrates of western Travis County consist largely of obligate and facultative troglobitic arthropods including amphipods, isopods, scorpions, spiders, pseudoscorpions, mites and ticks, centipedes, millipedes, and insects. In addition to the numerous troglobitic arthropods inhabiting caves in the BCCP permit area, other invertebrates representing the phyla Platyhelminthes (flat worms), Mollusca (mollusks), and Annelida (round worms) are also found inhabiting mesic environments associated with the karst features of the Jollyville Plateau, a highly dissected area of steep canyons separated from the Hill Country by the erosion that formed the Colorado River Valley..

The ichthyofauna, or fish, of the Colorado River watershed represents an ecotonal or transitional assemblage consisting of representatives from both eastern (Mississippi Valley) and western (Rio Grande Valley) fish groups. There are 59 freshwater species native to the Colorado River basin, and numerous non-native species have been accidentally or purposefully introduced into the watershed. No species of fish are addressed in the regional BCCP permit.

The smalleye shiner (*Notropis buccula*), a federal species of concern, has apparently been introduced into the watercourses of Colorado River basin from the Brazos River basin. A single specimen was collected on Waller Creek within central Austin north of Town Lake. The Texas state fish, Guadalupe bass (*Micropterus treculi*), is another federal species of concern whose distribution is limited to a few drainages along the eastern edge of the Edwards Plateau, including Barton Creek, Bull Creek and the Colorado River upstream of Austin and is considered a locally important game fish. The blue sucker (*Cycleptus elongatus*), which inhabits the main stem river channel of the Colorado River, is a federal species of concern and is listed on the State of Texas threatened list. It has been suggested that the construction of dams along major drainages throughout its range has contributed to the decline of this species by blocking migration routes to preferred spawning areas.

Seventy-six of Texas' 204 species of reptiles and amphibians inhabit the Edwards Plateau Ecoregion. A single species of land turtle, 10 aquatic turtle species, 16 species of lizards, and 36 species of snakes represent the reptilian fauna of the area. No reptiles are restricted exclusively to the Balconian province. The region provides habitat for 15 species of frogs and toads and 15 salamander species. While many of the amphibian species are widely distributed, ten of the 15 salamander species are aquatic and limited to small "islands" of subterranean watercourses and springs of the Edwards Aquifer. There are no endangered or threatened reptiles or amphibians addressed under the regional BCCP permit. Reptiles and amphibians that may deserve further scrutiny throughout the term of the regional BCCP permit include the state-protected Texas horned lizard and the *Eurycea* salamanders.

The Texas horned lizard (*Phrynosoma cornutum*), a federal species of concern that is also on the State of Texas threatened list, inhabits flat, open terrain with sparse vegetation in sandy, gravelly, or loamy soils. In Travis County, the Texas horned lizard is an increasingly uncommon resident of oak-juniper uplands and old-field areas due to loss of habitat and food resources particularly native harvester ants, which have been aggressively displaced by non-native red imported fire ants (*Solenopsis invicta*).

Four species of *Eurycea* salamander occur in the BCCP permit area: the Barton Springs salamander (*Eurycea sosorum*) and the Austin blind salamander (*Eurycea waterlooensis*) occur in Barton Springs Pool along lower Barton Creek; the Jollyville Plateau salamander (*Eurycea tonkawae*) inhabits watercourses north of the Colorado River and Lake Travis; and the Texas salamander (*Eurycea* sp.) found in the Pedernales River basin. Salamanders from the genus *Eurycea* are unique neotenic members of epigeal (i.e., associated with the ground surface) communities. They are typically located where subterranean watercourses meet springheads or other surface water. The Barton Springs salamander is believed to be a largely hyporheic species that is rarely found on the surface. This species was listed as endangered on April 25, 1997, and is covered under a USFWS Section 10(a)1(B) permit issued to the City of Austin in October of 1998 (Permit PRT-839031). The Jollyville Plateau and Texas salamanders are comparatively more surface-dwelling in nature, although they also may occur within the aquifer. These species appear to have extremely limited geographical distributions.

The avian community of the Edwards Plateau is highly diverse. Travis County hosts nearly 400 bird species from 50 families. The avifauna of western Travis County reflects a general trend toward biogeographic overlap in species distribution. Wooded riparian areas allow

eastern Texas (Austroriparian) species to thrive, while the more xeric uplands sustain bird communities with western (Chihuahuan) and southern (Tamaulipan) affinities. The federally endangered black-capped vireo and the golden-cheeked warbler are addressed as primary species under the regional BCCP permit. See Section 3.2, Listed Species, for further details on these two Neotropical migrant songbirds.

The Edwards Plateau provides habitat for 57 species of mammals, none of which are unique to this area. Mammalian population densities are lower, for the most part, than those in the Southern Texas Plains to the south. This is usually attributed to the east meets west or ecotonal nature of available habitat and historic land management practices. Both of these factors may lower carrying capacity potentials for species already at the periphery of their distributions. No mammal species are covered under the BCCP permit.

3.2 Listed Species

The BCP was established to set aside and manage habitat for two federally listed bird species and six federally-listed karst species, as well as a number of other plants and animals termed species of concern.

3.2.1 Black-capped Vireo

The black-capped vireo (*Vireo atricapilla*, hereafter BCVI) is a small, neotropical migratory passerine bird (9-10 grams in weight and 11-12 cm in length) which nests in mixed deciduous or evergreen shrubland. The breeding range for the BCVI currently includes portions of Oklahoma, Texas, and Mexico. Its wintering range lies along the Pacific coast of Mexico. BCVI return to Texas from their wintering grounds beginning in late-March through mid-April to breed and leave for their wintering habitat by mid-September.

Vireo breeding habitat consists of shrubby woody vegetation of irregular height and distribution interspersed with open areas usually containing grasses and forbs. Woody cover in nesting areas typically extends to ground level. The most common vegetation types chosen as nesting substrate in the BCCP permit area are sumac, shin oak, Ashe juniper, Texas persimmon, Texas oak, and plateau live oak. Appropriate nesting habitat within the BCCP permit area includes these woody species structured in a shrubby sub-climax vegetation state. Habitat manipulation and maintenance to sustain seral stages preferred for nesting will be required to achieve the population management goals established by the BCCP permit.

According to Pease and Gingerich (1989) viable BCVI populations consist of 500 to 1,000 breeding pairs. One of the primary goals of the BCP is to protect and enhance populations of

this species by providing, in conjunction with the BCNWR, a viable BCVI breeding population as prescribed by the USFWS BCVI Recovery Plan (USFWS 1991). Significant breeding colonies in Texas occur at Fort Hood Military Reservation in Bell and Coryell counties, in western Kerr and Bandera counties, and in the canyons of the Devil's River in Val Verde, Edwards and Sutton Counties. Additionally, BCVI have been confirmed to be breeding in northern Mexico however, no systematic determination of BCVI range in this area has yet been produced.

The primary threats to the continued survival of this species include low reproductive success, nest parasitism by the brown-headed cowbird (*Molothrus ater*), and habitat loss through development, overbrowsing, suppression or alteration of natural disturbance regimes and indirect effects of land uses (USFWS 1991).

3.2.2 Golden-cheeked Warbler

The golden-cheeked warbler (*Dendroica chrysoparia*, hereafter GCWA) is a small, Neotropical migratory passerine bird (approximately 9-10 grams and 15 cm in length) that breeds only in the mixed evergreen-deciduous woodlands of Central Texas. GCWA overwinter in the highland pine-oak woodlands of southern Mexico and northern Central America. GCWA return to Central Texas from their wintering grounds by mid-March and typically depart from their breeding grounds by early August. Nesting and rearing habitat consists of mature Ashe juniper and various deciduous hardwoods, including Texas oak, shin oak, and plateau live oak.

The principal limiting factor in GCWA habitat utilization is the presence of mature Ashe juniper with peeling bark, which comprises the primary nesting material. Over the past number of decades, human activities have eliminated significant amounts of nesting habitat. Recent surveys suggest that the rate of loss has accelerated as changing land use and suburban developments have spread into the largest remaining blocks of undisturbed habitat. This impact has been most pronounced along the rapidly developing urban growth corridor from Austin to San Antonio.

USFWS estimates that viable GCWA populations require a minimum of 500 to 1,000 breeding pairs. The BCP provides an important element of the USFWS Recovery Plan for the GCWA by providing habitat and management to maintain one of two distinct populations in western Travis County. The second population is anticipated to be centered within the BCNWR. The recovery plan recommends that at least two separate GCWA populations be

protected to minimize the probability that a localized natural catastrophe such as wildfire or tornado could effectively eliminate a single population.

Other threats to this species include declining hardwood regeneration rates caused by an overabundance of browsing ungulates (primarily white tail deer), loss of oaks due to the spread of oak wilt disease, nest parasitism by brown-headed cowbirds, and effects related to encroaching urbanization (USFWS 1992).

3.2.3 *Karst Invertebrates*

Six species of karst invertebrates located in Travis County have been listed as endangered and are protected through the BCP. These include:

Tooth Cave pseudoscorpion	<i>Tartarocreagris texana</i>
Tooth Cave spider	<i>Neoleptoneta myopica</i>
Tooth Cave ground beetle	<i>Rhadine persephone</i>
Kretschmarr Cave mold beetle	<i>Texamaurops reddelli</i>
Bee Creek Cave harvestman	<i>Texella reddelli</i>
Bone Cave harvestman	<i>Texella reyesi</i>

These karst invertebrates often display reduced or complete loss of eyes and pigment, and are well adapted to an underground environment. Many have elongate appendages, well-developed sensory organs, and life histories adapted to a nutrient-poor environment. The subterranean features such as caves, sinkholes, and fissures that provide habitat for these highly specialized invertebrates are formed by the dissolution of the area's limestone topography by water moving in subsurface streams and passages. Surface areas in karst topography are typically flat and little runoff is observed in these areas, as much of the rainfall is quickly absorbed into karst features.

Obligate troglobites living within these subterranean features require high humidity and stable temperatures. Allochthonous nutrient inputs form an important component of energy pathways in karst ecosystems, and management permitting such nutrient cycles is critical to maintaining and enhancing populations of protected karst fauna. Protection of the porous karst topography overlying underground habitat features, especially with respect to water quality and minimizing water-borne pollutants is important to ensure the survival of these species. USFWS requires 0.25 mile radius protection zones around critical karst features until the completion of hydrogeological studies to determine the extent to which surface and subsurface flows affect the underground environment.

In addition to habitat loss due to changes in hydrogeologic patterns and land development, red imported fire ants present a significant threat to the survival of these species. Red imported fire ants threaten the karst community directly by preying on individual karst invertebrates and indirectly by reducing the diversity and abundance of the above ground insect community. Surface dwelling insects are an important component of karst environment nutrient cycles, as they serve as food resources for obligate troglobites.

Following is a brief description of each of the federally-listed karst species covered by the BCCP permit and the sites from which each of these species is known to occur.

TOOTH CAVE PSEUDOSCORPION (*Tartarocreagris texana*)

The Tooth Cave pseudoscorpion resembles a tiny, tailless scorpion, but it has neither eyes nor a stinger. Reaching a maximum size of 0.16 inches in length (four millimeters), it preys on small insects by seizing them with its pincers. This species is known from Amber and Tooth Caves, and may also occur at Kretschmarr Double Pit, M.W.A., and Stovepipe Caves.

TOOTH CAVE SPIDER (*Neoleptoneta myopica*)

The Tooth Cave spider is the smallest of the endangered arthropods in the BCCP permit area, with a total length of 0.06 inches (1.6 millimeters) when mature. It is a pale spider with relatively long legs and rudimentary eyes. This species is known from only New Comanche Trail and Tooth Caves. The Tooth Cave spider is suspected to also occur in Gallifer and Stovepipe Caves.

TOOTH CAVE GROUND BEETLE (*Rhadine Persephone*)

The Tooth Cave ground beetle is a reddish-brown predaceous beetle with reduced eyes. It is the largest of the endangered arthropods at 0.3 inches (seven to eight millimeters) in length. This species is known to occur in Broken Arrow, Disbelievers, Japygid, Jollyville Plateau, Kretschmarr, M.W.A., North Root, Rolling Rock, Root, Stovepipe, and Tooth Caves. Probable localities include Gallifer, Kretschmarr Double Pit, and Spider Caves.

KRETSCHMARR CAVE MOLD BEETLE (*Texamaurops reddelli*)

The Kretschmarr Cave mold beetle is a dark, short-winged, long-legged creature whose diet is unknown, though some members of this family are predaceous. This species measures less than 0.12 inches (three millimeters) in length and lacks eyes. This species is known from only four localities, including Amber, Kretschmarr, Stovepipe and Tooth Caves. This species may also occur in Japygid and M.W.A. Caves.

BEE CREEK CAVE HARVESTMAN (*Texella reddelli*)

The Bee Creek Cave harvestman has relatively long legs but attains a body length of only 0.085 inches (2.18 millimeters). The Bee Creek Cave harvestman is an eyeless predator of small insects and is orange in color. This species is known from three localities, including Bandit, Bee Creek, and Jester Estates Caves. Probable locations include Jest John, Kretschmarr Double Pit and Little Bee Creek Caves.

BONE CAVE HARVESTMAN (*Texella reyesi*)

The Bone Cave harvestman is a pale, blind harvestman, or daddy-longlegs, which is orange in color. This is the most widely distributed of any of the endangered karst invertebrates covered by the BCCP Permit, known from 19 caves and probable in another two caves in the permit area. Sixteen caves hosting this species are slated for some level of protection, including Beard Ranch, Cold, Elluvial, Fossi, Fossil Garden, Gallifer, Hole-in-the-Road, Jollyville Plateau, McDonald, McNeil Bat, M.W.A., New Comanche Trail, No Rent, Root, Tooth, and Weldon Caves. Two probable localities include Spider Cave and Stovepipe Cave.

Table 3 lists all 62 karst features identified for protection under the BCCP and identifies each as containing endangered species or species of concern.

3.3 Covered Species of Concern

In addition to eight federally listed endangered species, two plants and 25 invertebrates are afforded protection under the BCCP as species of concern. (See Table 2 for all species covered by the regional permit). The permit holders receive assurances under the USFWS “No Surprises” policy by protecting identified habitat within the seven preserve macrosites, managing habitat to support the plant species of concern, and by protecting the environmental integrity of 27 caves in addition to those occupied by the listed species. Many of the species of concern are karst invertebrates that may merit listing if the BCP does not adequately protect their cave habitats.

A complete listing of additional species of concern with potential distributions within the permit area may be found in Appendix B. Though individuals or small populations of some of these species may be present, the protected lands of the BCP are not currently considered sufficient to aid in the long-term conservation of these species.

Plants

Two plants considered species of concern by the USFWS are covered by the BCCP, canyon mock-orange (*Philadelphus ernestii*) and Texabama croton (*Croton alabamensis* var. *texensis*). The BCP Partners have protected all known populations of these species and include: a population of canyon mock-orange located on Travis County's Hamilton Pool Preserve; and a population of Texabama croton located on Travis County's Pace Bend Park. Although the acreage of Pace Bend Park is not dedicated to the BCP system, Travis County will continue to manage and protect this unique plant population under BCCP guidelines. Another significant population of Texabama croton is found within the boundaries of the BCNWR and will be protected through land acquisition and management.

Bracted twist-flower (*Streptanthus bracteatus*) is a local species of concern not covered by the regional BCCP permit. Small populations are found on some preserve lands owned by the City of Austin and have been afforded protection as a part of the overall management of the preserve. In the spring of 2004, the permit holders joined the USFWS, the Texas Parks and Wildlife Department, the Lower Colorado River Authority and the Ladybird Johnson Wildflower Center in signing a Memorandum of Agreement (MOA) concerning this rare flowering plant. The MOA provides additional protections for highly fragmented populations of this rare plant (See Tier II-A Management Handbook, Chapter IV Vegetation Management).

Salamanders

None of the *Eurycea* salamanders in Travis County are covered by the regional permit. Some preserve lands in the Bull Creek and Cypress Creek macrosites contain isolated habitat segments occupied by Jollyville Plateau Salamanders (*Eurycea tonkawae*). Although these occupied areas are protected as part of the preserve system, protection of this species' range in Travis County is not prescribed under the terms and conditions of the BCCP.

Invertebrates

See Section 3.3, Covered Species of Concern or Table 2 below for a list of invertebrates protected under the terms of the BCCP permit (includes one or more flatworms, ostracods, isopods, spiders, pseudoscorpions, harvestmen, millipedes, and ground beetles). Also see Appendix B, which provides more details on the status of various invertebrate groups.

TABLE 2. SPECIES PROTECTED UNDER THE BCCP

Common name	Scientific name	Status
Black-capped vireo	<i>Vireo atricapilla</i>	Endangered
Golden-cheeked warbler	<i>Dendroica chrysoparia</i>	Endangered
Tooth Cave pseudoscorpion	<i>Tartarocreagris texana</i>	Endangered
Tooth Cave spider	<i>Neoleptoneta myopica</i>	Endangered
Bee Creek harvestman	<i>Texella reddelli</i>	Endangered
Bone Cave harvestman	<i>Texella reyesi</i>	Endangered
Tooth Cave ground beetle	<i>Rhadine persephone</i>	Endangered
Kretschmarr Cave mold beetle	<i>Texamaurops reddelli</i>	Endangered
Canyon mock-orange	<i>Philadelphus ernestii</i>	Species of Concern
Texabama croton	<i>Croton alabamensis</i>	Species of Concern
Flatworm	<i>Sphalloplana mohri</i>	Species of Concern
Ostracod	<i>Candona</i> sp. nr. <i>stagnalis</i>	Species of Concern
Isopod	<i>Caecidotea reddelli</i>	Species of Concern
Isopod	Trichoniscinae N. S.	Species of Concern
Isopod	<i>Miktoniscus</i> N. S.	Species of Concern
Spider	<i>Cicurina wartoni</i>	Species of Concern
Spider	<i>Cicurina ellioti</i>	Species of Concern
Spider	<i>Cicurina bandida</i>	Species of Concern
Spider	<i>Cicurina reddelli</i>	Species of Concern
Spider	<i>Cicurina reyesi</i>	Species of Concern
Spider	<i>Cicurina cueva</i>	Species of Concern
Spider	<i>Cicurina travisae</i>	Species of Concern
Spider	<i>Neoleptoneta cocinna</i>	Species of Concern
Spider	<i>Neoleptoneta devia</i>	Species of Concern
Spider	<i>Eidmannella reclusa</i>	Species of Concern
Pseudoscorpion	<i>Aphrastochthonius</i> N. S.	Species of Concern
Pseudoscorpion	<i>Tartarocreagris reddelli</i>	Species of Concern
Pseudoscorpion	<i>Tartarocreagris intermedia</i>	Species of Concern
Pseudoscorpion	<i>Tartarocreagris</i> N. S. 3	Species of Concern
Harvestman	<i>Texella spinoperca</i>	Species of Concern
New Comanche Trail Cave Harvestman	<i>Tartarocreagris comanche</i>	Species of Concern
Millipede	<i>Speodesmus</i> N. S.	Species of Concern
Ground beetle	<i>Rhadine s. subterranea</i>	Species of Concern
Ground beetle	<i>Rhadine s. mitchelli</i>	Species of Concern
Ground beetle	<i>Rhadine austinica</i>	Species of Concern

4.0 KARST FEATURES

The permit holders agreed to preserve the environmental integrity of at least 35 of the 39 karst features identified in the BCCP permit (See Table 3). Karst features destroyed or lost may be replaced with other biologically equivalent features within the permit area at the discretion of the USFWS. To secure assurances under the USFWS “No Surprises” policy, the permit holders also agreed to protect an additional 27 karst features providing habitat for 25 invertebrate species of concern. In the event that these features are destroyed or lost, they may also be replaced with other biologically equivalent features within the permit area at the discretion of the USFWS.

General guidelines related to the management of these features is found in the Karst Management Section of the Management Handbook (Tier II-A, Chapter IX) and information concerning individual karst features may be found in Tier III Tract Management Plans.

TABLE 3. THE 62 KARST FEATURES IDENTIFIED FOR PROTECTION UNDER THE BCCP.

Cave Name	Species Protection Category
Adobe Springs Cave	Species of Concern
Airman's Cave	Species of Concern
Amber Cave	Endangered Species
Armadillo Ranch Sink	Species of Concern
Arrow Cave	Species of Concern
Bandit Cave	Endangered Species
Beard Ranch Cave	Endangered Species
Bee Creek Cave	Endangered Species
Blowing Sink Cave	Species of Concern
Broken Arrow Cave	Endangered Species
Buda Boulder Spring	Species of Concern
Cave X	Species of Concern
Cave Y	Endangered Species
Ceiling Slot Cave	Species of Concern
Cold Cave	Endangered Species
Cotterell Cave	Endangered Species
Disbelievers Cave	Endangered Species
District Park Cave	Species of Concern
Eluvial Cave	Endangered Species
Flint Ridge Cave	Species of Concern
Fossil Cave	Endangered Species

Cave Name	Species Protection Category
Fossil Garden Cave	Endangered Species
Gallifer Cave	Endangered Species
Get Down Cave	Species of Concern
Goat Cave	Species of Concern
Hole-in-the-Road	Endangered Species
Ireland's Cave	Species of Concern
Jack's Joint	Species of Concern
Japygid Cave	Endangered Species
Jest John Cave	Endangered Species
Jester Estates Cave	Endangered Species
Jollyville Plateau Cave	Endangered Species
Kretschmarr Cave	Endangered Species
Kretschmarr Double. Pit	Endangered Species
Lamm Cave	Endangered Species
Little Bee Cr. Cave	Endangered Species
Lost Gold Cave	Species of Concern
Lost Oasis Cave	Species of Concern
M.W.A. Cave	Endangered Species
Maple Run Cave	Species of Concern
McDonald Cave	Endangered Species
McNeil Bat Cave	Endangered Species
Midnight Cave	Species of Concern
Moss Pit	Species of Concern
New Comanche Tr. Cave	Endangered Species
No Rent Cave	Endangered Species
North Root Cave	Endangered Species
Pennie's Cave	Species of Concern
Pickle Pit	Species of Concern
Pipeline Cave	Species of Concern
Rolling Rock Cave	Endangered Species
Root Cave	Endangered Species
Slaughter Creek Cave	Species of Concern
Spanish Wells	Species of Concern
Spider Cave	Endangered Species
Stark's N. Mine	Species of Concern
Stovepipe Cave	Endangered Species
Talus Springs Cave	Species of Concern
Tardus Hole	Endangered Species

Cave Name	Species Protection Category
Tooth Cave	Endangered Species
Weldon Cave	Endangered Species
Whirlpool Cave	Species of Concern

5.0 PRESERVE MANAGEMENT

5.1 System Goals

The primary goal of the Balcones Canyonlands Preserve is to implement conservation measures to protect, maintain and enhance populations of the listed species and species of concern. The implementation strategies described in this document are directed to support this primary BCP function. Prioritization of management goals and activities is based upon continued monitoring and assessment of the protected species and their habitats. Management practices designed to arrest any decline or sustain populations covered by the permit are given highest priority by the permit holders.

Preserve system goals and priorities are achieved by implementing practices that:

1. fully implement land management plans;
2. foster habitat enhancement activities;
3. maintain high water quality;
4. promote good neighbor relationships; and
5. create appropriate public access and education opportunities.

Expedited acquisition of preserve lands to fulfill permit commitments is essential, as fragmentation will impair the biological integrity of the preserve design and compound management challenges. The BCP Partners will continue cooperative efforts to achieve permit responsibilities through land acquisition, management and monitoring of protected species and their habitats.

Newly acquired preserve lands will be managed under the guidance of the “Management Plans and Guidelines” drawn from the BCCP Habitat Conservation Plan (USFWS 1996) until a Land Management Plan for each tract is drafted. Draft management plans will be reviewed by the Scientific Advisory Committee and the USFWS before being implemented by the managing entity.

5.0.1 Habitat protection

Protection efforts focus on currently occupied habitat or on areas with potential to support viable populations of the covered species. Existing habitat must be maintained to ensure the continued protection, survival, and recovery of the species. Protection strategies include targeted land acquisitions, management agreements, conservation easements and other legal protection tools, boundary demarcation and access control through fencing, active enforcement of applicable laws, rules, and ordinances, and increased public awareness of the preserve, its purpose and successes.

5.0.2 Habitat management

Preserve areas with restoration potential will be assessed to determine whether suitable habitat quality and configuration meet preserve design guidelines established by the BCCP.

Habitat enhancement efforts are prescribed to enhance survival and recovery of the listed species. Preserve management must also identify, eliminate and/or mitigate conditions which may threaten or adversely impact the survival or recovery of protected species. Habitat enhancement may include manipulation to maintain or increase appropriate vegetation patterns (i.e., oak wilt suppression, fire management, exotic plant control); protection from resource depletion by animal grazers and/or browsers; and restoration plantings.

Habitat management also includes defining and maintaining areas adjacent to the current or potential habitat to provide buffer areas from encroaching urbanization or high-intensity public use.

5.0.3 Monitoring and Adaptive Management

Monitoring is necessary to assess the success, failure, or benign nature of management activities. Effective monitoring and implementation of adaptive management principals allow land managers to determine how best to direct limited time, personnel and financial resources.

5.2 Species Related Goals

5.2.1 Golden-cheeked Warbler

Satellite imagery utilized in defining permit obligations illustrated that Travis County contained more consolidated potential GCWA habitat than any other Texas county, including approximately 37,839 acres of occupied or potential habitat within the BCCP permit area. Portions of this acreage may now be unoccupied due to the subsequent urbanization effects,

habitat modification or changes in land use, and/or inadequate patch size for territory occupancy.

Planning work conducted on behalf of the BCCP estimated that up to 26,753 acres (or 71%) of occupied or potential GCWA habitat within the BCCP permit area (not including lands designated as preserve, see **Figure One** – Permit Area/Preserve) would be subject to loss upon issuance of the regional permit. Based on an observed average of 15 to 30 pairs of GCWA per 250 acres of suitable habitat, this represents a loss of 1,605 to 3,210 pairs within the BCCP permit area.

The USFWS BCCP permit requires that a minimum of 28,428 acres be set aside and managed within the preserve for the GCWA. Acquisition and management activities through the regional BCCP permit, individual section 10(a)1(B) permits issued to the private sector, and USFWS Section 7 consultations providing mitigation within or contiguous to the BCP boundaries are included in this acreage goal.

5.2.2 Black-capped Vireo

The USFWS considered about 2,000 acres in western Travis County as occupied BCVI habitat at the time of permit issuance. In the mid 1990s approximately 1,067 acres of habitat representing 40 to 60 individuals were subject to loss within the BCCP permit area. The remaining 933 acres are included in lands identified for potential protection through the BCP (see *Figure One*).

The BCCP permit requires at least 2,000 acres of the BCP be acquired and managed for BCVI. Acquisition and management activities through the regional BCCP permit, individual section 10(a)1(B) permits issued to the private sector, and USFWS Section 7 consultations providing mitigation within or contiguous to the BCP boundaries are included in this acreage goal. Habitat manipulation and maintenance to sustain seral stages preferred for nesting will be required to achieve the population management goals established by the BCCP permit.

5.2.3 Listed Karst Invertebrates

Of the 45,368 acres of potential karst invertebrate habitat occurring in the BCCP permit area, approximately 36,070 acres are not protected by the BCP. Of the 39 features known to provide habitat for federally listed karst invertebrates, at least 35 sites will be protected by the regional BCCP permit or through individual permits issued to private landowners. Some of the identified karst features lie outside of BCP boundaries and the BCCP permit allows for negotiated management agreements to be developed in areas not available for acquisition.

At least 35 caves within the BCCP permit area will be acquired and/or managed to preserve the continued integrity of subterranean conditions supporting the endangered invertebrates found in these features. The permit holders will seek to enter into formal management agreements for all caves recommended for protection but not available for acquisition. These agreements define an area to be protected, determine appropriate management activities for each site, and outline roles and responsibilities for both the landowner and the managing partner.

Where the boundaries of the surface and subsurface hydrogeologic area contributing to a particular cave identified for protection is not known or completely understood. Therefore, the area delineated by the contour level at the bottom of each individual cave will be managed for the cave's protection. In the absence of site specific information, no Participation Certificates are to be awarded within 0.25 miles of the cave entrance until the hydrogeologic areas are studied and properly delineated (USFWS 1996).

5.2.4 Karst Invertebrate Species of Concern

27 karst features are listed in Section 3.3 that host one or more karst species of concern. These features will be protected to address the USFWS "No Surprises" policy and will cover the BCCP permit area in the event of future listing of these species. Failure to adequately protect these features may negate the assurances of the "No Surprises" policy, but will not threaten the validity of the BCCP permit.

5.2.5 Plant Species of Concern

Populations of canyon mock-orange found on tracts within the BCP boundaries will be protected and managed. Populations of Texabama croton found at Pace Bend Park will be protected and managed by Travis County.

5.3 Preserve Management Structure

The BCP consists of a number of preserve units or properties owned and managed by separate entities. As described in Section 2.2, the permit holders and the managing partners have agreed to designate and manage preserve lands for BCCP benefit. Private lands within or adjacent to proposed preserve acquisition boundaries, mitigation lands managed under USFWS Section 7 consultations and Section 10(a)1(B) permits have been designated by USFWS as part of the total BCP requirement of 30,428 acres.

Current owners and/or managers of BCP lands include:

The Committee for Wild Basin Wilderness

The City of Austin

Lower Colorado River Authority

The Nature Conservancy of Texas

Travis Audubon Society

Travis County

Texas Cave Management Association

Westcave Preserve Corporation

Various private Section 7 or Section 10(a)1(B) mitigation lands (often managed by the landowner, municipal utility district, or homeowner's association)

For details of particular properties and related ownership information, see Section 2.0 Table 1 Balcones Canyonlands Preserve Management.

5.4 Land Management Plans and Guidelines

The BCP will be managed to permanently conserve and facilitate the recovery of the populations of the species identified in the BCCP permit. This goal will govern preserve management activities that seek to minimize if not avoid identified threats, improve and maintain species habitat, and protect preserves against impacts of urbanization. The welfare of the identified BCCP species will be the primary concern when considering any and all activities on the BCP. Changes in permitted uses within BCP must adhere to the terms and conditions of the BCCP Permit to ensure protection and enhancement of identified BCCP species and minimize if not avoid damage to their habitat. Other permitted uses including public access to preserve lands for education and recreation purposes are secondary to the primary goal of protecting, maintaining and enhancing the species covered under the BCCP permit. Tier II-A Chapter I contains the "Land Management Plans and Guidelines" from the BCCP Habitat Conservation Plan that outlines permitted and restricted activities within the BCP.

The regional BCCP permit requires preparation of a Tier III Land Management Plan for each preserve tract within one year of its acquisition or dedication to the BCP. All lands dedicated to the BCP must comply with the "Land Management Plans and Guidelines", and BCP Partners are encouraged to provide plans consistent with those provided by the Permit Holders. Land Managers shall adhere to the "Land Management Plans and Guidelines" until Tier III Plans are completed for each new acquisition. Privately held mitigation lands

designated as part of the preserve system are responsible directly to USFWS and are not required to submit additional land management plans.

The Tier II-A Management Handbook expands upon and updates the general guidelines provided in the “Land Management Plans and Guidelines” found in the BCCP Habitat Conservation Plan. The Management Handbook provides specific guidance on management activities and practices implemented by land managers on major topics of concern. These Handbook guidelines are the result of the mutual efforts of the permit holders, managing partners and other BCP Partners. The Management Handbook may be updated at any time during the five-year life of this land management plan to reflect best management practices and additional topics.

5.5 Infrastructure Planning

In order to protect the closed woodland canopies important to the nesting and rearing habitat of the GCWA, a limited number of infrastructure corridors were established by the BCCP to accommodate utility needs between and through key preserve areas. BCP Partners are encouraged to vacate, leave unused, or restore easements and rights-of-way within preserve lands to minimize habitat fragmentation and maintain the ecological integrity of the BCP. Expansion of utility services within the BCP into areas outside of existing or planned corridors requires the approval of the USFWS.

The BCCP provides an infrastructure project review process directed by the Coordinating Committee Secretary to ensure that infrastructure corridors are being utilized in accordance with the terms and conditions of the BCCP. Infrastructure planning guidelines were negotiated in 1993 to provide direction on new utility construction projects and on routine operations and maintenance activities that support the provision of basic utility services. An Infrastructure Management Chapter (Tier II-A, Chapter V) provides additional guidance concerning utility and infrastructure needs.

The BCCP permit allows mitigation banking for the Permit Holders and managing partners to mitigate for their infrastructure project needs in habitat throughout the BCCP permit area in accordance with the number of mitigation credits (i.e., acres of habitat) that they contributed to the BCP. Other service providers (roadway construction, electric, water and wastewater utilities, telephone, telecommunications, gas, other utility providers, etc.) proposing to construct infrastructure in habitat within the BCCP permit area can participate through the BCCP Participation Certificate program to address mitigation needs or proceed through the USFWS 10(a)1(B) process for obtaining an individual permit.

5.6 Preserve Administration Requirements

The BCCP permit requires that the Permit Holders submit an annual report to the USFWS on June 1st of each year. In late 1998, the permit holders petitioned the USFWS to allow the annual report to be based on a fiscal year reporting period. Starting in 1999, annual reports were to be submitted by January 31st for the prior fiscal year ending September 30. The BCCP Annual Report is compiled by and submitted to the USFWS by the BCCP Coordinating Committee Secretary. The BCCP permit requires that the BCCP Annual Report contain the following elements:

1. An annual summary of development activities within the BCCP permit area;
2. An annual list of tracts for which Participation Certificates were issued;
3. The amount of funds collected through Participation Certificate and USFWS directed mitigation fees;
4. The amount of funds expended for land acquisition;
5. The amount of funds expended for BCP operations and maintenance;
6. An updated map of BCP lands;
7. A summary of public use and habitat management activities within the BCP, and;
8. Copies of all research and investigation reports prepared within the last fiscal year.

6.0 PRESERVE SYSTEM CHALLENGES

6.1 Completing the Preserve System

In the ten years since issuance of the BCCP, a total of 27,852 acres of GCWA and BCVI habitat have been secured for protection under the BCP. This total represents 92% of the 30,428-acre goal established by the BCCP permit in 1996.

In addition to maintaining habitat for the two listed songbirds, the BCCP also requires the Permit Holders to prevent the loss of caves known to contain endangered species and other karst dwelling species of concern. The regional BCCP permit directed protection of 35 of the 39 Travis County karst features known to harbor endangered species when the permit was issued in 1996. The Permit Holders are required to protect an additional 27 caves supporting species of concern to receive federal assurances under the USFWS “No Surprises” rule. Under these terms, the permit holders will not be required to provide any additional mitigation measures if any of these species receive federal regulatory status in the future. To date 44 of the 62 described karst features have been protected.

The terms and conditions outlined in the BCCP permit also require that the Permit Holders protect two plant species of concern where they are located on lands managed for the BCP. Populations of these plant species, canyon mock orange (*Philadelphus ernestii*) and Texabama croton (*Croton alabamensis* var. *texensis*), are currently managed to the standards described in the BCCP permit.

Travis County and the City of Austin have successfully competed for USFWS Section 6 Habitat Conservation Plan Grants since 1996. These highly competitive grants provide matching funds that have allowed the Permit Holders to leverage locally generated funds to take advantage of land acquisition opportunities. To date, nine Land Acquisition Assistance Program awards totaling \$69,584,651.00 have been completed or are in progress. These awards have enabled the purchase of 3,513 acres, or 12.6% of the total BCP acreage secured to date. Acquisition activities currently underway and commitments from landowners interested in selling their lands to be included in the BCP system represent significant additional contributions to the preserve. Land managers plan to continue land acquisition efforts through the pursuit of both fee simple purchases and alternative protection strategies such as conservation easements and management agreements.

The BCP acquisition boundaries defined by USFWS are located in a rapidly developing urban area of the Texas Hill Country, popular for its beauty, lakes, and recreational value. These areas have tremendous development potential and land values continue to climb. The cumulative impacts of steadily increasing development pressure and skyrocketing land values make rapid completion of the BCP a necessity.

6.2 Public Access and Protecting Species Needs

The BCCP permit states that public access and recreational opportunities may be offered on the BCP where possible and manageable. The welfare of the resident endangered species is the primary goal of the BCP, and public access may be allowed when and where these activities do not threaten the welfare of the endangered species or cause degradation of soil, vegetation, or water resources within the BCP.

Public uses which do not interfere with BCCP responsibilities and management obligations require implementation of strategies to monitor and control access for allowed activities. Management strategies to accommodate public uses are specified in the Tier II-A and Tier III individual land management plans and must be implemented in accordance with the “Land Management Plans and Guidelines”. If monitoring of implemented management strategies on a given BCP tract are demonstrated to be effective, public uses in accordance with these

strategies may be increased. If monitoring demonstrates negative impacts to the species or their habitat, public access may be curtailed, shifted to other properties, or stopped altogether to allow site recovery.

Land managers may employ a host of effective public access techniques including fencing, prominent signage, seasonally-restricted access, access to only non-habitat areas of a tract, careful trail and amenity location, design and relocation, high profile ranger patrols and enforcement, and prohibited access to selected sensitive portions of a tract. Land managers are encouraged to consider creative plans that could increase public education and recreational opportunities while ensuring the welfare of the endangered species and other species of concern.

Creation of new roadways, trails, and clearing rights-of-way that open the canopies of woodland and shrubland communities, create additional impervious cover, or enable access to occupied habitat sites are not allowed. Site rehabilitation to revegetate previously cleared rights-of-way, close unauthorized trails, gate cave openings, and undertake erosion control practices may be necessary to implement change in areas with historic patterns of public use.

Specific activities and recommendations for appropriate uses by individuals, non-commercial groups, and commercial enterprises are further detailed in the Tier II-A Chapter 1 “Land Management Plans and Guidelines”.

6.3 Urbanization Impacts

The GCWA, BCVI, and six karst invertebrates in western Travis County were listed as endangered in part due to habitat loss and fragmentation resulting from increasing patterns of urbanization. The population growth rate for the Austin area has been among the nation’s highest for the past two decades, and native habitats have been lost as a result. In addition to conversion of undeveloped habitat, other factors represent potential threats to the protected species. Urbanization interfaces with natural habitats often create an increase in human usage. Misperceptions about the purpose of these natural lands (i.e., parks versus preserves) may lead to unauthorized recreation and human disturbance of these habitats. Invasion of exotic plants and domesticated or feral animals into these habitats with resulting alteration of existing biological relationships can fundamentally alter ecosystem dynamics. Increased pressures from nest predation and nest parasitism result in lower reproductive success and long-term population declines. These factors may have been relatively benign prior to the onset of adjacent urbanization. Land managers must be aware of these potential threats and manage their BCP tracts within site-specific constraints to minimize resulting impacts.

6.4 Preserve Effectiveness Monitoring Indicators

Land managers must remain aware of the interconnectedness of factors that influence the viability of a given population at particular sites. Only through the effective utilization of adaptive management techniques and implementation of shared best management practices can land managers address the multiple threats and changing pressures that impact their capacity to protect, manage and restore the varied species and habitats throughout the BCP. Sharing accumulated knowledge and insight through regular land manager meetings in addition to cooperative management efforts continues to be integral to the long-term success of the BCP.

Research activities will continue to focus on management needs, and are addressed by species or category in the Tier II-A Management Handbook. BCP land managers have a unique opportunity to advance the current state of knowledge not only about the protected species, but also about stewardship of natural lands in a rapidly developing urban interface.

6.5 Comprehensive Vegetation Management

A significant challenge for land managers is the maintenance of BCP vegetation in the proper successional stage and structure favored by the protected species. Active restoration of degraded habitats and even non-habitat areas must allow the native plant community to recover from its past land use history. Local lands may have undergone clearing and exotic plant introductions, agricultural and ranching practices, significant browse or grazing pressure from native (deer) and non-native (goats, sheep, cattle) ungulates, and other incidental impacts from humans. Restoration and recovery sometimes cannot occur without an initial effort to improve altered soil and water conditions. Selective control of natural lands with degraded plant communities may be achieved through mechanical manipulation or with prescribed burns to favor certain native plant species.

The vegetation in restored areas may require protection from excessive competition by invasive exotic plant species, overbrowsing by deer or uprooting by hogs, wildfires and catastrophic destruction by severe weather events (windstorms, tornadoes, hurricanes, droughts, floods, and ice storms) until such time as these populations are established. Once restored, populations should be subjected to these natural forces in order to provide the mechanisms that shape natural succession. Damage from overuse by preserve visitors can negatively affect vegetation at any stage of succession, and should be minimized or avoided wherever possible.

In Hill Country oak-juniper woodlands, the significance of browsing pressure on preferred native shrubs and trees resulting from the chronic overpopulation of deer cannot be overemphasized. Deer control strategies should be implemented throughout the preserve as a key element of habitat restoration and maintenance. Browser control directly affects the quality of nesting habitat for GCWA and BCVI.

7.0 LITERATURE CITED

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8.0 GLOSSARY OF TERMS AND ACRONYMS

Adaptive Management - An integrated method for addressing uncertainty in natural resource management, or a method for examining alternative methods for meeting measurable biological goals and objectives, and then, if necessary, adjusting future conservation management actions in accordance with what had been learned.

Allochthonous – Originating outside and transported into a given system or area.

Alluvium - Sedimentary matter deposited within recent times by flowing water in the valley of a large river.

Aquifer - The water-bearing portion of subsurface earth material.

BAT - Biological Advisory Team

BCCP - Balcones Canyonlands Conservation Plan

BCP - Balcones Canyonlands Preserve

BCP Partners – The City of Austin, Travis County, the Lower Colorado River Authority, the Nature Conservancy of Texas, the Travis Audubon Society and other cooperating public and private entities or individuals

BCNWR - Balcones Canyonlands National Wildlife Refuge

BCVI – Black-capped vireo, *Vireo atricapilla*

Biogeography - Study of the geographical distribution of living things

Biological diversity - Dealing with variety of life forms, the ecological roles they perform, and genetic diversity they contain

Browse - Tender shoots, twigs, or leaves used as forage or food for herbivores or the act of feeding on these.

C1 - Category 1. Taxa for which the USFWS currently has on file substantial information on biological vulnerability and threat(s) to support the appropriateness of proposing to list the taxa as endangered or threatened species

C2 - Category 2. This category has been deleted. On Dec. 5, 1996, USFWS announced they were discontinuing the practice of maintaining a list of species regarded as “Category-2 candidates” (61 FR 64481). Future lists of species that are candidates for listing under the Endangered species Act will be restricted to those species for which the USFWS has on file sufficient information to support issuance of a proposed listing rule. (Category 2 involved taxa for which substantial data on biological vulnerability and threat(s) were not currently known or on file to support the immediate preparation of rules.)

Capital costs - Expenditures by local governments on physical infrastructure

Carrying capacity – Number of individual organisms that the resources of a given area can support, usually through the most unfavorable portion of the year.

Conservation easement - A legal agreement with a property owner to restrict the alteration or destruction of habitat or other activities within a specified area.

Coordinating Committee - The BCCP permit holders (City of Austin and Travis County) created by Interlocal Agreement the BCCP Coordinating Committee to provide policy oversight for implementing the interagency agreement. The Coordinating Committee oversees all aspects of conservation planning, coordination, and implementation of the plan and regional permit. The Coordinating Committee consists of one representative from each permit holder and a non-voting representative from the USFWS.

- Critical habitat - The specific areas legally defined by the USFWS within a geographic area occupied by an endangered species, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection.
- Dissected area - Area, such as a plateau, that is separated into many closely spaced valleys by erosion.
- Ecosystem - An ecological system or the living system of organisms and their environment.
- Ecotone - Transition zone between two different biological communities.
- Endangered species - A species that is in danger of extinction throughout all or a significant portion of its range and that is specifically listed by the USFWS as having protection under the Endangered Species Act.
- Endemic - Native to a particular area or region.
- ESA - Endangered Species Act of 1973 (as amended).
- Escarpment - A long cliff or steep slope separating two comparatively level or more gently sloping surfaces, usually the result of erosion or faulting.
- ETJ - Extraterritorial jurisdiction.
- Extraterritorial jurisdiction - Area within a prescribed distance from a city's boundaries within which no other city or special district can annex land or provide services without the permission of the city.
- Facultative - Having the capacity to live under more than one specific set of environmental conditions (opposed to obligate).
- Fault - A fracture or zone of fractures along which there has been movement of the sides relative to one another or parallel to the fracture.
- Fault zone - An area or region that is expressed as a zone of numerous fractures or faults.
- Fauna - Animals; organisms of the animal kingdom of a given area taken collectively.
- Federal candidate species – Species that are candidates for listing by USFWS as endangered or threatened under the ESA.
- Fee simple - Title to real property belonging to a person or government when full and unconditional ownership exists.
- Flora - Plants; organisms pertaining to the plant kingdom taken collectively.
- FM - Farm to Market Road.
- Forage - Food for animals (e.g., deer), especially when taken by browsing or grazing.
- Formation - A sequence of naturally created rock layers with distinctive upper and lower boundaries.
- GCWA – Golden-cheeked warbler, *Dendroica chrysoparia*
- Geographic information system - A computerized database management system for capture, storage, retrieval, analysis, and display of locationally defined data. A GIS combines digital mapping technology with relational database information, resulting in a system that allows analysis of information within a specific geographic area.
- Geomorphic - Pertaining to the forms of the earth's surface.
- GIS - See Geographic information system.
- Habitat - The environment in which a plant or animal naturally occurs.
- HCP - Habitat conservation plan.
- Hydrology - The science dealing with the properties, distribution, and circulation of water on the surface of the land and in the soil and underlying rocks.
- Hyporheic – Related to saturated sediments beneath or associated with streams or rivers.
- IH - Interstate Highway.
- Impact - An assessment of the meaning of changes in all attributes being studied for a given resource, usually measured using a qualitative and nominally subjective technique.

Incidental take - Direct or indirect loss of a species listed as endangered or threatened under the Federal Endangered Species Act, or of the species' habitat, due (incidental) to an otherwise legally permitted activity or development (see also Take).

Indirect impacts - Project-related impacts indirectly attributable to the project itself; for example, soil disturbance causing water quality impacts.

ISD - Independent school district

Karst - A limestone topography in which there are numerous caves, sinkholes, and fissures created by water passing through and dissolving away the limestone. Potential karst habitat is that area which contains the limestone that may have caves, sinkholes, and fissures.

LCRA - Lower Colorado River Authority

Limestone - A sedimentary rock composed of calcium carbonate

Macrosite - A subunit within the BCCP study area that is oriented around a biologically segregated habitat area defined by natural or man-made boundaries.

Mesic – Pertaining to conditions of moderate moisture or water supply; used of organisms occupying moist habitats.

Metapopulation - A population of plants or animals in which each individual has an equal chance of breeding with any other individual.

mg/L - Milligrams per liter.

Minimum preserve area - The least amount of preserve area that could still present a viable preserve unit within the preserve system.

Mitigation - The process by which any adverse change or loss of a resource is avoided or minimized and the compensation for such.

MSA - Metropolitan Statistical Area

Native vegetation - Plant life that occurs naturally in an area through nonhuman intervention

NEPA - National Environmental Policy Act

Neotenic – Organisms that retain juvenile characteristics through sexual maturity.

Net development area - The total lot or site development area, excluding publicly dedicated, undisturbed open space on the same tract and excluding any land currently not platted or approved for development.

NHPA - National Historic Preservation Act

NOAA - National Oceanic and Atmospheric Administration

NOI - Notice of Intent.

Obligate - Restricted to a particular condition of life or set of environmental conditions (opposed to facultative).

Occupied habitat - For the black-capped vireo, habitat is defined as the union of all habitat areas occupied by vireos during any of the breeding seasons from 1986-1991. For the golden-cheeked warbler, no occupied habitat has been defined or described in the BCCP area. See also Potential habitat.

Open space - Any undeveloped land use, such as range and pasture land, noncommercial forests, riparian areas, water bodies, and vacant land.

ORV - Off-road vehicle

Participation Certificate - Certificates providing purchaser with mitigation credits necessary for development of a particular tract to occur under the BCCP.

pers comm - Personal communication

Physiography - Science of physical geography; geomorphology.

P/I - See Public/institutional land.

- Potential habitat - For the black-capped vireo, potential habitat will be determined by Permit Holders based on the most up-to-date survey reports provided by USFWS. For the golden-cheeked warbler, potential habitat will be determined by the Permit Holders from maps and aerial photos accompanying the “Golden-cheeked Warbler Habitat Analysis” prepared for the USFWS by DLS Associates (June 1993), and updated periodically with information provided by USFWS based on up-to-date survey reports containing GCWA sightings.
- Potential preserve area - Areas defined in the BCCP wherein the final preserves will be located. Includes habitat for endangered species and species of concern, areas potentially managed for these species, and intervening land considered necessary to maintain contiguity of preserve design.
- Preserve - An area that is set aside specifically for the purpose of retaining suitable habitat for an endangered, threatened, or rare species (or other species of concern), but which may also provide such benefits as improved water quality, open space recreation areas, and aesthetic resources.
- Preserve acquisition area - The area included within the potential preserve area as defined by the USFWS 1996 maps found in the HCP.
- Property tax - Tax imposed by a local government based on the value of property within its jurisdiction.
- Public/institutional land - Land owned by public agencies or private institutions that is included in the potential preserve area and that is recommended for inclusion in the preserve system.
- Recharge - The process by which water is absorbed and added to the zone of saturation, either directly into a formation through sinkholes or indirectly by way of percolation.
- Revegetation - Regrowth or replacement of a plant community. Revegetation may be assisted by site preparation, planting, and treatment, or it may occur naturally.
- Revenue bond - Financial instrument by which government agencies may fund major capital improvements. Used for projects that generate revenue from user charges or similar fees or charges that are applied toward both project operation and debt retirement.
- Riparian - Of or relating to land lying immediately adjacent to a water body and having specific characteristics of that transitional area, such as riparian vegetation.
- RM - Ranch to Market Road.
- RR - Ranch Road.
- RTC - Resolution Trust Corporation.
- Section 7 - The section in the ESA that states, among other things, that no federal action shall jeopardize the survival of an endangered or threatened species in the wild and that provides for consultation between a federal agency and the USFWS on such actions.
- Section 10(a)(1)(B) - The section in the ESA that, among other things, allows permits to be issued for incidental take of an endangered or threatened species (see also Incidental take and Take).
- Seral – Describing a stage in plant community succession.
- SH - State Highway
- Shinnery - Low, shrubby growth of oaks that may cover extensive thin-soiled upland areas; often provides suitable black-capped vireo habitat in the Travis County area.
- Soil series - Collection of soils developed from similar parental material under comparable climate and plant communities.
- Soil types - A category or detailed mapping unit used for soil surveys based on phases or changes within a series (e.g., slope, salinity).

- Special assessment funds - One of the governmental fund types, used to account for financing of public improvements or services deemed to benefit the properties against which special assessments are levied.
- Special district - Local government unit charged with provision of a specific service (e.g., water supply districts, flood control districts). Generally, funding is from property taxes levied on the property benefiting from the service.
- Species - A population or series of populations within which free gene flow occurs under natural conditions. The ESA includes any subspecies of fish, wildlife, or plants and any distinct population segment of any species that interbreeds when mature.
- Study area - An area with designated boundaries in which intensive research on ecology and land use took place.
- Substrate; substratum - Base or material on which an organism lives.
- Take - As defined by the ESA: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in such conduct toward any endangered or threatened species. Court decisions have interpreted the ESA to include the destruction or degradation of endangered species habitat as a form of take.
- Taxon, (pl.) Taxa - A taxonomic entity (e.g., species, subspecies, or variety) or group of these.
- Taxonomy - Science dealing with the identification, naming, and classification of organisms.
- TCAD - Travis Central Appraisal District.
- TCEQ – Texas Commission on Environmental Quality, formerly the Texas Natural Resources Conservation Commission, or TNRCC
- Terrestrial - Living on or in, or growing from the land.
- Threatened species - Taxa likely to become endangered in the foreseeable future.
- TNRCC - Texas Natural Resources Conservation Commission, previously two separate organizations (Texas Water Commission and Texas Air Control Board), changed in 2000 to Texas Commission on Environmental Quality, or TCEQ
- TNRIS - Texas Natural Resources Information System.
- TOES - Texas Organization for Endangered Species.
- TPWD - Texas Parks and Wildlife Department.
- Troglobite - An organism restricted to a belowground environment.
- TWC - Texas Water Commission, merged with Texas Air Control Board in 1995 to form the TNRCC.
- TxDOT - Texas Department of Transportation.
- USACE - U.S. Army Corps of Engineers.
- USFWS - U.S. Fish and Wildlife Service.
- USGS - U.S. Geological Survey.
- Viable population - A group of organisms of the same species that are able to successfully breed so as to indefinitely perpetuate the group's survival.
- Watershed - A drainage or catchment area of a watercourse or body of water.
- WPZ - Watershed protection zone.
- Xeric - Pertaining to or adapted to a dry environment.

APPENDIX A

USFWS Endangered Species Act Permit # PRT-788841 issued jointly to the City of Austin and Travis County on May 2, 1996

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

CITY OF AUSTIN
P.O. BOX 1088
AUSTIN, TEXAS 78767

TRAVIS COUNTY
P.O. BOX 1748
AUSTIN, TEXAS 78767

3-201
(10/86)

2. AUTHORITY-STATUTES

16 USC 1539(a)(1)(A)

REGULATIONS (attached)

50 CFR § 13 & 17

3. NUMBER

PRT-788841

4. RENEWABLE

XXXX YES
____ NO

5. MAY COPY

XXXX YES
____ NO

6. EFFECTIVE

MAY 2, 1996

7. EXPIRES

MAY 2, 2026

8. NAME AND TITLE OF PRINCIPAL OFFICER
(if # 1 is a business)

BRUCE TODD, MAYOR, CITY OF AUSTIN
BILL ALESHIRE, COUNTY JUDGE, TRAVIS
COUNTY

9. TYPE OF PERMIT

ENDANGERED SPECIES

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

TRAVIS COUNTY, TEXAS OUTSIDE OF THE PRESERVES IDENTIFIED IN THE HABITAT CONSERVATION PLAN
AND FINAL ENVIRONMENTAL IMPACT STATEMENT DATED MARCH 1996

11. CONDITIONS AND AUTHORIZATIONS:

SEE SPECIAL CONDITIONS A THROUGH P ON ATTACHED PAGES 2 THROUGH 11.

12. REPORTING REQUIREMENTS

REPORTS WILL BE PROVIDED TO THE U.S. FISH AND WILDLIFE SERVICE OFFICES APPEARING IN
CONDITION G OF THIS PERMIT. REPORTING FORMAT AND CONTENT IS OUTLINED IN CONDITION G OF
THIS PERMIT.

ISSUED BY:

TITLE

DATE

REGIONAL DIRECTOR, REGION 2

MAY 2, 1996

ORIGINAL

CITY OF AUSTIN & TRAVIS COUNTY PERMIT PRT-788841

- A. If during the tenure of this permit, the amount of incidental take is exceeded, issuance of Participation Certificates must be stopped and the permittees must re-initiate consultation with the USFWS to avoid violation of section 9, Endangered Species Act.
- B. Acceptance of this permit serves as evidence that the permittees understand and agree to abide by the terms of this permit and all sections of Title 50 Code of Federal Regulations Parts 13, 17, and 21 (attached) pertinent to issued permits.
- C. The authorization granted by this permit is subject to compliance with, and implementation of, the terms and conditions of the Environmental Impact Statement/Habitat Conservation Plan, Biological opinion, and all specific conditions contained in this permit. If there are any discrepancies between the requirements in these documents, the requirements identified in the special conditions of this issued permit take precedence.
- D. Upon locating any dead, injured, or sick individuals from the list of animal species covered by this permit, or any other endangered or threatened animal species, permittees are required to contact the U.S. Fish and Wildlife Service's Law Enforcement Office, Austin, Texas (512) 490-0948, for care and disposition instructions. Extreme care should be taken in handling sick or injured individuals to ensure effective and proper treatment. Care should also be taken in handling dead specimens to preserve biological materials in the best possible state for analysis of cause of death. In conjunction with the care of sick or injured endangered/threatened species, or preservation of biological materials from a dead specimen, the permittees and their contractor(s) or subcontractor(s) have the responsibility to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.
- E. The validity of this permit is also conditioned upon observance of all relevant international, state, local, or other Federal law.
- F. The permittees are authorized to "take" (kill, harm, or harass) the following federally-listed endangered species:

SCIENTIFIC NAMECOMMON NAME

<i>Vireo atricapillus</i>	Black-capped vireo
<i>Dendroica chrysoparia</i>	Golden-cheeked warbler
<i>Tartarocreagris texana</i>	Tooth Cave pseudoscorpion
<i>Neoleptoneta myopica</i>	Tooth Cave spider
<i>Texella reddelli</i>	Bee Creek Cave harvestman
<i>Texella reyesi</i>	Bone Cave harvestman
<i>Rhadine persephone</i>	Tooth Cave ground beetle
<i>Texamaurops reddelli</i>	Kretschmarr Cave mold beetle

Additionally, the permittees would be covered for incidental take of the following species of concern if these species become listed during the life of the permit and the mitigation measures identified in this permit are being performed.

<i>Philadelphus ernestii</i>	Canyon Mock-orange
<i>Croton alabamensis</i>	Texabama croton
<i>Sphalloplana mohri</i>	Flatworm
<i>Candona</i> sp. nr. <i>stagnalis</i>	Ostracod
<i>Caecidotea reddelli</i>	Isopod
<i>Trichoniscinae</i> N. S.	Isopod
<i>Miktoniscus</i> N. S.	Isopod
<i>Cicurina wartoni</i>	Spider
<i>C. ellioti</i>	Spider
<i>C. bandida</i>	Spider
<i>C. reddelli</i>	Spider
<i>C. reyesi</i>	Spider
<i>C. cueva</i>	Spider
<i>C. travisae</i>	Spider
<i>Neoleptoneta cocinna</i>	Spider
<i>Neoleptoneta devia</i>	Spider
<i>Eidmannella reclusa</i>	Spider
<i>Aphrastochthonius</i> N. S.	Pseudoscorpion
<i>Tartarocreagris reddelli</i>	Pseudoscorpion
<i>T. intermedia</i>	Pseudoscorpion
<i>T. N. S. 3</i>	Pseudoscorpion
<i>Texella spinoperca</i>	Harvestman
<i>T. comanche</i>	New Comanche Trail Cave harvestman
<i>Speodesmus</i> N. S.	Millepede
<i>Rhadine s. subterranea</i>	Ground beetle
<i>R. s. mitchelli</i>	Ground beetle
<i>R. austinica</i>	Ground beetle

- G. An annual report, due June 1 of each year beginning in 1997, is to be provided to the Austin Ecological Services Field Office. This report is to include:

1. a list of all development activities west of the MOPAC Railroad that were permitted by the Permit Holders in the previous 12 months,
2. a list of all tracts for which Participation Certificates were purchased,
3. amount of funds collected for land acquisition,
4. amount of funds expended for land acquisition,
5. amount of funds expended for operations and maintenance.
6. an updated map of the lands dedicated to preserve management,
7. a list of public use and habitat management activities that have been undertaken or completed within the bounds of the preserve units, including the status of land management plans undertaken by the permit holders and managing partners, and
8. a copy of all research or investigation reports that have been prepared within the previous 12 months.

In addition to the above annual requirements, the Permit Holders must provide quarterly updates for the tracts for which Participation Certificates were purchased that include the following information:

1. a general map of each tract location and
 2. a tract boundary map that identifies the areas for which the Participation Certificate applies. If a location and/or tract map is not provided to the Permit Holder during the normal permitting process, a street address will meet this requirement.
- H. A copy of a recorded Participation Certificate provided by the Permit Holders must be posted at the property site from the time vegetation clearing begins until the construction is completed. For residential development, completed construction is when all roads and utilities are completed to the extent that they meet the applicable acceptance criteria of the City of Austin or Travis County. For commercial, industrial and multi-family developments completed construction is when buildings are suitable for occupancy.

- I. The funds collected and expended for this Permit and compliance with the financial requirements of the Permit shall be evaluated by financial audits conducted after the sale of Participation Certificates covering 3,000 fee-paid acres or every five years, whichever comes sooner, until permit expiration. Such audits will be coordinated between the USFWS and the Coordinating Committee. This audit may be part of the permittees audit processes as required by State law and shall not be more frequent than every two years.
- J. The funds collected under this Permit will be expended for land or easement acquisition and other preserve system needs in accordance with the following criteria:
 - 1. tracts considered for acquisition will be within or contiguous to the boundaries of the preserve units identified in the issued Permit;
 - 2. expenditure priority should be in the following decreasing order: Bull Creek, Cypress Creek, South Lake Austin, and North Lake Austin; and
 - 3. dispensing of funds from the BCCP Fund account should be accomplished as soon as there are adequate funds to complete a transaction or implement a strategy for acquisition, taking into account opportunity, preserve, priority and development threat.
- K. The Permit Holders will administer the issuance of the Participation Certificates.
- L. Incidental take that may result from the implementation of land management activities within the boundaries of a preserve and contained in a management plan approved by the Coordinating Committee, are covered and authorized under this Permit.
- M. Incidental take that may result from the implementation of utility and infrastructure corridor projects approved by the Secretary of the Coordinating Committee and within one of the BCCP-Shared vision approved utility and infrastructure corridors, as provided in the final EIS/HCP, Appendix B, is covered and authorized under this Permit.
- N. Incidental take of the Barton Springs salamander is not covered by this Permit. Entities who purchase Participation Certificates for activities within the Travis County portion of the Barton Springs watershed should obtain guidance with respect to avoiding the impacts of their activities on water quality as they relate to the Barton Springs salamander.

- O. The incidental take authorization of this permit does not apply to the "take" of any endangered or threatened species outside of the boundary of the permit as identified in the EIS/HCP dated March 1996 or any modifications/amendments to that boundary.
- P. The "No Surprises" policy of the U. S. Fish and Wildlife Service provides that additional mitigation, lands or financial compensation shall not be required of the permittees or their successors beyond the level of mitigation provided for in the EIS/HCP. With respect to this permit, the EIS/HCP and supporting documents adequately addressed the species listed in special condition 6 above. To be fully covered by the "No Surprises" policy for a specific species, all of the requirements identified for that species must be met.

GOLDEN-CHEEKED WARBLER:

1. Ensure at least 28,428 acres within the seven identified macrosites will be acquired and managed for the golden-cheeked warbler during the permit duration. Acquisition and management activities through this Permit, other issued incidental take permits, and section 7 consultations where the mitigation activities are within or contiguous to the proposed preserve boundaries, count toward this goal.
2. In conjunction with the managing partners, control human activities to eliminate or mitigate any adverse impacts of human activities to the warbler on these 28,428 acres, for the acreage acquired.
3. No vegetation clearing activities will be accomplished within golden-cheeked warbler habitat, Zones 1 and 2, from March 1 through August 31 to prevent the disturbance of nesting activities unless current breeding season surveys, conducted in accordance with Fish and Wildlife Service protocol, indicate that the warbler is not nesting within 300 feet of the proposed clearing.
4. Develop and implement an approved land management plan, in accordance with the land management guidelines set forth by the Coordinating Committee, for each tract within 12 months after permit issuance or within 12 months of land acquisition whichever is later.

BLACK-CAPPED VIREO

1. Ensure at least 2,000 acres within the seven identified macrosites will be acquired and managed for the black-capped vireo during the permit duration. Acquisition and management activities through this Permit, other issued incidental take permits, and section 7 consultations where the mitigation activities are within or contiguous to the proposed preserve boundaries, count toward this goal.
2. In conjunction with the managing partners, control human activities to eliminate or mitigate any adverse impacts of human activities to the vireo on these 2,000 acres, for the acreage acquired.
3. No vegetation clearing activities will be accomplished within black-capped vireo habitat between March 1 and August 31 to prevent the destruction of an active nest unless current breeding season surveys, conducted in accordance with Fish and Wildlife Service protocol, indicate that the vireo is not nesting within 300 feet of the proposed clearing.
4. Develop and implement an approved land management plan, in accordance with the land management guidelines set forth by the Coordinating Committee, for each tract within 12 months after permit issuance or within 12 months of land acquisition whichever is later.

LISTED KARST INVERTEBRATES

1. Acquire and manage, or implement formal management agreements, as provided in subsection (4) below, adequate to preserve the environmental integrity of the following 35 caves that support federally-listed karst invertebrates:

Amber Cave	Kretschmarr Double Pit
Bandit Cave	Kretschmarr Cave
Beard Ranch Cave	Lamm Cave
Bee Creek Cave	Little Bee Creek Cave
Broken Arrow Cave	M.W.A. Cave
Cave Y	McDonald Cave
Cold Cave	McNeil Bat Cave
Cotterell Cave	New Comanche Trail Cave
Disbelievers Cave	No Rent Cave
Eluvial Cave	North Root Cave
Fossil Cave	Rolling Rock Cave
Fossil Garden Cave	Root Cave
Gallifer Cave	Spider Cave
Hole-In-The-Road	Stovepipe Cave

Japygid Cave	Tardus Hole
Jest John Cave	Tooth Cave
Jester Estates Cave	Weldon Cave
Jollyville Plateau Cave	

2. If during investigations for development of a tract, karst features are discovered with a significant diversity of troglobitic fauna, those karst features may be submitted to the USFWS for consideration for exchange with karst features identified for protection by the BCCP. The determination of "significant diversity" will be made by the permit applicants and the USFWS, in association with karst experts. The inclusion of such a karst feature would not increase the number of caves to be protected by the BCCP, but would result in the new feature replacing a previously identified cave or caves.
3. Where the surface and subsurface hydrogeologic area around a cave identified for protection is not known, the area delineated by the contour level at the bottom of the cave will be managed for cave protection. In the absence of such site specific information, no Participation Certificates are to be awarded within 0.25 miles of the cave entrance until the hydrogeologic areas are properly delineated.
4. Enter into formal management agreement(s) for all caves that are recommended for protection but have yet to be acquired. The management agreement(s) will detail the area to be managed for cave protection, what such management will entail, and who is responsible for the management.

KARST SPECIES OF CONCERN

1. Acquire and manage, or implement formal management agreements, as provided in subsection (4) below, adequate to preserve the environmental integrity of the following 27 caves, in addition to the caves protected for the federally-listed species, that support the karst species of concern:

Adobe Springs Cave	Jack's Joint
Airman's Cave	Lost Oasis Cave
Armadillo Ranch Sink	Lost Gold Cave
Arrow Cave	Maple Run Cave
Blowing Sink	Midnight Cave
Buda Boulder Spring	Moss Pit
Cave X	Pennie Cave
Ceiling Slot Cave	Pickle Pit
District Park Cave	Pipeline Cave

Flint Ridge Cave
 Get Down Cave
 Goat Cave
 Ireland's Cave
 Whirlpool Cave

Slaughter Creek Cave
 Spanish Wells Cave
 Stark's North Mine
 Talus Spring

The caves in which the karst species of concern occur are listed below. To receive the "no surprises" guarantee for the identified species, the caves identified must be protected, as per "1" above.

SPECIES	CAVE
<i>Sphalloplana mohri</i>	Spanish Wells Cave
<i>Candona</i> sp. nr. <i>stagnalis</i>	Cave X
<i>Caecidotea reddelli</i>	Buda Boulder Cave, Cave X, Jack's Joint
<i>Trichoniscinae</i> N. S.	Bandit Cave
<i>Miktoniscus</i> N. S.	Cave X
<i>Cicurina wartoni</i>	Pickle Pit
<i>C. ellioti</i>	Cotterell Cave, Fossil Garden Cave, Gallifer Cave, No Rent Cave, Weldon Cave
<i>C. bandida</i>	Bandit Cave, Ireland's Cave
<i>C. reddelli</i>	Cotterell Cave
<i>C. reyesi</i>	Airman's Cave
<i>C. cueva</i>	Cave X, Flint Ridge Cave
<i>C. travisae</i>	Amber Cave, Broken Arrow Cave, Kretschmarr Cave, McDonald Cave, Root Cave, Spider Cave, Stovepipe Cave, Tooth Cave
<i>Neoleptoneta coccinea</i>	Lost Gold & Stark's North Cave
<i>N. devia</i>	McDonald Cave
<i>Eidmannella reclusa</i>	Tooth Cave, Gallifer Cave, Kretschmarr Cave, Stovepipe Cave
<i>Aphrastochthonius</i> N. S.	Stovepipe Cave
<i>Tartarocreagris reddelli</i>	McDonald Cave
<i>T. intermedia</i>	Airman's Cave
<i>T. N. S. 3</i>	BCNWR
<i>Texella spinoperca</i>	Airman's Cave
<i>T. comanche</i>	New Comanche Trail Cave
<i>Speodesmus</i> N. S.	Bandit Cave, Cave X, Get Down Cave, Goat Cave, Pennie Cave, Pipeline Cave, Slaughter Creek Cave, Whirlpool Cave
<i>Rhadine s. subterranea</i>	Cotterell, Fossil, Fossil Garden, No Rent, McNeil Bat, & Weldon Cave
<i>R. s. mitchelli</i>	Amber, Kretschmarr, & Tooth Cave

R. austinica

Airman's, Arrow, Bandit, Bee Creek, Blowing Sink, Cave Y, Cave X, District Park, Flint Ridge, Get Down, Ireland's, Lost Gold, Lost Oasis, Maple Run, Midnight, Pennie, & Whirlpool

2. If during investigations for development of a tract, karst features are discovered with a significant diversity of troglobitic fauna, those karst features may be submitted to the USFWS for consideration for exchange with karst features identified for protection by the BCCP. The determination of "significant diversity" will be made by the permit applicants and the USFWS, in association with karst experts. The inclusion of such a karst feature would not increase the number of caves to be protected by the BCCP, but would result in the new feature replacing a previously identified cave or caves.
3. Where the surface and subsurface hydrogeologic area around a cave identified for protection is not known, the area delineated by the contour level at the bottom of the cave will be managed for cave protection. In the absence of such site specific information, no Participation Certificates are to be awarded within 0.25 miles of the cave entrance until the hydrogeologic areas are properly delineated.
4. Enter into formal management agreement(s) for all caves that are recommended for protection but have yet to be acquired. The management agreement(s) will detail the area to be managed for cave protection, what such management will entail, and who is responsible for the management.

CANYON MOCK-ORANGE

Protect and manage the portions of the known populations found within the preserve boundaries, for the acreage acquired.

TEXABAMA CROTON

Protect and manage the populations at Pace Bend Park.

APPENDIX B**SPECIES OF CONCERN FOUND IN OR WITH THE POTENTIAL TO BE FOUND IN TRAVIS COUNTY**

	Federal Status	State Status
Amphibians		
Barton Springs Salamander (<i>Eurycea sosorum</i>)	LE	E
Edwards Plateau Spring Salamanders (<i>Eurycea</i> sp. 7)		R
Jollyville Plateau Salamander (<i>Eurycea tonkawae</i>)		R
Pedernales River Springs Salamander (<i>Eurycea</i> sp. 6)		R
Austin blind Salamander (<i>Eurycea waterlooensis</i>)		R
Invertebrates		
A Cave Spider (<i>Cicurina cueva</i>)	BCCP	
Bandit Cave Spider (<i>Cicurina bandida</i>)	BCCP	
Bee Creek Cave Harvestman (<i>Texella reddelli</i>)	LE, BCCP	
Bone Cave Harvestman (<i>Texella reyesi</i>)	LE, BCCP	
Tooth Cave Pseudoscorpion (<i>Tartarocreagris texana</i>)	LE, BCCP	
Tooth Cave Spider (<i>Neoleptoneta myopica</i>)	LE, BCCP	
Warton's Cave Spider (<i>Cicurina wartoni</i>)	C1, BCCP	
An Amphipod (<i>Stygobromus russelli</i>)		R
Bifurcated Cave Amphipod (<i>Stygobromus bifurcatus</i>)		R
Kretschmarr Cave Mold Beetle (<i>Texamauropis reddelli</i>)	LE, BCCP	
Tooth Cave Blind Rove Beetle (<i>Cylindropsis</i> sp.)		R
Tooth Cave Ground Beetle (<i>Rhadine persephone</i>)	LE, BCCP	
An Isopod (<i>Caecidotea reddelli</i>)	BCCP	
An Isopod (<i>Trichoniscinae</i> N. S.)	BCCP	
An Isopod (<i>Miktoniscus</i> N. S.)	BCCP	
A Spider (<i>Cicurina wartoni</i>)	BCCP	
A Spider (<i>Cicurina ellioti</i>)	BCCP	
A Spider (<i>Cicurina reddelli</i>)	BCCP	
A Spider (<i>Cicurina reyesi</i>)	BCCP	
A Spider (<i>Cicurina travisae</i>)	BCCP	
A Spider (<i>Neoleptoneta cocinna</i>)	BCCP	
A Spider (<i>Neoleptoneta devia</i>)	BCCP	
A Spider (<i>Eidmannella reclusa</i>)	BCCP	
A Pseudoscorpion (<i>Aphrastochthonius</i> N. S.)	BCCP	
A Pseudoscorpion (<i>Tartarocreagris reddelli</i>)	BCCP	
A Pseudoscorpion (<i>Tartarocreagris intermedia</i>)	BCCP	

	Federal Status	State Status
A Pseudoscorpion (<i>Tartarocreagris</i> N. S.)	BCCP	
Invertebrates (continued)		
A Harvestman (<i>Texella spinoperca</i>)	BCCP	
New Comanche Trail Cave Harvestman (<i>Tartarocreagris comanche</i>)	BCCP	
A Millipede (<i>Speodesmus</i> N. S.)	BCCP	
A Ground Beetle (<i>Rhadine s. subterranea</i>)	BCCP	
A Ground Beetle (<i>Rhadine s mitchelli</i>)	BCCP	
A Ground Beetle (<i>Rhadine austinica</i>)	BCCP	
An ostracod (<i>Candona</i> sp. nr. <i>stagnalis</i>)	BCCP	
A Flatworm (<i>Sphalloplana mohri</i>)	BCCP	
Birds		
American Peregrine Falcon (<i>Falco peregrinus anatum</i>)	DL	E
Arctic Peregrine Falcon (<i>Falco peregrinus tundrius</i>)	DL, BCC	T
Bell's Vireo (<i>Vireo bellii</i>)	BCC	
Buff-breasted Sandpiper (<i>Tryngites subruficolis</i>)	BCC	
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	LT-PDL	T
Black-capped Vireo (<i>Vireo atricapillus</i>)	LE, BCCP	E
Cassin's Sparrow (<i>Aimophila cassini</i>)	BCC	
Chestnut-collared Longspur (<i>Calcarius ornatus</i>)	BCC	
Elf Owl	BCC	
Field Sparrow	BCC	
Golden-cheeked Warbler (<i>Dendroica chrysoparia</i>)	LE, BCCP	E
Harris's Sparrow (<i>Zonotrichia querula</i>)	BCC	
Henslow's Sparrow (<i>Ammodramus henslowii</i>)		R
Kentucky Warbler (<i>Oporornis formosus</i>)	BCC	
Ladder-backed Woodpecker (<i>Picoides scalaris</i>)	BCC	
Le Conte's Sparrow (<i>Ammodramus leconteii</i>)	BCC	
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	BCC	
McCown's Longspur (<i>Calcarius mccownii</i>)	BCC	
Mountain Plover (<i>Charadrius montanus</i>)	PT, BCC	
Orchard Oriole (<i>Icterus spireus</i>)	BCC	
Painted Bunting (<i>Passerina ciris</i>)	BCC	
Prothonotary Warbler (<i>Protonotaria citrea</i>)	BCC	
Rufous-crowned Sparrow (<i>Aimophila ruficeps</i>)	BCC	
Sprague's Pipit (<i>Anthus spragueii</i>)	BCC	
Varied Bunting (<i>Passerina versicolor</i>)	BCC	
Whooping Crane (<i>Grus americana</i>)	E	LE
Fishes		

	Federal Status	State Status
Guadalupe Bass (<i>Micropterus treculi</i>)		R
Smalleye shiner (<i>Notropis buccula</i>)		R

Mammals		
Cave Myotis (<i>Myotis velifer</i>)		R
Plains Spotted Skunk (<i>Spilogale putorius interrupta</i>)	R	
Reptiles		
Spot-tailed Earless Lizard (<i>Holbrookia lacerata</i>)		R
Texas Garter Snake (<i>Thamnophis sirtalis annectens</i>)		R
Texas Horned Lizard (<i>Phrynosoma cornutum</i>)		T
Vascular Plants		
Basin bellflower (<i>Campanula reverchonii</i>)		R
Bracted twistflower (<i>Streptanthus bracteatus</i>)		R
Canyon mock-orange (<i>Philadelphus ernestii</i>)	BCCP	
Correll's false dragon-head (<i>Physostegia correllii</i>)		R
Glass Mountain coral root (<i>Hexalectris nitida</i>)		R
Texabama croton (<i>Croton alabamensis</i> var. <i>texensis</i>)	BCCP	

Key:

LE - Federally Listed Endangered

E – State Endangered

PE – Proposed Federally Endangered

E/SA – Federally Endangered by Similarity of Appearance

LT – Federally Listed Threatened

T – State Threatened

PT – Proposed Federally Threatened

E/TA – Federally Threatened by Similarity of Appearance

BCC – Listed by USFWS as “bird of conservation concern (USFWS 2003)

C1 – Federal Candidate, Category 1: Information supports proposing to list as endangered or threatened

DL – Federally Delisted

PDL – Federally Proposed Delisted

BCCP – Species covered under the USFWS BCCP regional permit

R – Rare, but with no regulatory listing status

NOTE THAT SPECIES LISTED VARY IN PROBABILITY OF OCCURRENCE, AND MAY INCLUDE WINTERING RESIDENTS, MIGRANTS, AND THOSE CONSIDERED HISTORIC OR EXTIRPATED (ADAPTED FROM TPWD 1999, AND USFWS 1996, 2003).

APPENDIX C:

LAND MANAGEMENT PLAN UPDATE COMMENTS

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6.0 BCP LAND MANAGEMENT PLAN PUBLIC COMMENTS

1.0 INTRODUCTION

The Balcones Canyonlands Preserve (BCP) Land Management Plan (LMP) is required under the Balcones Canyonlands Conservation Plan (BCCP) 10(a)1(B) permit to be regularly revised and updated. To accomplish this goal the Permit Holders (City of Austin and Travis County) worked with all BCP Managing Partners to revise the 1999 Land Management Plans approved by the U.S. Fish and Wildlife Service (USFWS). While working to revise the BCP LMP from 2004 – 2007, revisions and progress were reported and discussed at regular quarterly meetings of the BCCP Coordinating Committee, Citizens Advisory Committee (CAC), and Scientific Advisory Committee (SAC). These meetings are open to the public and agendas are posted at City Hall and on the CAC website prior to each meeting. All meetings include a Citizens Communications period and committee members were available to receive public comments at each meeting throughout the LMP Update process.

The 2007 BCP Land Management Plan Update includes:

- USFWS changes to the approved 1999 Land Management Plan,
- New biological and ecological information resulting from years of research and practical experience obtained while managing the preserve,
- Information gained from scientific experts,
- New information from scientific papers,
- Additional Tier III individual tract plans created as new tracts were acquired,
- Revisions to Tier II-A, Chapter XII. Public Access Management creating a process facilitating structured, managed, and mitigated public access in the preserve that does not conflict with the goals of the BCCP permit or cause “take” of endangered species or their habitat.
- Recommendations for the revisions were also received from the BCCP CAC, the SAC and the general public from Public Hearings held November 10, 2005 and February 15, 2006. All comments by the Advisory Committees and general public were considered and included in the BCP Land Management Plan revision if they were determined not to conflict with the BCCP 10(a)1(B) permit requirements.

The following LMP Update schedule lists major milestones toward completion of the revised Plan.

**LAND MANAGEMENT PLAN UPDATE
COMPLETION SCHEDULE MILESTONES 2004 – 2007:**

Land Management Plan Working Group (LMPWG) formed to complete required revisions to BCP Land Management Plan (LMP).	August 2004
BCCP staff completed draft of LMP, consensus documents of BCCP managing partners, planned presentations for Coordinating Committee, SAC, CAC and started public comment process.	August 2004 - November 2005
Draft LMP was informally sent to USFWS for any early comments.	Nov. 1, 2005
LMPWG conducted presentations on draft LMP to CAC and SAC, and started public comment period. Notified general public about CAC public hearings schedule and draft LMP availability for review and comment through the CAC website and made hard copies available at the Austin public library and 3 copy stores around the county for public review and comment.	Nov. 10, 2005
The CAC hosted a website (www.bcpdac.org) to receive public comments, to provide draft LMP information, and provide basic BCCP and BCP information. (In 2007, the information from this website was consolidated with other CAC information for the public on: www.balconescanyonlands.org/)	Nov. 10, 2005 – March 10, 2006
The CAC received public comments on the draft LMP from the website, public hearings and in writing.	Nov. 10, 2005 – March 10, 2006 (4 months)
The CAC held Public Hearings to receive public comments on the draft LMP.	Nov. 10, 2005 and Feb. 15, 2006
Final day for submittal of public comments to CAC.	March 10, 2006
The CAC and SAC each met several times and discussed the public comments.	March 10, 2006 – July 24, 2006
The CAC and SAC each submitted recommendations on the LMP to the BCCP Coordinating Committee.	July 24, 2006
LMPWG reviewed all recommendations from CAC and SAC and public comments for compliance with BCCP permit. Revised draft LMP documents to have consensus on text and formatting. Prepared responses to public comments for inclusion in draft LMP.	July 24, 2006 - April 26, 2007
LMP submitted to BCCP Coordinating Committee (this committee makes decisions on the next steps of the review and approval process).	August 15, 2007
Submitted the revised LMP to the CAC and SAC for their review (CAC and SAC also make decisions on next steps of review and recommendation process).	August 15, 2007
Next Steps - Final approval by BCCP Coordinating Committee and submittal to USFWS. Distribution of Final LMP to all agencies, CAC, SAC, libraries, etc.	TO BE DETERMINED.

This document, Appendix C: “Land Management Plan Comments”, provides and lays out the public involvement process that was conducted for revisions to the approved 1999 BCP Land Management Plan including recommendations from USFWS, from both the CAC and SAC and the general public. All comments received on the draft LMP Update are reported here and summarized with responses. The proceeding sections are as follows:

Sections 2.0 and 3.0 provides the recommendations by the CAC and SAC on the Nov. 2005 Draft Land Management Plan Update as presented to the BCCP Coordinating Committee on July 24, 2006.

Section 4.0 provides a summary of the “Public Comments” received and the staff “Responses” to the most frequently made comments and questions.

Due to the numerous comments received relating to public access two documents, or white papers, were created that provide detailed responses about the policies and procedures prescribed by the BCCP permit including descriptions of the regulatory framework by which the permit holders are bound. These white papers have been included here as Section 5.0: “Balcones Canyonlands Conservation Plan Policies Governing Land Use and Activities on the Balcones Canyonlands Preserve” and “Balcones Canyonlands Conservation Plan Rules Governing Public Use and Recreation on the Balcones Canyonlands Preserve”.

Section 6.0 provides the complete text of all 294 comments received by the CAC during the four month (120-day) public comment period on the Nov. 2005 Draft Land Management Plan Update. These comments were received from the CAC Land Management Plan Revision website (formerly www.bcpac.org, and recently changed to www.balconescanyonlands.org), by mail, and at the two public hearings hosted by the CAC.

2.0 BCCP CITIZENS ADVISORY COMMITTEE RECOMMENDATIONS

MEMORANDUM

To: BCCP Coordinating Committee
Mayor Will Wynn, Chair
Commissioner Gerald Daugherty, Member
Bob Pine, Member (Ex-Officio)

From: Ted Siff, Chair
Citizens Advisory Committee

CC: Willy Conrad, Secretary, BCCP

Date: July 24, 2006

Subject: Recommendations from the Citizens Advisory committee regarding revisions to BCP land Management Plans

On November 1, 2006 the Citizens Advisory Committee (CAC) initiated a 120 day long initiative to solicit public input into the revision of land management plans for the Balcones Canyonlands preserve (BCP). This initiative included two public meetings as well as a CAC administered website (www.bcpdac.org [Ed. Note: The website address has now been changed to www.balconescanyonlands.org]). Following this public input period the CAC met three times from March 2, 2006 through June 2006 to incorporate over 300 public comments as well as our own input into a set of recommendations for you to consider as BCP land management plans are revised and presented to you for approval.

Please accept the attached recommendations respectfully submitted to you today for your consideration. The following document is attached:

2.1 Balcones Canyonlands Conservation Plan Citizens Advisory Committee

RECOMMENDATIONS BALCONES CANYONLANDS CONSERVATION PLAN COORDINATING COMMITTEE FROM THE CITIZENS ADVISORY COMMITTEE REGARDING ADDITIONS OR CHANGES TO REVISED LAND MANAGEMENT PLANS OR BCCP POLICIES

Approved by the Citizens Advisory Committee on June 12, 2006

Ted Siff, Chair, Citizens Advisory Committee

1. Based on its experience, with input for BCP staff and the public, the Citizens Advisory Committee believes that the BCP is under-resourced. The Citizens Advisory Committee strongly supports City of Austin BCP and Travis County BCP proposals for staff and budget increases and asks the BCCP Coordinating Committee to re-assess staffing needs after Land Management plans are revised.
2. The Citizens Advisory Committee recommends that there be an educational kiosk or other public display, installed at every access point into BCP tracts, with information advising the public that the site is BCP land. It should also provide educational information about BCP.
3. The Citizens Advisory Committee encourages City of Austin BCP staff and Travis County BCP staff to participate in and facilitate more public/private partnerships to enhance education, public access, and other BCP goals.
4. The Citizens Advisory Committee recommends development of an integrated BCCP public involvement program. This program should include education/information and public/private partnership initiatives that support the long term success and development of the BCP. Travis County and the City of Austin should provide funding and dedicated staffing for this program
5. After completing the Balcones Canyonlands Preserve, the BCCP's most pressing issue is the protection of the preserve land's ecological values given its urban setting. Unauthorized or inappropriate access, including overuse, by humans and domestic pets pose the greatest risk to damage or loss of the public's investment in the preserves and the related USFWS endangered species permit. It is imperative that the BCCP develop a plan to protect the preserves from the negative impacts such access can create on the species of interest. Development of this plans should include consideration of the following items or actions:

- Adequate security measures such as fencing and warden patrol should be provided and prioritized based on the an assessment of the potential for unauthorized or inappropriate access;
 - Likely locations where public access can be accommodated without negative impact should be identified along with the conditions for such access;
 - Alternative off-site locations that can accommodate public access should be identified and acquired if necessary.
 - Mitigation should be provided in those instances where public access (authorized and unauthorized) will negative impact the preserves ecological value.
6. The BCCP staff should develop a set of specific guidelines to assist those wishing to submit proposals for public access in the BCP. Such guidelines should be based on the best scientific information available and should identify the criteria under which public access can be considered. The guidelines should include a timely evaluation and update process to assure the preserve's protection and to the extent practicable, public access.

3.0 BCCP Scientific Advisory Committee Recommendations:

MEMORANDUM

To: BCCP Coordinating Committee
Mayor Will Wynn, Chair
4.0 COMMISSIONER GERALD DAUGHERTY, MEMBER
Bob Pine, Member (Ex-Officio)

From: David Steed, Chair
Scientific Advisory Committee

CC: Willy Conrad, Secretary, BCCP

Date: July 24, 2006

Subject: Recommendations from the Scientific Advisory committee regarding
revisions to BCP Land Management Plans

In the fall of 2005 the Scientific Advisory Committee (SAC) received and reviewed a draft copy of the Revised BCP Land management Plan from the BCCP Secretary's Land Management Plan Working Group. Following the close of the public comment period conducted by the Citizens Advisory Committee (CAC), we also reviewed the nearly 300 public comments received. Additionally, we met in a joint meeting with the CAC to discuss those comments in light of our understanding of the biology of the species protected by the Joint Fish and Wildlife Federal Permit. As a result of this extensive review and consideration the SAC prepared two recommendations you to consider as BCP land management plans are revised and presented to you for approval.

Please accept the attached recommendations respectfully submitted to you today for your consideration. They Include:

- **RECOMMENDATIONS FOR RESEARCH PRIORITIES FOR REVISED LAND MANAGEMENT PLANS FOR BALCONES CANYONLANDS PRESERVE** approved by the Scientific Advisory committee during its called meeting 5/19/06

- **RECOMMENDATIONS FOR PUBLIC ACCESS PROVISIONS FOR REVISED LAND MANAGEMENT PLANS FOR BALCONES CANYONLANDS PRESERVE** approved by the Scientific Advisory committee during its called meeting 5/19/06

David Lewis Steed, Chair
Scientific Advisory Committee

3.1 Balcones Canyonlands Conservation Plan Scientific Advisory Committee

RECOMMENDATIONS FOR PUBLIC ACCESS PROVISIONS FOR REVISED LAND MANAGEMENT PLANS FOR BALCONES CANYONLANDS PRESERVE

The Scientific Advisory Committee notes and continues to fully endorse the following critical policies for the implementation of the Balcones Canyonlands Conservation Plan and for the operation of Balcones Canyonlands Preserve:

- The Balcones Canyonlands Preserve were established in 1995 through an Interlocal Agreement and Shared Vision between Travis County and the City of Austin as mitigation under a federal permit issued by US Fish and Wildlife Service in accordance with section 10 (a) of the Endangered Species Act.
- The goals of the Interlocal Agreement and Shared Vision include protecting and managing habitat to support viable populations of species of concern.
- The US Fish and Wildlife Service issued permit requires compliance with and implementation of terms and conditions of the Habitat Conservation Plan/Final Environmental Impact Statement.
- The Habitat Conservation Plan/Final Environmental Impact Statement asserts that conservation and recovery of targeted Endangered Species is the guiding principle of management for the Balcones Canyonlands Preserve.
- The Habitat Conservation Plan/Final Environmental Impact Statement only provides for multiple use management when monitoring and assessment of uses beyond species protection and habitat management can be clearly demonstrate that these uses either benefit the protected species and their habitat, or do not harm them or their habitat.
- Land management Guidelines in the Habitat Conservation Plan/Final Environmental Impact Statement provide for use of “Experimental Sites” to provide for monitoring the effects of the proposed activity on protected species and their habitat, in order to determine if these activities may be considered beneficial or neutral to protected species.

In support of these policies the Scientific Advisory Committee makes the following observations and recommendations for consideration in revising BCP land Management plans:

- Experimental Access activities have the potential to result in “Take” of protected species as defined in the Endangered Species Act.
- Experience by preserve managers demonstrates the difficulty of stopping any access activity found to be detrimental to protected species or found to degrade habitat, once that activity is initiated whether authorized or not.
- No additional open public access may occur unless there is strong scientific evidence to support the conclusion that the activity is beneficial or neutral in its effect on protected species.
- All proposals for new public access must include detailed plans for activities that are highly structured, intensively managed, and are monitored for their effects on protected species and provide for mitigation of adverse effects.
- “Experimental Sites for Public Access” must be in areas outside the boundaries of Balcones Canyonlands Preserve but within the Balcones Canyonlands Conservation Plan permit area containing suitable habitat for protected species similar to what might be found within preserve boundaries.
- Preserve staff, members of the Scientific Advisory Committee, and/or researchers or scientists serving advocates for public access activities must collaborate to monitor and assess, within these Experimental Sites, the effects of public access activities on species protected by the Balcones Canyonlands Preserve to determine whether those activities may be deemed beneficial or neutral in their effects on those species or their habitat.
- The Scientific Advisory Committee defines passive public use activities within the context of the Balcones Canyonlands Conservation Plan as only hiking, photography, nature observation, and guided educational tours where these activities do not compromise the primary purpose of the preserve, which is to protect the rare and endangered species encompassed by the habitat Conservation Plan/Final Environmental Impact Statement. All other activities are defined as active.

3.2 BALCONES CANYONLANDS CONSERVATION PLAN SCIENTIFIC ADVISORY COMMITTEE

RECOMMENDATIONS FOR RESEARCH PRIORITIES FOR REVISED LAND MANAGEMENT PLANS FOR BALCONES CANYONLANDS PRESERVE

The Scientific Advisory Committee recognizes and continues to support these key concepts that serve as the basis for the Balcones Canyonlands Conservation Plan and operation of the Balcones Canyonlands Preserve:

- The Balcones Canyonlands Preserve was established in 1995 through an Interlocal Agreement between Travis County and the City of Austin as mitigation under a federal permit issued by US Fish and Wildlife Service in accordance with section 10 (a) of the Endangered Species Act.
- Bonds issued by the City of Austin for purchase of more than 11,000 acres of preserve land require full implementation of the Habitat Conservation Plan/Final Environmental Impact Statement, Interlocal Agreement and Shared Vision.
- Both the Interlocal Agreement and Shared Vision specifically state that recovery of protected species is the prime mission of the BCCP and preserves.
- The Habitat Conservation Plan/Final Environmental Impact Statement asserts that conservation and recovery of targeted Endangered Species is the guiding principle of management for the Balcones Canyonlands Preserve.
- The Habitat Conservation Plan/Final Environmental Impact Statement notes that the basic biology and management needs of protected species are not sufficiently understood.
- Land management guidelines allow for research to improve the understanding of the ecology of preserve species, plant communities, and aquatic and subterranean environments.

In light of these concepts the Scientific Advisory Committee recommends that:

- The priorities for research on Balcones Canyonlands Preserve must first address the biology and ecology of listed species in order to assure successful adaptive management of preserves for the benefit of protected species.
- The priorities for research on Balcones Canyonlands Preserve must be based on the ability of that research to address goals and needs of recovery plans for species protected by the Balcones Canyonlands Conservation Plan.

- Any research to address effects of recreational activities on protected species must not take priority over the conservation or management priorities stated above and they must not divert staff or financial resources from the primary research priorities, species monitoring, or land management.

4.0 SUMMARY OF PUBLIC COMMENTS AND BCCP RESPONSES

There were 294 comments received by the CAC during a 120 day (four month) public review and comment period. Comments were received during two public hearings, by mail, and from a website that provided the complete text of the draft documents. Copies of the draft Land Management Plan Update were provided to all members of the Citizens and Scientific Advisory Committees during public meetings, posted to the publicly available website, digital and paper copies were made available through the City of Austin Main Library and various branch library locations, and draft documents were available for the public to copy at multiple print shops in different areas of the local community.

This summary organizes the comments received into general topics, as many comments were duplicative or addressed different aspects of a single concern. The following list combines multiple comments addressing a single topic into general categories. Responses from the BCCP Partners are provided to the most frequently made comments. The following sections (Section 5.0 and 6.0) provide supporting documentation. Section 5.0 summarizes the regulatory framework of the federally issued BCCP 10(a)1(B) permit and details the standards and constraints related to compliance with the permit. Section 5.0 also describes policies and regulations related to the permit in two documents: “Balcones Canyonlands Conservation Plan Policies Governing Land Use and Activities on the Balcones Canyonlands Preserve” and “Balcones Canyonlands Conservation Plan Rules Governing Public Use and Recreation on the Balcones Canyonlands Preserve”. Section 6.0 contains the full text of all public comments received.

4.1 Comments related to the BCCP Permit

Public Comments about what is allowed under the BCCP Permit

Who wrote the Environmental Impact Statement/Habitat Conservation Plan (EIS/HCP)? What are the challenges and constraints under the BCCP Permit about Public Access? The BCCP should not limit Public Access. What is the standard that the agencies must meet under the permit?

BCCP Response

The EIS/HCP was prepared by a consulting firm hired by the City of Austin and Travis County (Regional Environmental Consultants, 7460 Mission Valley Road, San Diego, CA 92018) and approved by each partner agency and the U.S. Fish and Wildlife Service (USFWS) in 1996.

The 10(a) permit (the Balcones Canyonlands Conservation Plan, or BCCP) issued by the USFWS to the City of Austin and Travis County in 1996 required creation of the Balcones Canyonlands Preserve (BCP) to mitigate for endangered species habitat impacted due to development or other changing land uses in Travis County. The goal of the BCP is to set aside and manage one acre of habitat within the preserve for each acre impacted by otherwise lawful activities that result in “take” or “harm” to endangered species within the permit area covering approximately 561,000 acres in western Travis County. “Take” was defined by Congress in the Endangered Species Act as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect any threatened or endangered species”. “Harm” may include habitat modification that impacts a listed species through impairment of essential behavior (e.g., nesting or reproduction).

The preserves are required to be managed to protect and enhance populations of and habitat for federally listed species and only activities that do “not threaten the welfare of the target species of concern, which is the overriding goal of the preserve system, nor cause the degradation of the soil, vegetation or water resources” may be allowed (USFWS, HCP/EIS 1996). In the EIS/HCP, some activities such as recreational off-road vehicle riding, horseback riding and bicycling were prohibited within the preserve because these uses may result in “take” or “harm” and thereby threaten populations and recovery of the protected species. Because the preserves serve to offset acre for acre habitat loss outside the BCP with protected habitat within the preserve, no activities which result in “take” or “harm” can be allowed in these areas.

To comply with the USFWS approved EIS/HCP and the federal permit, the BCP Partners limit access and activities that result in “take” or “harm”, that cannot be managed or that violate terms and conditions of the federal permit. If USFWS determines that “take” is occurring within the preserve or that the species are not recovering, the permit could be revoked or amended which could result in reinstituting the development moratorium that existed in Western Travis County before the BCCP was created.

The standard or test for preserve success is recovery of the species. In accordance with the terms and conditions of the federal permit, biologists regularly survey populations of the endangered birds and cave invertebrates protected by the BCP to determine their distribution and abundance and report these findings to the

USFWS. The USFWS is the federal Agency charged with administering the Endangered Species Act and determining recovery status.

Public Comments about effects of development vs. public access

Isn't development the real problem for endangered species protection rather than public access? Don't threats from habitat loss from development and the presence of non-native animals such as feral house cats, deer, pigs, and cowbirds pose a far greater threat to the golden-cheeked warbler than mountain bikes or hikers?

BCCP Response

Loss of habitat is widely regarded as the most important factor in the loss of endangered species in the Austin/Travis County area. The BCP was created specifically to provide a refuge for remaining populations of these species and to foster their recovery. The widespread loss of habitat throughout Travis County makes protecting the remaining quality habitat within the preserves even more important for survival of the species. The Habitat Conservation Plan clearly states that intensive management to protect the habitat for the benefit of the listed species will be required in perpetuity (See Section 5.1).

The BCCP 10(a) permit allows for the loss of approximately 75% of the golden-cheeked warbler habitat and 50% of black-capped vireo habitat in Travis County in exchange for establishing the Balcones Canyonlands Preserve. To meet permit obligations, the BCP must consist of a minimum of 30,428 acres of habitat for these two rare songbirds and of 64 karst, or cave locations that contain rare or endangered invertebrates. The BCP is the compensation for the loss of other habitat throughout the County, and no "take" or "harm" may therefore take place within the preserve.

Wildlife in Travis County continues to lose habitat to development and other land use changes. Many other factors create additional habitat impacts within the preserve, including feral house cats, overabundant white-tailed deer populations, feral hogs, predation from brown-headed cowbirds, non-native red imported fire ants, invasive and non-native plants, and many others. Uncontrolled public access and the resulting disturbance, trail compaction, erosion, and other impacts are another pressure on the endangered species that the BCP was established to protect.

Public Comments on the need to protect the preserve

The BCP is legally obligated to put the welfare of the golden-cheeked warbler first and foremost when managing this preserve land. Continue to reserve the BCP for its intended purpose: habitat for endangered species, and other wildlife. The local and federal funding to acquire these tracts is to preserve endangered species and their habitats. It was never intended as public recreation areas or community parks. They are not public places. There should not be any recreational activities in the BCP other than supervised field trips for scientific or educational purposes. This access that many people propose may “harass, maim, and destroy” the endangered species that the preserves were purchased to protect and may undermine the legal framework under which the BCCP was set up, thereby possibly causing problems for those landowners that are mitigating for their development under the BCCP permit. If we allow public access there, it should be done with a great deal of caution. It should be allowed only in locations and during seasons that can be demonstrated to be of little to no impact to wildlife or habitat. Place restrictive covenants on the preserve parcels so that the long-term viability of the preserve tracts is not threatened by potential changes in preserve ownership due to development pressures.

BCCP Response

The BCP consists of dedicated preserve land as defined by Chapter 26 of the Texas Parks and Wildlife Code due to the in perpetuity dedication of these lands for protection of endangered species. This dedicated use is documented in the federal permit, the HCP/Final EIS, and the BCCP Interlocal Agreement. These three documents provide policy direction for all actions regarding BCCP and BCP (See Section 5.1).

Chapter 26 of the Texas Parks and Wildlife Code forbids changing land uses within dedicated parks and preserves unless elected officials with appropriate jurisdiction and authority find after posting 30 days notice and holding public hearings that that there is no other feasible or prudent alternative; that the program or project proposing the change includes all reasonable planning to minimize harm resulting from the taking; and that clearly enunciated local preferences have been considered. Elected officials must find that all three of these legal tests have been met before a change of use can be approved on any dedicated parkland or preserve.

The governing policies for BCP, however, provide for some conditionally grandfathered public access as well as opportunities for new types of access. These policies ensure that activities within the preserve do “not threaten the welfare of the target species of concern, which is the overriding goal of the preserve system, nor

cause the degradation of the soil, vegetation or water resources” (USFWS, HCP/EIS 1996). Any impact to preserve land or habitat suitability must be considered in light of the habitat value of each BCP tract, its continuity within the larger preserve design, and the commitment that the Permit Holders made to the USFWS in 1996 to protect the integrity of the “unique and irreplaceable” preserve system (Interlocal Agreement, Article V, 5.1 (b) and Article VII, 7.1 (d)). For grandfathered uses, managers are required to modify or curtail those uses when threats to species or changes to habitat are observed. New or changed uses must be determined to pose no threat or harm before they may be authorized within the preserve.

Public Comments on needing more open space

Public open space is in short supply and more public land needed for access. The BCP lands can help the effort to encourage the public to enjoy and conserve natural areas and lead to continued political support for protecting open space. There is a need for additional trails for recreational opportunities for the human health benefits, quality of life benefits and economic benefits since it draws people to Austin for its outdoor qualities. There aren’t many places that parents can take children into the woods for biking, hiking, walking dogs, to encourage them to appreciate the outdoors, and increased land access would help. When the public is allowed access to these preserve lands through responsible use of trails, more people will feel compelled to protect them in general, protect them from development pressures, and support protection of conservation lands in the community.

BCCP Response

The governing bodies that oversee the BCCP recognize the public demand and widespread support for additional parks and open space and recreational opportunities in Travis County. Voters in Austin and Travis County have repeatedly demonstrated their desire to set aside land for parks, preserves, open space and water quality protection by supporting bond elections to fund these programs.

The City of Austin and Travis County have continued to acquire new acreage to meet these demands, and today provide more than 230 parks, greenbelts and recreation centers for the public. The City of Austin and Travis County today provide more than 200 sports fields, over 100 tennis courts, better than 100 miles of hike and bike trails, six public golf courses, boat ramps, windsurfing areas, primitive and improved camping areas, natural as well as man made rock climbing areas, picnic tables, disc golf courses, playgrounds, catch and release fishing

ponds, access to rivers and lakes for additional fishing and boating opportunities, museums, amphitheaters, senior activity centers, a bicycle veloway, a nature and science center, an archery range, an art center, and a sports complex for the public.

Additional public outdoor recreation opportunities in Travis County are provided by the Texas Parks and Wildlife Department, the Lower Colorado River Authority, and the U. S. Department of the Interior's National Wildlife Refuge System. Membership organizations such as the Ladybird Johnson Wildflower Center, the Travis Audubon Society and the Nature Conservancy of Texas offer still more options for those that want to enjoy Travis County's great outdoors.

The lands that make up the BCP were set aside specifically to facilitate the conservation and recovery of endangered species, and all management decisions regarding the preserve must consider that "This priority objective will govern preserve management activities to improve target species habitat, while protecting preserves against degradation caused by urbanization of surrounding lands and increased public demand for recreation usage within preserves" (USFWS, HCP/EIS 1996).

The BCP does provide public access where these activities are conditionally grandfathered under the HCP/FEIS and where such uses can be managed to ensure that they do "not threaten the welfare of the target species of concern, which is the overriding goal of the preserve system, nor cause the degradation of the soil, vegetation or water resources" in accordance with the terms and conditions of the BCCP permit (See Section 5.1 and 5.2). Travis County's Hamilton Pool Preserve, the City of Austin's Emma Long Park, Wild Basin Wilderness Preserve and Westcave Preserve are all examples of BCP lands managed to accommodate year-round managed public access within the preserve.

Some lands within the preserve are owned by private individuals or others and managed by one of the BCP Partners through cooperative management agreements such as conservation easements. On these preserve tracts, the landowners have the right to restrict public access to lands that they own, just as landowners throughout Texas have the right to limit or control who is authorized to access their property. Though these tracts are managed for endangered species to the terms and conditions of the BCCP by one of the permit holders, the land managers in these instances may not have the ability to grant access to these privately owned lands.

Much of the acreage within the BCP was acquired with public funds that obligate local governmental bodies to hold these assets in public trust for their stated specific purpose. To manage these lands for purposes other than those for which they were acquired would violate that public trust and limit the ability of public entities to enter into bonded debt to acquire additional parks or open space (See Section 5.2).

Public Comments on Active versus Passive Recreational Uses

Mountain biking and group trail running should be included in the definition as a “passive” recreational use, rather than listed as an “active” use.

BCCP Response

The BCCP Scientific Advisory Committee has reviewed the terms as they are used in the HCP/FEIS “Land Management Plans and Guidelines” and has further refined the definitions of passive and active recreation as they pertain to the BCP: “Passive Recreation is defined as hiking, photography, nature observation, and guided educational tours where these activities do not compromise the primary purpose of the preserve, which is to protect the rare and endangered species encompassed by the Habitat Conservation Plan/Final Environmental Impact Statement. All other activities are defined as active.”

4.2 Comments about General Access such as Mountain Biking, Hiking, and Other Recreational Uses

Public Comments concerning desire for more public access

Appropriate public access use of the land within the BCP should be allowed. This preserve land and endangered species habitat is not now and will not be hurt by access by hikers, runners, mountain bikers, dog walkers, rock climbers, cavers, horse riders, and bird watchers. What good is setting aside land if humans can’t enjoy it and interact with the wilderness? Everyone should be able to enjoy the preserve and interact with the wilderness and wildlife. The user groups are good stewards of the land (except for a few bad apples, the incidence rate is low). If built properly, a trail for these activities will not degrade the land and maintenance will be minimal. Access should continue to be allowed on the tracts that are already currently open for access and new access locations or activities should be allowed on tracts such as Forest Ridge, Canyon Vista, and Jollyville.

BCCP Response

The BCCP allows for public access where activities can be controlled, monitored and where impacts can be managed in order to meet the permit goals and priorities.

The 10(a) permit and HCP/EIS defines the goals and priorities for the preserve (See Section 5.1). The plans and guidelines provided by USFWS state that “The BCCP preserve system is to be managed to permanently conserve and facilitate recovery of the populations of target endangered species inhabiting western Travis County. This priority objective will govern preserve management activities to improve target species habitat, while protecting preserves against degradation caused by urbanization of surrounding lands and increased demand for recreation usage within preserve lands.” It later continues, “No activity will be allowed which results in take of endangered species, or which degrades or in any way harms the preserves.”

The HCP/FEIS notes that the biology of most protected species is “... not sufficiently well understood to allow prediction of the impact on those species of ... use intensity levels for public recreation”. The HCP also states that “A multiple use approach may be appropriate on some tracts, whereby other uses may be compatible with the primary habitat protection and species management goals, as long as these uses either benefit or have no significant effects on species of concern or do not compete with other management efforts for personnel or financial resources.”

The challenge BCP Land Managers face is how to manage demands for public access in a manner consistent with all of the conditions provided in the HCP/EIS and the Land Management Plans and Guidelines (See Section 5.2). Eleven years of managing “grandfathered” tracts with various levels of public access has demonstrated that degradation of soil, water, and plant resources can quickly result from unmanaged uses. Erosion, trampling and sediment transport can be found on trails and facilities on every “grandfathered” tract.

The City of Austin and Travis County are responsible for over 2/3 of the current 27,852 acres that make up the BCP. The combined full time staff responsible for species monitoring, land management, research, law enforcement, education and outreach, volunteer programs, land acquisition, and administering the BCCP Public Participation Program totals fewer than 20 individuals.

Current staffing and budget constraints as well as the lack of basic infrastructure to support additional public access on most BCP lands (such as parking areas, restrooms, etc.) limit the amounts and types of activities and uses that can be accommodated on the preserve while upholding the permit holders' obligations under the federal permit. Any actions that reduce the amount or quality of protected habitat place the preserve and the federal permit in peril.

Public Comments supporting access during the non-nesting season

Hikers, runners, mountain bikers, dog walkers, rock climbers, cavers, horse riders, and bird watchers should be allowed access during the non-nesting season to minimize any impacts to the nesting endangered bird species. The limit on access should only be in place during the nesting season.

BCCP Response

The HCP/FEIS and sound conservation principals require that the preserve system be managed to ensure healthy ecosystems, thereby providing habitats capable of supporting all of our area's native plant and wildlife. The complex interconnected relationships found in nature require successful wildlife managers to consider entire systems, and not focus on single species management. To ensure the health of the system, it is simply not possible to manage the preserves only during the nesting season for our rare birds. Habitat impacts that negatively impact the protected species can occur at any time of the year. Focusing upon the time of year when the birds are present only addresses one of the concerns expressed by land managers, that of direct disturbance. Indirect and cumulative effects can create significant negative impacts for wildlife.

In the same way that cutting down a mature closed canopy oak-juniper-mixed hardwood forest to allow for new construction during the non-nesting season does not directly impact the birds (that is, no birds are actually killed or injured by these actions when they are on the wintering grounds in southern Mexico and Central America), USFWS has determined that the indirect and cumulative impacts of these actions harms the birds by modifying habitat needed for their essential behavior (e.g., nesting or reproduction). BCP Land Managers are responsible for ensuring the health of the entire system, including year-round management of protected habitats.

It is also important to consider that the BCP is much more than just a preserve for two rare birds. Of the 35 species that the permit holders are required to manage

and protect, only two are migratory birds. Most of the species that the BCP Land Managers are charged with protecting are karst invertebrates and plant species that are found on the preserves year-round. Unmanaged access in the preserve that results in impacts such as trail compaction and resulting erosion, for example, may have a far greater impact to the thirty-three other species protected by the BCP than to the two migratory songbirds that rely on the preserve for nesting and rearing habitat.

The BCP public access policies ensure that activities within the preserve do “not threaten the welfare of the target species of concern, which is the overriding goal of the preserve system, nor cause the degradation of the soil, vegetation or water resources” (USFWS, HCP/EIS 1996). BCP Land Managers are required to modify or curtail activities or uses when threats to species or changes to habitat are observed. New or changed uses must be determined to pose no threat or harm before they may be authorized within the preserve.

Public Comments asserting that legitimate access leads to fewer problems

Unless the community has an interest in protecting these areas, efforts to close off and protect with fences, laws and other restrictions will ultimately fail. Legitimate access results in lower illegitimate activities such as dumping, illegal access, etc.

BCCP Response

The BCP Land Managers agree that authorized uses and activities within the BCP are important educational opportunities that help the community understand and support the mission of the BCCP. In an effort to meet the increasing demand for public access opportunities on the preserve the BCP Partners created the 2007 BCP Hike and Lecture Series. The Hike and Lecture Series consists of guided interpretive tours or presentations by recognized experts on topics concerning the preserve scheduled on the second Saturday of each month throughout the year. The Hike and Lecture Series was advertised in local newspapers, on area radio stations, by sharing press releases with various interest groups, and through internet links from the City of Austin and Travis County websites to the Series homepage (www.BalconesCanyonlands.org).

Initial interest has surpassed expectations, each event has been well attended and feedback from participants has been overwhelmingly positive. The BCP Partners plan to discuss ways to expand the concept and offer additional opportunities within the staffing and budget constraints faced by the various BCP Partners.

Each of the BCP Partners also offers opportunities throughout the year for interested parties to visit and learn about the preserve. In the last year, for example, guided educational tours or volunteer events have provided opportunities for Home Owners Associations, scout troops, graduate student researchers, photographers, national scientific meetings, Advisory Committees, school children, after school science programs, preserve neighbors, law enforcement and emergency response personnel, eagle scouts, and many others throughout the preserve system. Over 100 education or outreach opportunities were provided for the public by the BCP Partners last year alone.

BCP Managers find that in locations with unmanaged “grandfathered” uses, unauthorized activities seem to occur at a much higher rate than on preserve lands where no open public access is permitted. On these grandfathered tracts, incidents recorded include illegal trail construction, vandalism, off trail use, unauthorized dog use or unauthorized off-leash dog use, trash dumping and littering, drug use and illicit sexual activity. At least anecdotally, the recorded history of the various tracts within the preserve seems to support the observation that unauthorized activities actually increase with unmanaged public access facilities.

Public Comment on new trail locations

Can you provide information about the access allowed at Steiner Ranch and at the City of Austin trails being developed?

BCCP Response

The City is developing two trails on its Water Quality Protection Lands (WQPL). On the Stennis Tract, the City and its partner, the Bull Creek Foundation, are building a 1.5 mile hike and bike trail near the intersection of Old Spicewood Springs Road and Loop 360. This trail should open sometime in the summer of 2007. The second trail is a six mile hike, bike, and equestrian trail in the WQPL Slaughter Creek Management Unit. It is being built and will be operated in partnership with Austin Metro Trails and Greenways, Austin Ridge Riders, and Hill Country Foundation. This trail is anticipated to be open in fall 2007

Travis County manages 819 acres at Steiner Ranch to the terms and conditions of the BCCP under a conservation easement agreement. Steiner Ranch also maintains greenbelts and parks with trails that are outside the Steiner Ranch Preserve. All of the trails at Steiner Ranch are on privately owned land and are provided and

maintained by the developer and the Home Owners Association solely for the use of Steiner Ranch residents.

4.3 Public Comments specifically on mountain biking

Public Comments requesting mountain biking in preserve land

Please expand, not restrict mountain biking on the preserve. Specifically, mountain biking should be allowed in areas such as the Emma Long, Forest Ridge, Canyon Vista, and Barton Creek Wilderness Tracts. The impact of mountain biking is low and can be contained to be consistent with the intended use of this land. Mountain bike groups did extensive work to support and repair trails as partners to the City of Austin at Forest Ridge and felt angry at the change in the access rules in the late 1990s that prohibited mountain biking. Mountain biking should be reintroduced and monitored. Requiring permitting for bikers would also be a great way to help ensure compliance with trail rules and build a greater pool of BCP stewards. It seems unfair when some areas prohibit bikers, while remaining open to hikers. The effects of mountain biking are no worse than the effects of hikers. Mountain bikers and hikers should both be allowed since studies have proven that these are both low impact uses of trails.

BCCP Response

BCCP Land Managers and the BCCP Scientific Advisory Committee (SAC) have undertaken extensive reviews of current published peer-reviewed scientific literature regarding bicycling impacts on trails and wildlife. To date, staff and the SAC have been unable to find any data or documentation that substantiates assertions that mountain biking has no more impact than hiking. BCCP staff and the SAC welcome the opportunity to review any peer-reviewed published literature with findings that substantiate these comments.

The change of policy at Forest Ridge in the late 1990's was the result of USFWS concerns that the City of Austin was failing to enforce the BCCP 10(a) Permit prohibition of mountain biking in the Preserve (See Section 5.2). At that time, the City of Austin began enforcing this permit prohibition and stepped up efforts to ensure that the preserve was managed to meet all terms and conditions of the federal permit.

Public Comments on the Fort Hood and Belton Lake Outdoor Recreation Area studies

Why doesn't the BCP recognize the biological studies at Fort Hood and Belton Lake Outdoor Recreation Area (called the BLORA Study) found that mountain biking was neither more or

less detrimental to parkland than any other type of activity. This study showed that endangered birds can coexist with combat training and mountain biking.

BCCP Response

The Nature Conservancy of Texas document “Monitoring of the Golden-cheeked Warbler at Belton Lake Outdoor Recreation Area Mountain Bike Park, 1998-2003” submitted as part of the Fort Hood Project 2003 Annual Report concluded that “Further research employing multiple control and treatment study areas is needed to examine the effects of mountain biking on the abundance and demography of the golden-cheeked warbler on its breeding grounds”.

The researcher (Rebecca Peak) further described her study as “...provid(ing) limited insight to natural resource professionals concerning management strategies for Neotropical migrant songbirds breeding on areas where mountain biking occurs. Since only one study area was used and sample sizes were small, inference should not be drawn to other areas where warblers and mountain biking occur.”

BCP Land Managers agree with the study’s author that the “Belton Lake Outdoor Recreation Area (or BLORA) data” do not demonstrate that mountain biking has no detrimental impact to rare songbirds and that no inference can be drawn between this study and the lands of the BCP.

BLORA and the BCP vary widely in their basic mission, in the management of the lands, in habitat quality, and in the types and degree of use permitted.

BLORA and the BCP were established for and are managed to achieve very different goals. BLORA is a recreation area associated with the U. S. Army’s Fort Hood “Morale, Welfare and Recreation Division” charged with supporting the largest active duty armored post in the United States. Fort Hood “Morale, Welfare and Recreation” strives to enhance quality of life by providing numerous recreation and services for the more than 170,000 military personnel, family members, retirees and civilian employees centered at the army base.

BLORA provides extensive outdoor recreation opportunities including hiking, hunting, horseback riding, paintball, and swimming. BLORA provides more than 300 family picnic sites and 143 covered family shelters with barbecue grills, a snack bar, a patio deck, dock and boat launch facilities as well as fishing, ski and party

boat rentals. BLORA facilities include a marina store and bait shop, boat and recreational vehicle storage, a waterslide, paddle boats, cottage rentals, three RV parks, primitive camping, and seventeen pavilions and picnic areas that can accommodate over 3200 people at any given time.

The BCP is not a park or recreation area, but was established under federal permit to offset acre for acre otherwise legal activities that result in incidental “take” or “harm” to federally endangered species in the western half of Travis County. The City of Austin and Travis County are charged with acquiring and managing high quality habitat in perpetuity for the benefit of the species listed in the federal permit.

The 430 acre BLORA site consists of what could be characterized as poor to moderate quality GCWA habitat in an area heavily impacted by multiple intensive recreational uses.

The BCP consists primarily of closed canopy mixed oak-juniper-hardwood forests that provide high quality GCWA habitat that is in most areas little impacted by intensive recreational uses.

The BLORA site was heavily impacted by intensive recreational use before mountain bike trails were established in 1998, and the current distribution and abundance of GCWA on the site cannot be attributed solely to the presence of mountain bikes or the addition of bicycle trails.

The BLORA study does not “show(ed) that endangered birds can coexist with combat training and mountain biking”, as combat training is not permitted at BLORA or on the control study area during the nesting season for the rare birds.

Conversely, preliminary analysis of studies conducted by Graber et al on Ft. Hood and the BCP suggest that intensive uses such as mountain biking tend to disrupt GCWA breeding and territorial behavior. Given inconclusive or contradictory data, BCP Land Managers can only act responsibly by erring on the side of conservation. To date, no interest group, access advocate, or other supporter of increased public access has provided BCP Land Managers or the Citizens or Scientific Advisory Committees with evidence supporting assertions that changes to BCP public use policies will not impact the protected species or their habitats.

The BCP Land Managers welcome opportunities to review and cooperate in research projects or opportunities to collect data to further the management goals of the BCCP. BCP Land Managers are required to comply with the terms and conditions of the federal permit, and will look to the Scientific Advisory Committee for guidance on appropriate research design and methodology when undertaking such new research.

4.4 Comments specifically on City of Austin trail running

Public Comments about group trail runners on the City of Austin's Forest Ridge Tract

It makes no sense that access is limited to groups of no more than 3 runners. Group running is not more harmful than individual running or hiking.

BCCP Response

BCP managers are responsible for ensuring that no harm to the Preserve results from public access. The City's rules limiting group access on the Forest Ridge trails are meant to manage and reduce trail use by limiting group size.

4.5 Comments specifically about "Grandfathered Uses" and "Grandfathered Tracts"

Public Comments about the "Grandfathered Uses" and "Grandfathered Tracts"

Public parkland has been "grandfathered" into the BCP preserve system, restricting public use of those parks. BCP land management should be responsive to the community for management of the land that is "grandfathered" parkland. Don't change the allowed "grandfathered" uses without a public dialog. The increasing prohibitions/restrictions to public use of the areas being grandfathered into the BCP preserve system are disappointing and frustrating. If the area had established trails and established users before it became part of the BCP, then this should still be allowed.

BCCP Response

The term "grandfathered" has been used to describe tracts owned by the City of Austin or Travis County before 1996 and incorporated by City Council or the Commissioners Court into the BCP when the 10(a) permit was issued. The term "grandfathered" has also been used to describe activities allowed on tracts thus incorporated into the BCP. In the HCP/FEIS, lands owned or managed by the permit holders before the issuance of the BCCP are referred to as "Recreational Areas". The "Recreational Areas" are illustrated in Exhibit "B" of the "Interlocal

*Cooperation Agreement between Travis County and the City of Austin
Implementing the Balcones Canyonlands Conservation Plan –Shared Vision”.*

The term “grandfathered” is not found in the HCP/EIS, and first appeared in the 1998 SAC comments to the draft BCP Land Management Plan. The term was also used in the 1999 BCP Land Management Plan to refer to these “Recreation Areas” referred to in the HCP/EIS and to the activities allowed to continue in them. (Also see Section 5.2, #12-18 for a more complete discussion of Grandfathered Uses and Grandfathered Tracts.)

Each individual “Recreation Area” is listed in Table 26 of the HCP/EIS and is named and described by managing agency (Travis County, City of Austin, and LCRA). The activities and management allowed on each tract is described in the HCP/EIS on p3-93 through p3-101. This section includes Management Rules, Guidelines, and Standards for each Recreational Area by agency. These management rules vary between Recreational Areas depending on the types of activities allowed or encouraged.

However, it is important to point out that the guiding policy allowing these uses to continue on these Recreational Areas was also conditioned on the requirement that they could not contribute to harming the protected species or damage their habitats. Currently, when managers observe harm or damage in grandfathered tracts, they are required to modify, restrict or curtail the activity or use that is contributing to these threats.

No publicly dedicated trail has ever been closed or had grandfathered uses restricted. Recent concerns regarding off-leash dog use at Emma Long Park is being addressed through a formal public dialog in the form of a community based stakeholder task group which was organized at the request of City BCP staff. This group has been charged with developing strategies and plans to address protected species on this grandfathered tract. The HCP/EIS clearly states, however, that “The nature and use of some facilities will change with the creation of the BCCP preserve system. Development and improvements of facilities within the preserves will be monitored, and as appropriate, restricted for the benefit of species of concern. In some cases the number of roads and trails may be decreased.”

Public Comments concerning the Emma Long motorcycle area

What is the plan for the Emma Long motorcycle area that was also “grandfathered” into the BCP? Will this use be taken away to protect the species?

BCCP Response

The City of Austin currently has no plans to change this use. City BCP staff is currently evaluating the effects of “grandfathered” uses on all preserve land to determine what changes, if any, in management are needed (See Section 5.2). Should this use at Emma Long Park change, the public would be engaged in a manner similar to the stakeholder process currently underway regarding use at the Turkey Creek Trail.

4.6 Comments on the City of Austin’s Turkey Creek Trail and Dog Use in the City of Austin’s Emma Long Park

Public Comments urging use by dogs on the Turkey Creek Trail

Dogs should continue to be allowed to use Turkey Creek Trail in Emma Long Park both on and off leash. The use of this area was specifically “grandfathered” meaning that it is allowed to continue the same activities at the same levels as when the City of Austin put it in the BCP in 1996. It was noted that this is one of only a few leash-free places in the Austin area and it provides a 2.7-mile wooded hiking experience not found elsewhere. The City designated this as an off-leash dog park in the 1980s, this status was affirmed by the City of Austin Parks and Recreation Board in 1994. Why is the BCP plan different from this? Golden-cheeked warblers (GCWA) are safe from the dogs on this trail and the trail has not caused any damage to the habitat of the GCWA, other flora and fauna, or water quality of the area. The presence of dogs might actually benefit GCWA as a deterrent to predators or other problem animals along the trail such as rat snakes, squirrels, deer, etc.

There is already significant land set aside for preserve land plus there is similar land that extends in the Texas Hill Country. Why is this Turkey Creek area so important for the GCWA? Were the birds nesting along Turkey Creek in 1996? Have they moved in since? Have their numbers increased or declined?

BCCP Response

The City of Austin currently has no plans to change the status of dog use on Turkey Creek trail. However, both BCP staff and City of Austin Parks and Recreation Department staff have initiated a collaborative stakeholder process with trail users to develop plans to make this trail more sustainable and to manage its use more effectively.

Claims that the trail is not causing damage to habitat are not substantiated by independent review. One regulatory threshold for habitat damage established in the governing BCP policy documents includes increased erosion, sedimentation, or damage to plant communities. As part of the stakeholder process, an independent contractor was asked by the parks department to evaluate the trail and prepare a cost estimate for trail repairs and one-time maintenance practices. Their estimate indicated that trail repairs costs were equal to or greater than the cost to close this trail and build a new one at another location.

Golden-cheeked warblers have long been present on this site. The population segment at Emma Long Park appears to be stable at this point in time. However, staff observations of erosion, plant trampling, and other habitat damage concerns prompted BCP staff to initiate the stakeholder process to address these concerns. We are confident that through this collaborative process, we will develop a plan that will meet BCP needs as well as the needs of those who use this trail.

Public Comments opposing dogs on the City of Austin's Turkey Creek Trail

Allowing the use by dogs on Turkey Creek Trail has caused significant damage to the trail over time, including creek erosion. There has been a great reduction in the flora and fauna that used to live along this trail. Dogs should be banned from this trail.

BCCP Response

(Please see the previous response.)

Public Comments on the effects of dogs on the BCP

The U.S. Fish and Wildlife Service has not prohibited dogs in the BCCP permit, and the BCP Scientific Advisory Committee has not recommended their removal and the scientific literature does not indicate dogs as a threat to GCWA.

BCCP Response

Though dogs are not specifically prohibited in the HCP/FEIS, many published peer-reviewed scientific papers have documented that dogs can harm wildlife and negatively impact habitat. The BCCP permit requires that any activities within the preserve would not cause harm to protected species, with the exception of those uses "grandfathered" on the "recreational areas" described in the HCP/FEIS. The BCP is required to be managed to protect all of the native plants and wildlife for the benefit of endangered species.

Dogs have been shown to constitute a threat to many types of wildlife. Dogs need not catch or kill wildlife directly to dramatically impact target populations. Birds, for example, must incubate their eggs for successful hatching, and frequent disruption may impair the brooding process. When adult birds are disturbed and flush off a nest, eggs and nestlings quickly lose body heat and are put at risk. What might appear to humans to be an innocuous hike with the family pet through the woods could well create a disturbance that agitates brooding warblers sufficiently that they flush off a nest long enough that the hatchlings experience a rapid drop in body temperature and die. Migration, territory establishment, nest building, mating, egg laying, brooding, and the process of fledging and rearing young are extremely time and energy consumptive activities. Warblers that loose a nest mid or late in the breeding season will not have enough time or energy reserves to attempt to re-nest. An entire nesting season can be lost simply through an apparently minor disturbance during a critical time in the nesting season.

Off-leash dogs may also impact the vegetation by creating new tracks and trails. Birds and other wildlife rely on vegetation for cover and shelter. Newly created "trails" also provide pathways for other predators such as skunks and raccoons to more easily locate nests, eggs or hatchlings. Though a dog may not directly threaten a warbler, its actions may still put nesting birds at greater risk. Just the mere presence of a dog sometimes agitates a parent bird into flushing off a nest. Nesting birds often defend or attempt to draw away or even attack the perceived danger. The ensuing commotion may alert other predators such as brown-headed cowbirds that cue in on unusual activity to locate the nests of birds which they then parasitize.

The governing BCP policy documents establish thresholds for habitat impacts such as erosion, sedimentation, or damage to plant communities. BCP Land Managers believe that areas with heavy dog use may experience these problems. The BCP, therefore, does not allow dogs except on tracts that have "grandfathered" dog use areas. BCP Land Managers must consider and act on issues that constitute indirect and cumulative threats as well as direct threats, and must actively implement measures that minimize harm to the protected species or their habitats wherever they occur on the preserve.

4.7 Comments on Scientific Studies/Biology of the BCCP

Public comments on scientific studies and the biology of the BCCP

What scientific data is available to prove that public access is a problem for the endangered bird species? The BCP should have to prove scientifically that access by hikers, runners, mountain bikers, dog walkers, rock climbers, cavers, horse riders, and bird watchers are harming the species and habitat before these activities are prohibited from the preserve. When mountain biking was taken off of Forest Ridge and when the 1999 Land Management Plan was written, we called for a 5 year study on impacts of mountain biking that would help show if this access is causing harm to the species. Have these studies been done and what were the results? What other research do we have? Are there studies being done that show an inventory of the golden-cheeked warblers and the black-capped vireo known locations on the other preserve tracts such as Canyon Vista? Management strategies should be tied to quantitative tract specific benchmarks for each species and amend the LMP to tie strategies back to those benchmarks.

BCCP Response

The standard established by the federal permit requires that only activities that do not harm the protected species shall be allowed to take place on the preserve, except for “grandfathered” uses on the “Recreation Areas” described in the HCP/FEIS. After reviewing published peer-reviewed scientific studies regarding impacts to wildlife and habitat, BCP Land Managers have been unable to locate defensible research demonstrating that these uses will not impact the species or habitats found in the preserve. To date, no interest group, access advocate, or other supporter of increased public access has provided BCP Land Managers or the Citizens or Scientific Advisory Committees with evidence supporting assertions that the multiple proposed additions and changes to public use will not impact to the protected species or their habitats.

The HCP/FEIS “Land Management Plans and Guidelines” state that “The BCCP preserve system is to be managed to permanently conserve and facilitate recovery of the populations of target endangered species inhabiting western Travis County. This priority objective will govern preserve management activities to improve target species habitat, while protecting preserves against degradation caused by urbanization of surrounding lands and increased demand for recreation usage within preserve lands.” It later continues, “No activity will be allowed which results in take of endangered species, or which degrades or in any way harms the preserves”. Access may therefore only be authorized when it meets this standard of

no impact and non-degradation to the preserve, the protected species and their habitats. (See also Section 5.0)

BCP Land Managers submit annual reports to USFWS summarizing endangered bird distribution and abundance on the lands that make up the preserve. These ongoing studies report the status of the species protected under the federal permit, and were not designed to monitor or assess the effects of public access on these species. The City of Austin has contracted an outside independent researcher to analyze the City's annual survey data. Preliminary statistical analysis appears to indicate that the listed birds in areas with recreational public access tend to avoid trail areas, have larger territories than birds in non-disturbed habitat, and lower nesting success than birds in non-disturbed habitat.

The BCP Partners and the Scientific Advisory Committee are currently awaiting the final results of this research, and will review the findings with the Citizens Advisory Committee and the BCCP Coordinating Committee once they are available.

The BCP Land Managers welcome opportunities to review and cooperate in research projects or opportunities to collect data to further the management goals of the BCCP. Where such research concerns recreation and access impacts to the preserve and the protected species, the BCP Land Managers are obligated to continue to fulfill the current permit obligations.

Public Comments about bird survey results and public access

Published warbler counts have not shown a statistical difference between tracts that allow access and tracts that do not. Staff data showing golden-cheeked warbler on the tracts near trails proves that there is no impact to the species.

BCCP Response

An annual report is submitted to the USFWS documenting all research and ongoing studies performed in the preserve by each of the BCP Partners. The BCP Partners report survey data that documents GCWA presence or absence from tracts throughout the preserve and presents information recorded from a series of 100-acre sample plots established throughout the preserve to provide objective statistical sampling.

The data collected to date cannot be used to draw conclusions about behavioral changes or other effects, because it only reports where individual birds were located over the course of a given sampling period, and is not correlated with types or levels of activity.

Densities of protected species are only one measure of management success. The Scientific Advisory Committee and BCP Land Managers have always anticipated that densities would remain stable or increase as habitat outside the preserves continues to be lost or impacted due to development. The BCCP 10(a) permit allows for the loss of approximately 75% of the golden-cheeked warbler habitat in Travis County. Given less available habitat over time, the densities of GCWA are expected to increase within the preserves simply because there is no other habitat remaining for them to occupy.

Density will become a critical measure in the future once predicted habitat destruction outside the preserve system has occurred. Surviving GCWA populations are expected to acquire new home territories and population changes from immigration from outside the preserve will stabilize. Densities will then serve as another measure of nesting success.

Metrics quantifying reproduction and recruitment for the protected species are a more critical measure of the preserve system's success. BCP Land Managers are planning expanded monitoring and research to better assess these critical measures. Current data indicates that GCWA reproduction and recruitment levels today fall below levels described by USFWS as necessary to assure recovery or survival of this species.

Current data does not prove that trails or access have no impact to the species.

4.8 Comments on Balcones Canyonlands Preserve Funding

Public Comments on BCP Funding

Tax dollars are supporting grandfathered tracts. Also the City of Austin's 1992 Bond Election (Proposition 10) to acquire some of the city's BCP land identified three objectives: water quality, to protect endangered species, and to provide public access. The public voted to support and paid taxes to acquire these lands but access to these lands is prohibited or

severely restricted. If public money is used to pay for management of these lands, then the public deserves access.

BCCP Response

No access to “grandfathered” sites within the BCP has ever been removed or restricted by any of the BCP Partners.

The August 1992 bond language posted by the City of Austin (proposition 10) read: “Shall the City Council be authorized to issue and sell general obligation bonds ... for the public purpose of paying costs incurred and to be incurred in the acquisition and improvement of land to protect water quality, conserve endangered species, ... and providing open space for passive public use...”. Currently at least 25% of City BCP land is also dedicated parkland with the same uses it had before the bond election. The City’s Forest Ridge is a BCP tract with an approved public access trail in an area where no legal or publicly dedicated access existed prior to BCP. (For more on this topic, please see Section 5.0).

Travis County’s “grandfathered” tracts include Wild Basin Preserve and Hamilton Pool Preserve and both continue to provide year round public access. Note that Travis County’s 1993 bond election failed and no Travis County bonds were ever sold to acquire land for the BCCP. Travis County has relied on other means of financing to acquire preserve lands. Travis County has successfully competed for federal grant matching funds and utilized innovative options such as conservation easements and land in lieu of fee opportunities to protect preserve tracts. The County also expends BCCP participation fees paid by landowners or developers impacting endangered species habitat to acquire lands for the preserve.

All BCP lands are available for organized staff-led educational events, volunteer activities, and approved scientific research, and these activities have been occurring since the issuance of the federal permit. For information about educational or volunteer events on a BCP tract, please contact the BCP Partner responsible for managing that specific tract.

Public Comment on funding BCP trail construction

Money should be set aside for building and maintaining trails. Many of these conflicts about allowing public access in the BCCP are due to the lack of money to fund them. This funding for support of access for preserves is in short supply and is a major operating constraint.

What is the cost, both capital and operating, of increased public access and how could it be paid for? How can this problem be solved? Are there grants available for funding?

BCCP Response

The current 2008 budget proposals are to fund City of Austin BCCP staff and equipment to manage the existing grandfathered or planned public access is \$250,000 for startup and first year operating expenses for a BCP recreation specialist and a five-member trail crew. Operating costs for this City of Austin public access program are estimated at \$150,000 annually. This is above other expenses already budgeted by the City of Austin for BCP operations or parks operations. These estimates do not address new public access. Traditional grant sources do not typically fund ongoing operations.

Currently, Travis County BCCP staffing is primarily focused on land acquisition and managing existing BCP lands. There are no funds currently budgeted for building and maintaining trails, and no funding available to support a staff BCP recreation specialist or trail crew. Travis County has proposed creation of a Education, Outreach and Volunteer Coordinator in the FY2008 budget to assist with meeting the needs of the BCP, but little information is yet available to judge the success of this request.

Managing BCP lands for additional public access will require significant investment in basic infrastructure (parking, restrooms, etc.) and staffing. Travis County's Hamilton Pool Preserve is a 227 acre grandfathered tract within the BCP which allows controlled public access. Operating costs to fund staffing, operations and management of this tract alone is approximately \$260,000 annually. This Preserve tract charges admission fees to partially offset these costs. Managing all of Travis County's BCP lands that are not otherwise restricted due to conservation easement or other prohibition to the standard seen at Hamilton Pool Preserve would require capital improvement funding to design and construct facilities plus an annual operating and management budget of approximately \$4,400,000.00. The County's current (2007?) operating budget for the entire BCCP program is approximately 10% of this amount.

Funding increased public access on the preserve tracts that will meet the terms and conditions of the BCCP permit will require a significantly increased financial commitment by the tract owner agencies and by the interested user groups.

Public comments on how to fund public access

Recognizing that operational funding will be a continuing issue for the BCP, is there a way to provide paid access for some areas and in some seasons?

BCCP Response:

Admission fees or access permit fees may be a potential source of funding for access management and will be considered.

Public comments on how to fund public access

More people enjoying the preserve will also mean more public support and more defenders against development and more people working to protect them. Access leads to political support for expansion of public land acquisition and defense against development pressure.

BCCP Response:

The BCP Land Managers agree that increased public access in the preserve is vital to gain the support of the local community and to help ensure long term protection of the Preserve. This public access will need to be structured, managed and mitigated in order to meet the terms and provisions of the BCCP permit.

4.9 Comments on Fences

Public comments on constructing preserve fences

Fencing is a waste of time and tax dollars in our urban areas and will likely be vandalized because of the access pressures. The appearance of the areas is being spoiled by construction of ugly metal barbed wire fences to keep people from enjoying their natural beauty. The fences are damaging more endangered species habitat than the trails, hikers or bicyclists. Because of the fencing, there is additional damage to the preserve caused by deer and burrowing armadillos.

BCCP Response

Boundary fencing is an important tool for the BCP just as for any other landowner to help protect their property from such things as damage from dumping, vegetation clearing, and vandalism. Given the increased urbanization of the land surrounding the preserve tracts, fencing is necessary to help protect the purpose for which this land was acquired. Fences provide a way to notify the public that this land is unique and has special regulations and provide a more financially efficient way to enforce protection measures than by hiring increased numbers of law enforcement staff. Eight-foot boundary fences (or deer fences) paired with deer

management activities provide an effective way to help control the problem of overpopulation of white-tailed deer within the preserve. Though not a deterrent to deer movement, lower boundary fences (4' ranch fencing) also provide controls for unwanted feral hogs as well as domestic cats and dogs. Nine-banded armadillos are native to the area and have not been known to damage the preserves.

4.10 Comments on BCCP/BCP Education/Outreach

Public comments on creating public-private partnerships and using volunteers

There is a need for pilot plans with public-private partnerships to allow more public access for hikers, runners, mountain bikers, dog walkers, rock climbers, cavers, horse riders, and bird watchers to address common concerns and to increase public participation in trail issues.

BCCP Response

Several public-private partnerships are already in place across the BCP. Examples include Travis County's cooperative efforts to protect and manage important habitat areas through conservation easement agreements on private land. These public-private partnerships on Steiner Ranch, at The Crossings and on the new Concordia University campus include private trails built and managed by the landowners.

One such plan is in place on the City's Stennis tract on Bull Creek within the permit area. While this is not a BCP tract, it is in endangered species habitat and this plan allows for construction and operation of a hike and bike trail.

BCP Land Managers welcome public-private partnerships that facilitate public access opportunities that are structured, monitored and mitigated and that fit with the purpose of the preserve, do not degrade preserve habitats and do not divert funds or staff from existing BCP management efforts. Examples of these partnerships currently available include invasive plant volunteer workdays, mapping of authorized Forest Ridge Trails for educational kiosk updates, construction of new kiosks for Forest Ridge, and brown-headed cowbird trapping projects.

Groups that wish to propose additional public-private partnerships should contact BCP Land Managers to discuss opportunities and the project approval process. See Chapter XII "Public Access Management" for a description of the BCP Public Access Approval Process.

Public Comments about demonstration projects

There are two demonstration projects being proposed for public-private partnerships to allow additional dog walking access for the Emma Long Park (City of Austin) and a proposal for hiking, biking, and walking dogs on the Canyon Vista (Travis County) Tract. These public-private partnerships would demonstrate how public uses and volunteering are compatible with preservation of endangered species in an urban setting. These proposals would plan, build, control and maintain public use trails on these tracts. How will those proposals be handled?

BCCP Response

The City of Austin is currently working with stakeholders on a plan for providing dog walking trail opportunities at Emma Long Park for the Turkey Creek Trail. City of Austin BCP and parks staffs are currently engaged in a stakeholder process to consider changes to management plans for this area.

Travis County BCP Land Managers are willing to discuss public-private partnerships for access on County managed BCP lands that are structured, monitored and mitigated, and that undergo and receive approvals through the process described in Chapter XII “Public Access Management”.

Activities and uses must comply with the policies and procedures established to ensure that “The BCCP preserve system is to be managed to permanently conserve and facilitate recovery of the populations of target endangered species inhabiting western Travis County. This priority objective will govern preserve management activities to improve target species habitat, while protecting preserves against degradation caused by urbanization of surrounding lands and increased demand for recreation usage within preserve lands (from the HCP/FEIS).”

The HCP/FEIS states that “No activity will be allowed which results in take of endangered species, or which degrades or in any way harms the preserves.” BCP Land Managers are obligated to ensure that any activities or uses authorized within the preserves meet these federal standards.

Public Comments on volunteer help

If allowed access, groups of hikers, runners, mountain bikers, dog walkers, rock climbers, cavers, horse riders, and bird watchers could offer volunteer assistance to help such projects as trail work, design, development, maintenance, and/or protection of these areas. Local

bicycle clubs, hiking clubs, and rock climbing clubs could help build trails and enforce the management of these trails for all types of users.

BCCP Response

Cooperative volunteer efforts are currently available on City of Austin and Travis County BCP tracts. The BCP Partners have benefited from hundreds of volunteers providing thousands of hours of service all across the preserve. Individuals or groups interested in participating in volunteer events or work days should contact BCP Land Managers.

Chapter XII “Public Access Management” further describes how volunteer efforts could be an integral part of public-private partnership opportunities that provide additional access to various BCP lands.

Public Comments on needing more BCP public educational opportunities

There should be more educational opportunities since most people don’t know about the BCP. Guided tours can be used as a means for public education and support for the BCP.

BCCP Response:

In January of 2007, the BCP Partners initiated a year-long series of events to provide the public with opportunities to learn more about the BCP system and the unique native wildlife that the Preserve was created to protect. The “2007 BCP Hike and Lecture Series” was created in response to comments received from the public as a part of the Land Management Plan revision process. The Hike and Lecture Series provides guided interpretive tours, educational hikes and lectures by recognized experts in the study or protection of the species and ecosystems found in the BCP.

For 2007, the events are scheduled to occur on the second weekend of every month, and are hosted by each of the BCP Partners, including the City of Austin, Travis County, the Committee for Wild Basin Wilderness, Travis Audubon Society, The Nature Conservancy of Texas, and Westcave Preserve. Initial response to the Hike and Lecture Series has been overwhelmingly positive, and the BCP Partners are considering making these opportunities regularly occurring events. More information about the 2007 BCP Hike and Lecture Series can be found at the website set up to promote the events, found at: www.balconescanyonlands.org.

The BCP Partners will also continue their other education and outreach activities throughout the community, including guided hikes and interpretive tours for Home Owners Associations and other interested groups, volunteer workdays for groups such as girl and boy scout troops, presentations for interested parties such as the Greater Austin Chamber of Commerce, the Real Estate Council of Austin, the Central Texas Master Naturalists and others. We also participate in local events such as Austin Nature Day, the Austin Karst Festival, and Wildfire Awareness week. In all, BCP Partners participate in over one hundred outreach events annually, and are working to expand education and outreach opportunities for the public.

The City of Austin and Travis County also maintain websites that serve to inform and educate the public, and regularly print and distribute brochures and other materials to expand the public's awareness of and support for the BCCP. Travis County produced a digital video entitled "The Balcones Canyonlands Conservation Plan: A Community Based Solution" that has been shown on Travis County Channel 17, City of Austin Channel 6, local PBS station KLRU Channel 18, and is available at Austin public library branches or on DVD from the Travis County Natural Resources Program. City of Austin staff is currently developing a curriculum to provide BCP volunteer docent training to train volunteers to expand the guided hike, workshops, and other outreach events. To inquire about tours or presentations, please contact the BCP Partners about the range of education and outreach opportunities that they provide.

4.11 Comments on Animal Management (Deer, Hog, Cowbirds)

Public Comments on managing white-tailed deer

It is also good that the BCP is taking a proactive role in managing the overpopulation of deer on park and preserve lands and donating the meat to local charities. This benefits the community and is also a solution for deer overpopulation. The collaboration between the BCP agencies, Hunters for the Hungry, Capitol Area Food Bank and Caritas of Austin benefits the community as a whole while contributing to the solution of deer overpopulation in the Edwards Plateau. Managing deer to promote oak regeneration should be beneficial for many other native plant species and plant communities.

BCCP Response

The BCCP Partners are dedicated to continue managing all native wildlife populations within the carrying capacity of the habitat on the preserve. Public

safety will always be the first priority as Land Managers work to effectively and humanely control wildlife populations. The Land Managers will continue to regularly monitor deer populations on the BCP and follow adaptive management principals to best maintain deer populations at healthy sustainable levels. Managing deer populations is an important component in managing the habitat that supports the species protected under the BCCP.

Public Comments on Cowbird Management

The BCP should have an aggressive brown-headed cowbird management strategy since this has been successful at Fort Hood.

BCCP Response

The BCP Partners have been aggressively managing brown-headed cowbirds on the BCP since the permit was issued in 1996. Considered a significant threat to the populations of both the golden-cheeked warbler and the black-capped vireo, brown-headed cowbirds are most often associated with areas in which livestock operations provide suitable feeding opportunities for these birds. As Travis County continues to urbanize, however, livestock operations and other conditions most suitable for supporting populations of brown-headed cowbirds are in decline. Unlike the primarily rural character of Bell and Coryell Counties in which Ft. Hood is located, Travis County continues to experience rapid growth and development.

The BCP Partners monitor and report all brown-headed cowbird management activities to the USFWS on an annual basis in an effort to assess the effectiveness of these strategies as well as to identify potential shifts in distribution and abundance of cowbirds throughout Travis County. The BCP Partners are committed to continuing to manage brown-headed cowbirds while also monitoring changes that may require different management approaches in the future.

4.12 Comments on Fire Management

Public Comments on fire management

Firebreaks through the preserve would help with fire protection and firebreaks could be used for trails for species inventories.

BCCP Response

The BCP Partners continue to work closely and pro-actively with the Austin/Travis County Office of Emergency Management, the Travis County Emergency Service

Districts, the Texas Forest Service and other wildfire management professionals to avoid, minimize and mitigate fire hazards associated with the Preserve in accordance with the Habitat Conservation Plan and the Land Management Plan.

Neighborhoods nearest the BCP typify what Fire Management professionals refer to as "Wildland Urban Interface" areas. In this interface zone, managing fuel (which may be plant material, fences, wooden decks, or other materials) requires a partnership between landowners and managers on both sides of the property line, all of whom must deal with various constraints. Homeowners may be constrained by costs or building codes, public entities can be constrained by habitat management requirements and adequate staff and budget resources. Even in successful partnerships, it is important to recognize that fires can originate on either side of a property line, be it from a lightning strike, a downed power line, a fallen patio torch or a barbecue pit.

The BCP Partners urge neighborhoods in the Wildland Urban Interface to learn about these issues through programs such as the nationally recognized "Firewise Communities" program (www.firewise.org) and actively engage their homeowners, Emergency Service districts and other landowners in discussions about appropriate defensible space, public education and emergency planning. Our Emergency Service Districts and First Responders need our full support to continue to provide the outstanding level of service we have come to expect as the Austin and Travis County population continues to grow.

Current research underway at the Balcones Canyonlands National Wildlife Refuge, City of Austin BCP, and by researchers at Baylor University is attempting to better model and plan for wildfire and fire control in the specific conditions found in our region of the Texas Hill Country. We will use this information to enhance wildfire risk assessments and to develop contingency plans for fire responses based on sound scientific information. The City of Austin has also created a Wildland Fire Management Specialist position, acquired a wildland brush truck, and trained teams of wildland fire managers. BCP Land Managers have initiated fuel management actions including prescribed burning to reduce fire risks. BCP Land Managers also work with neighborhoods, fire departments, and Texas Forest Service to develop neighborhood wildfire preparedness plans when requested.

It is also important to recognize that the USFWS prohibits “take” or loss of the listed species or their habitat within the preserves. Any land management actions that may impact habitat, such as establishment of "fire breaks" within habitat areas of the Preserve, must therefore be undertaken in strict compliance with the Habitat Conservation Plan and the BCP Land Management Plan.

The BCP Partners are committed to:

- * ensuring that firefighter and public safety are always our first priority for all fire management activities;*
- * continuing to work to protect property from unwanted fire;*
- * meeting our obligations to protect endangered species habitat from loss due to wildfire;*
- * and where possible restoring fire as a component of the natural ecological processes that maintain habitat for native plant and animal communities.*

4.13 Comments related to the public comment process

Public Comments on comparing the LMP changes

Put the old 1999 Land Management Plan on the website for comparison with the new Land Management Plan.

BCCP Response

The 2007 Land Management Plan document is available for review at www.balconescanyonlands.org and a hard copy is available for review at the Austin Public Library and the Austin History Center. The 1999 BCP Land Management Plan continues to be available at the Austin History Center and at the main Austin Public Library since approved by the USFWS. The 2007 Land Management Plan contains extensive changes and updates to the 1999 Land Management Plan. In some instances, entire sections were re-written, updated, or deleted entirely to best reflect current best management practices and the current state of knowledge. Many of the digital files that created the 1999 document have degraded or been lost, and given the limited staff and budget resources available, there are no plans to digitize the full text of the 1999 BCP Land Management Plan which in many instances exists only in paper format.

Public Comments on length of the public comment period

The public comment period should have been extended for 4 additional months (the comment period was from Nov. 2005 - March 2006) to make this available during the

months when trails are more actively used. Notification about the public comment process should be posted at trailheads, not just on the website.

BCCP Response

Notice of the 120 day public comment period was posted on BCP websites as described and was also posted on paid advertisements in the Austin American Statesman on three different occasions. Additionally, three different news releases were sent to local media outlets resulting in stories on television channels on at least two occasions, stories published in the Austin Chronicle, and news items on local Public Radio station 90.5 KUT during “All Things Considered”. There were two public hearings and BCP planners received nearly three hundred submissions and comments. BCP Land Managers attempted to notify all citizens and not just trail users. Since there were more than one hundred comments submitted by trail users, their concerns were well represented.

Furthermore, revision of BCP Land Management Plans have been agenda items for all meetings of the BCCP Coordinating Committee and its advisory committees since the revision process began in 2005. Each of these meetings also provide for public input.

5.0 RESPONSE TO ACCESS COMMENTS: BCCP POLICIES AND RULES

5.1 Balcones Canyonlands Conservation Plan (BCCP) Policies Governing Land Use and Activities on the Balcones Canyonlands Preserve (BCP)

Abstract

*Note: **Bold** text in the following citations are the primary supporting basis for the abstract.*

The overriding purpose of the Balcones Canyonlands Conservation Plan is to implement the terms and conditions of the Federal permit issued under the endangered Species Act. This permit requires full implementation of the Habitat Conservation Plan including adherence to the Land Management Plans and Guidelines.

The Balcones Canyonlands preserves are intended to permanently preserve and contribute to the recovery of targeted Endangered Species. Uses other than species and habitat management may be considered as long as they are compatible with the primary species preservation and habitat management goals. Compatible is defined as either being beneficial or neutral in effects to species of concern and their habitat, and not competing significantly for financial or staff resources.

Management of the preserves is guided by the following prioritized goals. First is to fully comply with the terms and conditions of the Federal Permit. Second is to acquire or protect the habitat lands and karst features specified in the Habitat Conservation Plan and Shared Vision Document. Next is management of this land for the benefit of the protected species. And last, is to consider any other compatible uses.

- 1) There are three policy documents that serve as the source of authority for decision making on BCP tracts:
 - (a) U. S. Fish and Wildlife Service Endangered Species Act Section 10(a)1B Permit Number PRT 788841, Issued to the City of Austin and Travis County May 2 1996 (Federal permit)
 - (b) Habitat Conservation Plan and Final Environmental Impact Statement March 1996 (HCP)
 - (c) Interlocal Agreement between Travis County and the City of Austin Implementing the Balcones Canyonlands Conservation Plan – Shared Vision August 3, 1995 (Interlocal Agreement)
 - (d) Additionally covenants for City of Austin Bonds approved by voters in Austin, Proposition 10, May 2, 1992 (Bonds), carry significant weight in

decisions on how land purchased by the City of Austin with Bond proceeds will be managed.

2) The Purpose of BCP is well defined throughout these documents:

(a) Federal permit

1. **Condition C states that authorizations in the permit are subject to compliance with implementation of the HCP, Biological opinion, and all permit conditions. Where there discrepancies between the requirements of these documents, the requirements in the Federal permit prevail. (p2)**
2. Species specific condition for Golden-cheeked Warblers and Black-capped Vireos require “...partners control human activities to eliminate or mitigate any adverse impacts to of human activities to the (*Warbler, Vireo ed.*) on these ... acres” P6 and p7)

(b) HCP

1. Defines the primary mitigation for “Incidental Take” of protected species is the establishment of the BCP preserve system (p2-23)
2. **Land management Plans and Guidelines specify:**
 - i. **“the BCCP preserve is to be managed to permanently conserve and facilitate the recovery of the populations of target endangered species inhabiting western Travis County” (p2-31)**
 - ii. **“A multiple use management approach may be appropriate on some tracts, whereby other uses may be compatible with the primary habitat protection and species management goals, as long as these uses either benefit or have no negative effects on the species of concern and do not significantly compete with other management efforts for personnel or financial resources. (p2-33)**
 - iii. “... the design and implementation must follow the guidelines set forth in the following section (*Land Management Guidelines ed.*).” (p2-33)
 - iv. “Long term monitoring of both the environmental quality of the preserve and of its populations of endangered species is necessary part of this endeavor. This is primarily because the basic biology of most local federally listed-species is not sufficiently well understood to allow

prediction of the level of impact on those species of specific management activities or use-intensity levels for public recreation.” (p2-34)

(c) Interlocal Agreement

1. “the BCCP Shared Vision will ensure the protection of Endangered Species under the Act, while providing a mechanism for continued economic development in the region...” (p1 of 15)
2. **Goals of the plan:**
 - i. **“To ensure protection of the habitat of species of concern in Travis County by acquiring and setting aside public preserves...” (p1 of 15)**
 - ii. **“to manage the habitat preserve system so as to continue to support viable populations of species of concern.” (p1 of 15)**
3. **Land management –**
 - i. **“all BCCP-Shared Vision preserves systems lands will be managed in a manner which will not jeopardize the permit and in accordance with the land management guidelines ...” (p10 of 15)**
 - ii. **“Land management guidelines which identify minimum standards and limitations for land management were submitted to USFWS for its review and approval prior to execution of this agreement.” (p11 of 15)**
 - iii. **“Once approved by USFWS, the approved land management guidelines shall be used in land management of all BCCP-Shared Vision preserve system lands” (P11 of 15)**
4. Shared Vision, Land Management – “The Goal of operating and maintaining the preserves should be to contribute to recovery of the species of concern in an affordable way, which includes public education. All other uses of the preserves must be compatible with the primary goal of habitat preservation...” (p5)

(d) City of Austin Bonds

1. “Shall the City council...issue and sell general obligation bonds...for the purpose of paying costs...for acquisition and improvement of land to protect water quality, conserve endangered

species ...and provide open space for passive public use...” (City of Austin Proposition 10 Bond Caption May 1992.)

- 3) Public Access – While all four policy documents specify that some form of public access is provided for, they also clearly convey that this is secondary to providing for protection or recovery of species protected by BCCP. Furthermore, these documents also clearly define constraints that must be met when allowing initial or continued public access on any BCP property.

(a) General access policies

1. Federal Permit - Species specific condition for Golden-cheeked Warblers and Black -capped Vireos require “ ...partners control human activities to eliminate or mitigate any adverse impacts of human activities to the (*Warbler, Vireo ed.*) on these ... acres” P6 and p7)
2. HCP
 - i. **Any other uses of BCP preserves may be compatible with species protection if they “...either benefit or have no negative effects on the species of concern and do not significantly compete with other management efforts for personnel or financial resources.” (p2-33)**
 - ii. Therefore no negative effect must be predicted with some certainty before additional public access may be permitted.
 - iii. Furthermore, BCP managers are prohibited from diverting management resources away from species protection management to public access management.
 - iv. Land Management Guidelines
 - v. **Public Access may be allowed where and when such access does not threaten the welfare of target species of concern, which is the overriding goal of the preserve system, nor cause degradation of soil vegetation, or plant resources.” (p2-36)**
 - vi. Further defines protection of species and habitat base resources as overriding purpose.
 - vii. Plan Amendment Procedures
 - viii. Major Federal Permit Amendments are required with “Changes in habitat conservation, monitoring, compliance, or enforcement programs which are likely to increase the level of incidental take of a species of concern.” (p2-53)

- ix. Incidental take is defined as harm, harass, or kill in the Act.
 - x. Failure to assure no negative affect as part of decision to allow increased public access would likely trigger requirement of a major permit amendment.
 - xi. Environmental consequences
 - xii. The intent for public access is to develop “the educational potential of the preserves and appreciation for the environment and species.” (p4-77)
 - xiii. “The nature of use for some facilities may change with the creation of the preserve system.” (p4-77)
 - xiv. “Development and Improvement of facilities within the preserve will be monitored, and as appropriate, restricted for the benefit of the species of concern. In some cases existing roads and trails may be decreased.” (p4-77)
 - xv. “Public uses of species sites will not be promoted, except as is compatible with the adopted management guidelines and standards.” (p4-77)
 - xvi. “Intense uses of sites will be prohibited, ...” (p4-77)
 - xvii. “Within the proposed preserve, existing resources will each be affected in slightly different ways. In general, all facilities within the preserve will have some limitation placed on improvements that will be allowed. Acreage designated for preserve, although not currently used for active recreational purposes, may have been designated for expansion of active recreational purposes. The planned expansion will not be able to occur if the proposed activities conflict with the adopted management guidelines.: (p4-79)
3. Interlocal Agreement – “Each proposed land management plan... shall be approved by the Coordinating Committee Secretary only if the plan is in compliance with the approved land management guidelines.” (p11 of 15)
 4. City of Austin Bonds –
 - i. Public uses are limited only to passive uses
 - ii. Public use appears as the third priority in language in the bond caption.

(b) Public Access Constraints

1. Federal Permit –Eliminate or mitigate any adverse impacts to Warblers or Vireos from human activities
2. HCP
 - i. **“(The) priority objective will govern preserve management activities to improve target species habitat, while protecting preserves against degradation caused by ... increased public demand for recreation usage within preserves.” (p2-31)**
 - ii. Degradation of habitat, soil, vegetation, or water may not result from public access (p2-36)
 - iii. “Demonstration over time of effectively implemented management strategies on preserve tracts may justify increased public access opportunities. Demonstrated non effectiveness or habitat degradation justifies less public access for a particular tract.” (p2-36)
 - iv. “Creation of new roadways, trails, and cleared right-of-ways that open canopies of woodland and shrub land communities, create additional impervious cover, or facilitate public use of preserve interiors or high quality sites occupied by target species should be discouraged.” (p2-36)
 - v. Pages 2-37 through 2-39 establish specific guidelines for fifteen different potential uses on BCP
 - vi. Measures to mitigate “take” – reads: “habitat management will emphasize the protection of large blocks of unfragmented land which have the potential to grow into warbler habitat.” (p4-24)
3. Interlocal Agreement Shared Vision provides that “...compatible public uses should be allowed, specifically if they can be a source of revenues to pay the operations and maintenance costs.” (p6)

Prepared by William Conrad, BCCP Secretary; Don Koehler COA BCP staff; Rose Farmer, TC BCP Staff; Kevin Connally, TC BCP Staff. Reviewed by BCCP Scientific Advisory Committee 5/19/06

5.2 BALCONES CANYONLANDS CONSERVATION PLAN (BCCP) RULES GOVERNING PUBLIC USE AND RECREATION ON THE BALCONES CANYONLAND PRESERVE (BCP)

- 1) There are four policy documents that serve as the source of authority for public use and recreation decision making on the BCP tracts:
 - a) U.S. Fish and Wildlife Service Endangered Species Act Section 10(a) 1B permit Number PRT 788841, Issued to the City of Austin and Travis County May 2, 1996 (Federal permit), and
 - b) Habitat Conservation Plan and Final Environmental Impact Statement March 1996 (HCP).
 - c) Biological Opinion for the Issuance of a Section 10(a) (1) (B) Permit for the Balcones Canyonlands Conservation Plan April 29, 1996
 - d) The Interlocal Agreement between Travis County and the City of Austin Implementing the Balcones Canyonlands Conservation Plan – Shared Vision, August 3, 1995 (Interlocal Agreement)
- 2) Additionally covenants for the City of Austin Bonds approved by voters in Austin, Proposition 10, May 2, 1992 (Bonds) carry significant weight in decisions on how land purchased by the City of Austin with Bond proceeds will be managed.
- 3) The guidelines for public use and recreation are well defined throughout these documents.
 - a) Federal Permit
 - i) Condition C states that authorizations in the permit are subject to compliance with implementation of the HCP and all permit conditions (p2).
 - ii) Species specific conditions for golden-cheeked warbler and black-capped vireo require “...partners control human activities to eliminate or mitigate any adverse impacts of human activities to the (*Warbler, Vireo ed.*) on these...acres” (p6 and p7).
 - b) HCP
 - i) “The BCCP preserve system is to be managed to permanently conserve and facilitate the recovery of the populations of target endangered species inhabiting western Travis County. This priority objective will govern preserve management activities to improve target species habitat, while protecting preserves against degradation caused by urbanization of surrounding lands and increased public demand for recreation usage within preserves.” (p2-31).
 - ii) “Long-term monitoring of both the environmental quality of the preserve and the health of its populations of endangered species is a necessary part of this

endeavor. This is primarily because the basic biology of most local federally-listed species is not sufficiently well understood to allow prediction of the impact on those species of specific management activities or use-intensity levels for public recreation. Consequently, management practices should be prescribed and monitored with an appropriate multi-species emphasis and overall ecosystem approach”. (p2-34)

- iii) The welfare of target species (species of concern) will be the overriding influence on all decisions regarding activities on preserve lands (p2-32).
 - iv) Decisions about activities within preserves should be made cautiously, so as to meet biological objectives to protect and enhance target species and minimize risk of damage to the habitat (p2-32).
- c) Biological Opinion
- i) Section 9 of the Act prohibits take (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct) of federally-listed species without a special permit or exemption (p4).
 - ii) Within the context of this definition, harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns such as breeding, feeding, or sheltering (p4).
 - iii) Additionally, harass is defined as actions that create the likelihood of injury to a listed species to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering (p4).
- d) The Interlocal Agreement
- i) The City of Austin pledged to designate 11,578 acres and Travis County to designate 507 acres of land that they owned at the time to be part of the Preserve.
 - ii) Funds from Participation Certificate sales would be used for BCCP preserve system land acquisition to complete the land acquisition requirement of approximately 30,428 ac. plus the requirement of protection of additional karst habitat.
- e) City of Austin Proposition 10
- i) “Shall the City Council of the City of Austin, Texas, be authorized to issue and sell general obligation bonds of said city in the aggregate principal amount of \$22,000,000, for the public purpose of paying costs incurred and to be incurred in the acquisition and improvement of land to protect water quality, conserve endangered species, ..., and providing open space for passive public use and other costs of implementing the Balcones Canyonlands Conservation Plan...”.

- 4) Additional direct and indirect guidance on managing public access and recreation has been provided prior to and following the issuance of the HCP and Federal permit.
 - a) Comprehensive Report of the Biological Advisory Team (BAT), January 1990.
 - i) The BAT recognizes that public access and use of the preserves for such activities as education, hiking, birding and hunting are important adjuncts to habitat conservation and could be used to help build public support for the ARHCP (=BCCP). These uses of the preserves should not compromise the primary purpose of the preserves, which is to protect the rare and endangered species encompassed by the ARHCP (p54).
 - ii) One concern is that human activities could cause failed nesting attempts of the black-capped vireo and golden-cheeked warbler (p54).
 - iii) Finally, buildings, trails, roads, blinds and other structures constructed for human access and use will increase fragmentation of a preserve. Although footpaths will probably not be a problem, many other structures built to aid public access will increase fragmentation. These considerations are a particular concern within golden-cheeked warbler habitat because of evidence showing that warblers can be severely impacted by even small amounts of habitat fragmentation, and for karst invertebrates because of their vulnerability to imported fire ants (p55).
 - b) October 25, 1991 letter from Andrew Sansom, Executive Director, Texas Parks and Wildlife Department to the Honorable J.J. Pickle, U.S. House of Representatives and to the Honorable Bruce Todd, Mayor of the City of Austin.
 - i) Item 1: In general the Department found the biological information developed by the Biological Advisory Team (BAT) and contained within the BCCP sound.
 - ii) Item 2: Other than possibly Post Oak Ridge, the potential preserve areas are small and while that is of concern they can meet the needs of the plan. Assuring their success is not simply a matter of making them larger; the habitat is just not there to do so. It will require careful and intensive management to make the preserves viable.
 - c) Biological Assessment of the Balcones Canyonlands Conservation Plan by Texas Parks and Wildlife Department.
 - i) Forward by Dr. Larry McKinney, Director, Resource Protection.
 - (1) Without a BCCP we will continue to see fragmentation of habitat within the plan area to the point that the species with which we are concerned will all but disappear.
 - (2) The BCCP, in its scope, strikes to the heart of what the Endangered Species Act contemplates, but in practice has most often failed to achieve: Biodiversity. The concept includes the conservation of population, species,

and ecosystem diversity within the framework of maintaining systems integrity (the latter referring to functions like the hydrological cycle, carbon cycle, etc., water quality).

- d) BCCP Scientific Advisory Committee Recommendations Regarding Recreational Use of BCCP Non-Grandfathered Preserves, November 1998.
 - i) The Scientific Advisory Committee (SAC) recommends that all forms of recreational activity be curtailed and further prohibited on the non-grandfathered preserve sites during the golden cheeked warbler (GCWA) and black-capped vireo (BCVI) nesting season until adequate studies can be completed to demonstrate that all or certain recreational activities do not result in detectable negative effects on the abundance and productivity of the target species of concern (p1).
 - ii) If any negative effects are demonstrated by the studies for any or all types of recreational activities, those recreational activities should be permanently prohibited on all non-grandfathered preserve tracts and held to pre-preserve designation limits or levels on all grandfathered tracts (p1).
 - iii) The SAC believes that recreational activities that do not adversely alter the terrain or natural vegetation can be conducted on BCCP preserve sites during the non-nesting (September 1 to March 1) (p1).
 - iv) If this benefit (long-term viability of the preserve areas, Ed. from p1) to economic development in the county is to be preserved for its maximum utility, secondary uses and benefits of the preserve areas, such as recreational use, should be considered only when there is no demonstrable detriment to the long-term viability of the preserve areas' capacity to support the species of concern at levels at least commensurate with current populations and productivity (p1 and 2).
 - v) Based on the existing literature, it is the opinion of the Scientific Advisory Committee (SAC) that some level of negative effect may occur to certain target species of concern within the preserve areas as a result of existing or potential future recreational activities (p4).
- 5) Current access and recreational activities in non-grandfathered preserve lands is limited to passive, wildlife compatible and wildlife dependent activities, which may include on designated tracts hiking and nature observation and in more restricted access tracts, guided educational tours and volunteer projects designed to conserve and enhance the natural resources and habitats of Balcones Canyonlands Preserve.
- 6) The types of activities allowed or excluded within the non-grandfathered preserve lands is based on the policy documents that serve as the source of authority for public use and recreation, current scientific literature, on-going academic research projects in preserve

lands, and monitoring and observation of the species of concern and their habitats over the last ten years in accord with the BCCP permit.

- 7) It has been recognized by the SAC (1998), the BAT (1990), and the USFWS (Golden-cheeked Warbler Recovery Plan, 1992) that BCP and GCWA specific research and literature does not exist for all types of recreation that occurs in the BCCP permit area. However, the SAC, the BAT, and the USFWS recognize a body of literature addressing various types of recreation effects on wildlife and avian species populations and that, in general, many forms of recreation have been demonstrated to have negative effects on wildlife and avian behavior and productivity.
- 8) Currently, within the City of Austin BCP lands, one area is open to controlled and regulated public access. The Bull Creek Preserve trail system through portions of the Forest Ridge, Jester and 3M tracts is open to foot traffic only from August 1 through the last day of February each year and by Bull Creek Preserve permit-holders March 1 through July 31 of each year. No bicycles are allowed at anytime in the Bull Creek Preserve as directed by the Land Management Guidelines in the HCP (p 2-37). Additionally, recent research in the City's BCP lands has indicated that biking may have a negative impact on golden-cheeked warblers (Graber, Davis, and Leslie, Jr. 2003). Foot traffic activity, walking or running, is restricted to group sizes of three or less. This restriction is also based on the Land Management Guidelines in the HCP (p 2-37) that state "Unsupervised group access should not be allowed within 100 meters of occupied songbird habitat..." Moreover, peer reviewed scientific literature assessing ecological impacts of recreational use of trails has demonstrated that disturbance from recreation (noise and motion) "clearly has at least temporary effects on behavior and movement of birds", and that "rapid movement by joggers was more disturbing than slower hikers" (Bennett and Zuelke 1999; Jordan 2000). Other ecological effects on natural resources have been noted when large groups use woodland trails for recreation, such as, trampling (compaction of leaf litter and soil), decrease of plant species along trails, and widening of trails (Jordan 2000). The literature base on recreational effects on wildlife and natural resources is far larger than the few works cited here:
 - Graber, A.E., C.A. Davis, and D.M. Leslie, Jr. 2003. Can Mountain Bikers and Golden-cheeked Warblers Coexist? Poster Presentation, The Wildlife Society, Vermont.
 - Bennett, K.A. and E. Zuelke 1999. The effect of recreation on birds: a literature review. Delaware Natural Heritage Program, Smyrna, DE 19977.
 - Jordan, M. 2000. Ecological Impacts of Recreation Use of Trails: A Literature Review. The Nature Conservancy, Cold Spring Harbor, New York.

- 9) Since the BCCP Permit was issued in 1996, the term “grandfathered” has become a term used to describe tracts that were owned by the City of Austin or Travis County pre-1996 and incorporated into the BCP when the 10(a) permit was issued. The term “grandfathered” has become a term used to describe the activities that were allowed by the HCP on these tracts incorporated into the BCP.
- 10) In the HCP, these types of pre-permit tracts owned by the City of Austin or Travis County are referred to as “Recreational Areas” and the term “grandfathered” is not used in this document. These “Recreational Areas” are shown on maps in Exhibit “B” of the Interlocal Agreement. These “Recreational Areas” included in the BCP total 2,562 acres of City of Austin land and 507 acres of Travis County land.
- 11) These maps in Exhibit “B” of the Interlocal Agreement show that even within a “Recreational Area”, there may be both a Preserve portion and a Non-preserve portion of the tract. Different levels or types of recreational activities are allowed in the preserve portion of a “Recreation Area” than are allowed in the non-preserve portion.
- 12) The concept of “Recreation Areas” and activities allowed within these areas is a concept used throughout the BCCP permit and Interlocal Agreement, but the term “grandfathered” does not appear in the BCCP 10(a) permit or Interlocal Agreement. The term “grandfathered” first appeared in the SAC’s 1998 comments to the draft BCP Land Management Plan. The term was also used in the 1999 BCP Land Management Plan to refer to these “Recreation Areas” included in the BCP and the activities allowed to continue in them.
- 13) Each individual “Recreation Area” is listed in Table 26 of the HCP and is named and described by agency (Travis County, City of Austin, and LCRA). The allowed activities and management on each tract is described in the HCP on p3-93 through p3-101. This section includes Management Rules, Guidelines, and Standards for each “Recreational Area” by agency. These management rules “vary from park to park depending on the types of activities allowed or encouraged. However, there are some guidelines that are consistent for all facilities, including the prohibition of firearms and hunting, fires in designated areas only, and animals under direct control of owner except when in a posted no-leash area. The preserve areas have restricted access and more stringent use regulations. The (Austin) Parks and Recreation Department is developing consolidated park rules and regulations; this document is currently in draft form and has not been formally adopted.”(HCP, p3-99)
- 14) Stated benefits of including the “Recreation Areas” in the BCP:
 - a) “Cumulative impacts to recreational facilities in the region will be positively affected by the proposed action (*referring to issuance of the permit*); the proposed preserve

- maintains existing activities in parks incorporated into it and provides additional acreage for specified types of public recreation.” (HCP, p4-104)
- b) “The preserve will also increase the opportunity for minimum–impact activities engaged in by individuals and small groups, developing the educational potential of the preserve and appreciation for the environment and species. The nature of use of some facilities may change with the creation of the BCCP preserve system (*referring to both the non-grandfathered newly acquired tracts and also the grandfathered tracts*).” (HCP, p4-77).
 - c) The “Land Management Plans and Guidelines” lists the requirements for management of all preserve tracts including the “Recreation Areas”, with implied exceptions for activities previously allowed in “Recreation Areas” included in the BCP if there are conflicts between activities allowed in some “Recreation Areas” and some of the requirements of the Land Management Plans and Guideline (HCP, p2-31 through p2-44).

15) A Short Listing of BCP management challenges and basic scientific research used as the basis for management decisions.

- a) Habitat Loss and Fragmentation
 - i) “Habitat destruction is the underlying reason that the species encompassed by the ARHCP (**i.e., BCCP**) are in danger of extinction.”
 - (1) BAT 1990. Comprehensive Report of the Biological Advisory Team.”
 - ii) “Loss of habitat is the most important threat to the existence of the GCW.”
 - (1) USFWS 1992. Golden-Cheeked Warbler Recovery Plan. Region 2, Albuquerque, New Mexico.
 - iii) “Since golden-cheeked warblers have limited and specific habitat requirements, direct habitat loss has resulted in population reduction...”
 - (1) TPWD 1995. Endangered and Threatened Animals of Texas, Their Life History and Management by Linda Campbell.
 - iv) “The golden-cheeked warbler (*Dendroica chrysoparia*) is a neotropical migrant songbird which was federally listed as endangered in 1990, primarily because of loss of breeding habitat.”
 - (1) Alldredge, M.W., J.S. Hatfield, D.D. Diamond and C.D. True 2002. Population Viability Analysis of the Golden-cheeked Warbler. Final Report to USFWS.
 - v) “Microclimatic changes have been documented within the edges of forests adjacent to clearings and similar effects probably could occur along a forest trail wide enough to open up the canopy. Several references document negative

impacts on breeding birds on recreational trails as narrow as 1-3m wide in forests and grasslands.”

(1) Jordan, M. 2000. Ecological Impacts of Recreational use of Trails: A Literature Review. The Nature Conservancy, Cold Spring Harbor, New York.

(2) Numerous other references

b) Natural Threats

i) “Based on coincidence of adult stem recruitment with low deer populations, we hypothesize that intense browsing pressure of the interaction between fire suppression and intense browsing pressure is limiting adult recruitment of *Q. buckleyi* (i.e., Spanish oak).”

(1) Russell, F.L. and N.L. Fowler 2002. Failure of Adult Recruitment in *Quercus buckleyi* Populations on the Eastern Edwards Plateau, Texas. *Am. Midl. Nat.* 148:201-217.

ii) “Texas oak (*Quercus buckleyi*), found throughout the Hill Country is a preferred browse species of white-tailed deer (*Odocoileus virginianus*) and an important component of golden-cheeked warbler (*Dendroica chrysoparia*) habitat. Degradation of Texas oak populations by overabundance of white-tailed deer will most likely affect the structure of Hill Country forests by curtailing recruitment of Texas oak, thus reducing the replacement of older trees and ultimately altering golden-cheeked warbler habitat.”

(1) Mostyn, C. 2003. White-tailed Deer Overabundance: A Threat to Regeneration of Golden-cheeked Warbler Habitat. M.S. Thesis, Texas State University at San Marcos.

iii) “Nest parasitism by Brown-headed Cowbirds may threaten successful reproduction of Golden-cheeked Warblers, although the degree of impact of cowbird parasitism on warbler productivity is not fully understood.”

(1) TPWD 1995. Endangered and Threatened Animals of Texas, Their Life History and Management by Linda Campbell.

c) Human Impacts

i) “Thus far, some evidence gathered suggests that mountain biking may be having an effect on golden-cheeked warblers while other evidence suggests otherwise. For example, **behavioral observations appear very similar (at least graphically) in biking and non-biking sites, while nesting success at biking**

sites are lower and territory sizes larger. The latter suggesting that golden-cheeked warblers may be displaced in biking sites and perhaps foraging in areas outside of their typical territories or exhibiting flight responses to mountain biking.”

(1) Graber, A.E., C.A. Davis, and D.M. Leslie, Jr. 2003. Can Mountain Bikers and Golden-cheeked Warblers Coexist? Poster Presentation, The Wildlife Society, Vermont.

- ii) “Past studies have shown that mountain biking can have significant effects on habitat quality by causing fragmentation, erosion, and changing vegetation composition and density.”

(1) Graber, A.E., C.A. Davis, and D.M. Leslie, Jr. 2003. Can Mountain Bikers and Golden-cheeked Warblers Coexist? Poster Presentation, The Wildlife Society, Vermont.

- iii) “Based on an extensive review of recreation effects on birds. Bennett and Zuelke (1999) concluded that disturbance from recreation clearly has at least temporary effects on behavior and movement of Birds.”

(1) Jordan, M. 2000. Ecological Impacts of Recreational use of Trails: A Literature Review. The Nature Conservancy, Cold Spring Harbor, New York.

(2) Bennett, K.A. and E. Zuelke 1999. The effects of recreation on birds: a literature review. Delaware Natural Heritage Program, Smyrna, DE.

- iv) “Direct approaches caused greater disturbance than tangential approaches, rapid movement by joggers as more disturbing than slower hikers, children and photographers were especially disturbing to birds, horses did not seem to disturb birds, and passing or stopping vehicles were less disturbing than people on foot.”

(1) Jordan, M. 2000. Ecological Impacts of Recreational use of Trails: A Literature Review. The Nature Conservancy, Cold Spring Harbor, New York.

- v) “(trail) Width increases linearly with logarithmic increase in number of users (width doubles with 10-fold increase in use).”

(1) Jordan, M. 2000. Ecological Impacts of Recreational use of Trails: A Literature Review. The Nature Conservancy, Cold Spring Harbor, New York.

- vi) “*Does intruder group size and orientation affect flight initiation distance in birds?*...this study examined the effects of intruder number and orientation o FID (i.e., flight initiation distance). Three different group size treatments (solitary person, two people side-by-side, two people one-behind-the-other) ...Rosellas flushed at significantly greater distances when approached by two people compared to a single person.”

- (1) Geist, C., J. Liao, S. Libby & D.T. Blumstein 2005. Does intruder group size and orientation affect flight initiation distance in Birds. *Animal Biodiversity and Conservation* 28.1.
- vii) “Recreational activities can change the habitat of an animal. This, in turn, affects the behavior, survival, reproduction, and distribution of individuals.”
 - (1) Cole, D.N., and P.B. Landres 1995. Indirect Effects of Recreation on Wildlife, *In* knight R.L., Gutzwiller, K.J., eds. 1995. *Wildlife and Recreationists – Coexistence through Management and Research*. Washington, DC: Island Press.
- viii) “Bird species composition was altered adjacent to trails in both ecosystems (i.e., forest and mixed-grass prairie). Generalists species were more abundant near trails, whereas specialist species were less common.”

d) Domestic Dogs in Wildlife Habitats

- i) “One extension of human recreation in wildlife habitats is the effect of disturbance, harassment, displacement, or direct mortality of wildlife attributable to domestic dogs that accompany recreationists. At some level, domestic dogs still maintain instincts to hunt and/or chase. Given the appropriate stimulus, those instincts can be triggered in many different settings. Even if the chase instinct is not triggered, dog presence in and of itself has been shown to disrupt many wildlife species.”
 - (1) Sime, C.A. 1999. Domestic Dogs in Wildlife Habitats. *In*: G. Joslin and H. Youmans, coordinators. *Effects of recreation on Rocky Mountain wildlife: A Review for Montana*. Montana Chapter of The Wildlife Society.
- ii) “Bird species are variously affected by human disturbance. In many cases, pedestrians generated the most negative responses (Hanson and Grant 1991), and the presence of dogs may intensify bird responses to pedestrians. Dogs themselves can disrupt habitat use, cause similar displacement response, and injure or kill birds.”
 - (1) Sime, C.A. 1999. Domestic Dogs in Wildlife Habitats. *In*: G. Joslin and H. Youmans, coordinators. *Effects of recreation on Rocky Mountain wildlife: A Review for Montana*. Montana Chapter of The Wildlife Society.
 - (2) Numerous case studies on human and dog disturbances to wildlife are detailed in this chapter.

Prepared by William Conrad, BCCP Secretary; Don Koehler COA BCP staff; Rose Farmer, TC BCP Staff; Kevin Connally, TC BCP Staff. Reviewed by BCCP Scientific Advisory Committee

6.0 BCP LAND MANAGEMENT PLAN PUBLIC COMMENTS

SUMMARY OF COMMENTS

Submitted by: Charlie McCabe

BCCP Citizens Advisory Committee member

cmccabe@mac.com

Prepared on March 1, 2006.

There were a total of 292 comments presented to Balcones Canyonlands Conservation Plan Citizens Advisory Committee during the Land management plan public comment period, which ran from November 10 2005 through March 1, 2006. All comments, save two longer review and response pieces are included in this Word document. **[Editors Note: The 2 additional comments received that are referred to below have also been added to this document as comments 293 and 294].**

A high level classification breaks down the comments into the following categories.

- 1) 169 comments requested continued or additional trail access. Primarily, these were mountain bikers, hikers and runners. 45 comments stated that they were looking to help with private/public partnerships, planning or volunteer work. Further, 11 of the comments stated that they would like to see specific information as to the science for the plan's definitions of passive vs. active activity and why both mountain biking and trail running with a group of 4 or more is classified as active.
- 2) 81 comments requested continued access for off leash dogs, primarily, but not limited to the Turkey Creek trail in Emma Long Park, a grandfathered section of Parkland that is jointly managed by the BCP and COA PARD. Again, a large number expressed willingness to work on public/private partnerships to maintain the facilities. 13 of the 81 comments requested specific study results detailing dogs effects on the endangered species or the trail.
- 3) 1 comment specifically requested that dogs be removed from the Turkey Creek Trail.
- 4) 20 comments requested that public access restrictions for all BCP lands remain as is or in the case of 4 of those 20 comments, tightened further.

5) The remaining 21 comments focused on specific or a range of specific issues or compliments with the land management plan itself, ranging from invasive species management, fire management, deer population control.

All comments, save two much longer pieces follow. **[Editors Note: the longer comment documents have also been added here]**

All 294 BCP Land Management Plan Public Comments:

Comment #1 – Speaker #1 - Turkey Creek Trail: Expressed concern that dogs brought on the property by their owners cause:

Creek Erosion

Incremental, but significant decline over time

Dog feces on the trail He indicated that this violates the City's leash law. He showed photos to document the changes he has observed over a period of years.

Comment #2 – Speaker #2 -Wanted to know why the Killeen/Ft. Hood study regarding the impact of mountain bikes and motorized bikes was not recognized by the City and the County. The study (Blora [sp]) was conducted on an outdoor recreational area in the Killeen area. □The speaker offered the assistance of Austin Ridge Riders to the committee on mountain bike issues.

Comment #3- Speaker #3 - The new plan looks just like the old plan. Comments:

Disappointed by lack of change

The Austin Ridge Riders mountain bike group has done extensive work to support and repair trails as partners in to the BCCP and felt excluded by the last rules.

There is a lot of illegal trail building going on, and there are great opportunities for partnerships with trail bike riders to create maintained trails.

Wants to start a conversation about partnerships now out of this contact with BCCPCAC

Comment #4 - Speaker #4 - The speaker addressed various topics:

Trail runners want public access [to the process]

Forest Ridge Tract - no group running

Set aside money for trails - for building them and then maintaining them

Doesn't believe that light human use [trails, the land] affects species

Utility easements would be a good place to put trails

In the next plan, set specific goals for [acquisition] of canyon lands, i.e., 1 mile to xx miles

Comment #5 - Speaker #5 – Bull Creek Tract: Firebreaks through the preserve would help with fire protection

No hard inventory of species being preserved and current inventory. Trails for firebreaks

would help to create access for species inventory

Trails would help to control cedar trees which are overgrowing the oak trees

Additional Speaker Comments: Forrest Ridge seems like a demo project in how not to permit public use. Trails are a tiny part of the total land use. The trail only effect species within 150 feet around the trail.

Question to Citizens' Advisory Committee: What research do we have? Chair response: Research is available through the Web site.

Committee Question: In what areas do you want trails? Response: Northwest Austin is area of greatest need.

Discussion:

There is research data in Tier 2, Section 9.0 of the proposed Plan about experience in the Rocky Mountain area.

Suggestion to staff: Find data closer to this region, if available.

Data included in report is best practice data.

Request for information on Steiner Ranch Trails and also on City trails being developed.

Comment #6 - Speaker #6-Speaker pointed out that Lake Georgetown, which was developed by the Army Corps of Engineers, is a designated warbler habitat. The Austin Ridge Riders group informed the committee that the St. Ed's Tract has a dangerous portion of track for riders and walkers but did not specify its exact location.

Comment #7 – Speaker # 7- [Residents in] Canyon Creek are asking for help to connect an approximately _ mile section between conservation lands and City lands which are currently separated by BCCP lands Don't remember if these comments belong to Speaker #7 or not, although they seem related.

Gleason property was purchased with Park Funds, so there should be funds to purchase land to connect properties.

Sell parts of the BCCP that are not species habitat and enhance the rest.

Other Suggested Funding Sources

Central Texas Trail Tamers

Available Grants -- contact ____ who is considered knowledgeable in this area Note: Austin Ridge Riders donated over 1,000 hours of trail building services last year which included design, development, maintenance and other services.

Comment #8 - There is need for a process to determine where trails could be developed. Use available science to identify the land. Measure progress, erosion effect, etc. Measure effects of traffic. Dogs versus people versus bikes. Need quick and easy determination. Start small.

Comment #9 - Committee comments: The original proposal for the BCCP was to have substantially more land, to provide a buffer for the sensitive areas. The buffer land was taken out and a minimal plan was approved. All need to remember this. Since there is no buffer, zero tolerance on the land we have is the present situation. City comment: This is accurate. 25% of the current BCCP is City land with public access. Difficult to consider new trails when the present trails need maintenance. County comment: The formation of the BCCP allowed 75% of Warbler and 80% of Vireo habitat to be destroyed. With the preserve, no additional take and loss is permitted on this minimal habitat. The BCCP is what permitted development in West Travis County.

Comment #10 - If properties are attractive for recreation, perhaps buy more property for recreation.

Comment #11 - Staff needs to focus on and resolve the economics of the BCP. Where will money come from?

Comment #12 - Need additional collaboration between agencies and other stakeholders to address individual [and common] concerns
Identify low risk models and ideas to move forward.

Comment #13 - What is the standard that the agencies must meet under its permit? The budget is a major operating constraint. What is the cost, both capital and operating, of increased public access and how is it paid for? What is the percentage of acreage with public access? Is there habitat on water protection sites? Is there habitat at Reimer (sp) Ranch?

Comment #14 - Use the internet more to communicate and educate on the BCP. Increase participation of local groups with [all types of] trails

Comment #15 - Find opportunities to find more money to fund projects. Conflicts result due to lack of money.

Comment #16 - Keep an open mind that if there is no take, there is no problem.
□Comment: Reduction in use of park land when included in BCCP was economically unjust.

Comment #17 - Question: What are the challenges and constraints to permitting public access? City Response: 1. Our first charge is to show that access will do no harm to species. We are to err on the side of the species. 2. Our budget is limited and first use is to protect species and related research 3. There may be opportunities for partnerships

County Response: 1. Protect and enhance species and their habitat. 2. Allow public access where and when appropriate. 3. Adhere to the federal permit

Comment #18 - Question from chair: What are the guidelines for public access? Staff response: 1999 plan included no process, but indicated that one would be developed. Proposed plan included plan for access. Any access plan cannot jeopardize the permit. Proposed plan is 1 page that describe proposal for public use.

Comment #19 - Date: [11/19/05]

Recognizing that operational funding will be a continuing issue for the BCCP, is there a way to provide for paid access for some areas during certain seasons? Climbers, hikers and mountain bikers pay to access other areas for these activities and would most likely be willing to do the same at BCCP lands. Studies have shown that legitimate access results in lower illegitimate activities like dumping. Obviously this would have to be balanced with the habitat preservation which is the primary function of the land.

Comment #20 - Date: [11/25/05]

I am disappointed that a lot of the land around Bull Creek/Forest Ridge was closed to mountain bikers years ago, while it has remained open to hikers. And, I really hope this doesn't happen anywhere else near Austin. This seems grossly unfair since numerous studies have proven that mountain bikers are amongst the lowest impact trail users: They pack in what they pack out (typically a biker can carry very little compared to a hiker) and - if conditions are not wet - they leave less of a footprint than foot traffic (Not to mention the ever-present litter and beer bottle trash so prevalent on the Barton Creek Green Belt that comes exclusively from people on foot). In addition, the Bicycle Sport Shop in Austin has a mandatory "Pay dirt" policy for all Texas mountain bikers who race in the state. This mandates a minimum of 10 hours per year trail work on public land. I personally have worked on the Green Belt, trails in Georgetown, near Boerne and at Warda over the past few years!!

In summary, please expand - not restrict - access to mountain bikers. We are not the hooligans you think we are!

4.1.1 Comment #21 - Date: [12/5/05]

Classify: animal

Message: I am impressed with the efforts of Travis County to take a proactive role in managing the deer population on county owned parks and preserves. The added responsibility of donating the meat from the deer culled from these lands shows a great commitment to the community. Local nonprofit agencies benefit from the meat brought in and serve low income families in central Texas that would not otherwise receive such a nutritious source of protein. I think the use of land for recreational hunting is important. I will continue to purchase the annual Travis County Parks pass and benefit from management efforts as a user of public space. Thank you.

Comment #22 - Date: [12/6/05]

Classify: animal

Message: As a representative of the Texas Hunters for the Hungry program, I would like to extend my thanks to Travis County for the work they are doing to manage the whitetail deer population. Texas Hunters for the Hungry is a wild game donation program. We know from experience that Travis County makes a conscious effort to donate the meat to local charities. Collaboration such as that between Travis County, Hunters for the Hungry, and Caritas of Austin benefits the community as a whole while contributing to the solution of deer overpopulation in the Edwards Plateau. Thanks again for donating a much needed resource to our community.

4.1.2 Comment #23 - Date: [1/3/06]

Classify: general

message: I would like to see if the plan administrators would open areas back up for mountain biking in non nesting seasons like they are now doing down at Government Canyon.

4.1.3 Comment #24 - Date: [2/7/06]

Subject: Re: recreational use of the BCCP preserves

Sir, Greetings! My name is xxxx. My wife and I are BCCP participants. We have lived adjacent to several COA-managed preserves for five years now, so we had ample opportunity to observe the destructive, loud and often unlawful public behavior on City Parks and dedicated preserve lands.

As a BCCP participant, I am strongly opposed to **any** recreational activities other than supervised field trips for scientific or educational purposes on the BCCP preserves.

The BCCP preserve lands were acquired through BCCP participation fees, land-in-lieu-of

fees swaps, federal government matching funds, and local government matching funds for one specific purpose: to protect the endangered species. They are not public places. They are not parks.

I am concerned that any recreational use of the preserve lands will "harass, maim, and destroy" the endangered species that the preserves were purchased to protect. Moreover, the recreational activity also threatens the legal framework under which the BCCP plan operates by taking permit participation fees with the promise of purchasing preserve lands, where the species would be protected from unauthorized taking, as defined under the Endangered Species Act of 1984.

Rather than opening up the preserve lands to recreation, I am hereby requesting that you place permanent legal restrictions (covenants) on all BCCP preserves, prohibiting any recreational use other than supervised scientific or educational field trips.

Please also add me to the notification list for all meetings by the BCCP Coordinating Committee, so that I and other concerned permit holders can participate in the BCP land use management decisions.

Comment #25

Classify: Commons Ford

Message: It is time to return Mountain biking in this area. Mountain biking does not destroy the habitat or the environment. Mountain bikers are a good steward of the land. Please return Mountain biking to this area.

Comment #26 - Date: [2/9/06]

Classify: general

Message: What good is setting aside a bunch of land if humans cannot enjoy and interact with the wilderness? Are we to be restricted to the concrete cities we are building? I realize there are a lot of irresponsible people who do not care about the land, the habitat or the animals their trash and abuse can ruin but you can't fix society by restricting use. Society should be changed by teaching our youngest members of our generation that if they "care" enough now it will be there when they grow up.

I do not feel that land or habitat is hurt by the use of horses, hikers, runners, mountain bikers, and bird watchers. If we work to get groups of people who love the outdoors to help build and maintain these trails and the habitats, we can create something for generations to come to enjoy. Using this opportunity have school kids work on projects to come and work on keeping them clean and in shape and learn about the habitat that's around them.

I strongly feel that any type of motor vehicle should not be permitted onto the wilderness trails.

Most of the above folks involved in the activities I mentioned love to be outdoors anyway and generally are dedicated to improving quality of life for both humans and habitat animals. I think we can share the earth.

Comment #27 - Date: [2/9/06]

Classify: general

Message: Being that you guys control a lot of public land, that was paid for by the public voting on it, I would like to see more exploration of the land being opened to user groups such as mountain biking. I understand that there is a lot of land that is not suitable for public use because of habitat protection; however, there is also a lot of land under your jurisdiction that is quite suitable for other uses than just hiking. Also, there is a biological study being performed at Ft. Hood which has shown that birds rest on the tank range with live artillery fire going off, and are not disturbed. Part of this research has shown that the birds view mountain bikes as deer. Just a passerby and not a threat. In light of this new information, I think it is time for government agencies to look at their policies regarding mountain bikes as a potential user group.

I would support the public/private partnerships to investigate uses like mountain biking in an urban setting.

Comment #28 - Date: [2/9/06]

Classify: general

Message: To Whom it May Concern: I will be unable to attend the public comment meeting on February 15, so this letter is written to show my support for appropriate public use of lands within the Balcones Canyonlands Preserve. Numerous research studies and years of in vivo observation have demonstrated that properly designed natural surface, singletrack trails allow the public to explore environmentally sensitive areas without harming the flora and fauna in the natural environment. Mountain biking is included in these research studies, and causes no more significant impacts than those observed on hiking only trails. When the public is allowed access to beautiful natural areas via low-impact trails, they then feel compelled to protect these areas and shield them from development. As an employee of the Texas Bicycle Coalition and a representative of the International Mountain Bicycling Association, I urge you to support these appropriate public uses of the Balcones Canyonlands Preserve tracts. The cited research studies and further information can be found at www.imba.com and www.biketexas.org.

Comment #29 - Date: [2/9/06]

Classify: general

Message: Regarding BCCP:

It is my understanding that many people are angry at lack of public access, or insufficient public access to the BCCP lands. However, the reason for the BCCP's existence, and the reason for the federal funding, is to preserve endangered species. This was never intended as a public recreation area alone (if at all!).

I have been involved in community environmental and parks issues in Austin since 1997. As a Sierra Club leader (1998-2004) and board member of SOS Alliance and City of Austin Environmental Board, I consistently speak for public spaces, parks and other open spaces where people can hike, bike, relax and commune with nature. But the BCCP lands are meant to preserve vanishing habitats for vanishing species, and there must be no compromise on that. If people want more outside playrooms, they need to organize for good land use planning that consistently incorporates parkland and trails, and I will support that all the way. This struggle over limited preserve lands simply demonstrates that we are a society that has paved ourselves into frustration, and we need to change our overall habits.

But please do not compromise on what is necessary to protect the endangered species of the BCCP.

Comment #30 - Date: [2/9/06]

Subject: The Citizens Advisory Committee to the BCCP Coordinating Committee

This communication is in regard to the Balcones Canyonlands Conservation Plan (BCCP) and its management of the endangered species preserves in western Travis County. We think the time has come for a public-private partnership on one city managed and one county managed tract to demonstrate how public uses and volunteering are compatible with the preservation of endangered species in an urban setting.

We urge support and approval of the proposal that two demonstration tracts be earmarked for a new public-private partnership that will plan, build, control and maintain public use trails on these tracts.

Thank you.

Comment #31 - Date: [2/9/06] classify: general message: Re BCCP: "Species preservation" is a completely different objective than more "playground" space for trails, bike riding, and outdoor recreation.

I understood the BCCP objective to be "habitat preservation", rather than "community parkland". As such, it needs to have RESTRICTED access rather than being part of what seems to be the Texas propensity to pave it over if it still has trees daring enough to stand on it.

Please help fulfill the original intent of preservation, and do not permit unrestrained development in the name of more parkland trails.

Comment #32 - Date: [2/9/06]

Classify: Emma Long

Message: I plan to attend the revision meeting scheduled for next Wednesday to show my support in keeping the dog friendly trail at Emma Long Park.

We currently reside in Steiner Ranch and absolutely love the trail the way it is. It has been a great place to exercise and enjoy nature, but an even better way for our 4 pups to grow accustomed to other people and pets. I believe they are much more well adjusted and friendly because of the freedom the trail provides.

There are so few dog friendly trails in the Austin area; I would hate to see this one change.

Thanks, and we'll see you on Wednesday!

Comment #33 - Date: [2/9/06]

Classify: Emma Long

Message: My observation is on access by dogs on or off leash to designated parts of Emma Long.

I strongly support the use of designated trails by dogs both on and off leash. I make this observation as a hiker, not a dog owner.

Experience has shown that allowing and encouraging responsible access to public land, whilst carrying a very small risk of some short term and local adverse environmental impact, is hugely beneficial overall to any program of public land protection.

The advantages of encouraging the wide use of trails are many. Perhaps the most important is that, by encouraging a popular habit of enjoyment of public open space and by mobilizing a significant number of regular users, the very long term survival of those rights of access and the necessary protection of the land against unwanted development encroachment is better ensured.

A second benefit is that, given the vast majority of dog owners are responsible and environmentally aware; their regular presence on the land ensures a form of stewardship through a self policing effect. Good behavior by the majority ensures good behavior by all through peer pressure. If you ban most responsible users of the land, is it not likely that irresponsible behavior by a few, causing disproportionate damage, will ultimately cause greater harm?

Finally, and returning to the first point, public open space in Texas is in short supply, but restricting open public access through rules and regulations to the few areas that are currently available, does not guarantee the prospect of increasing the stock of public land holdings in

the long term. Encouraging the habit of regular use of trails and provision of well designed public information on those trails with suitable guidelines for dog owners will ultimately provide more comprehensive political support for expansion of public land and defense against development pressure. It is surely the threat of development and loss of habitat that poses by far the greatest long term threat to our species and environment.

Comment #34 - Date: [2/9/06]

Classify: Emma Long

Message: In the UK, they view park traffic differently. They feel that if they can get many citizens (and their dogs) to enjoy a park they it will be less vulnerable to commercialization. Certainly, this land is protected now. But as the population continues to grow, pressure to develop the land will become greater. The population has doubled in the last 40 years and it is projected to have tripled in the next 40. More people enjoying the preserve will also mean more defenders against development.

Currently, about 90% of the traffic on Emma Long's Turkey Creek trail are dog owners. Yes, an empty park may sound appealing to short-sighted conservationists. But those with a longer view, those who would conserve for the good of the people as well as the wildlife, realize that an empty park will soon be a housing development. Banning dogs and their owners from Turkey Creek will not ultimately achieve your long-term conservation goals.

Regarding leashing the dogs... If you leash the dogs, why not also leash the deer, the squirrels, the raccoons? In actuality, the dogs keep many of the animals who would harm the Golden-Cheeked warblers at bay. The warblers live high in the trees and are quite safe from the dogs themselves. But many of their predators, such as rat snakes and squirrels, flee from our friendly canines.

In short, continuing to allow off-leash dogs at Emma Long's Turkey Creek will help ensure the preserve's future.

Comment #35 - Date: [2/9/06]

Classify: general message: BCCP Land Management;

As a concerned citizen and pet owner, I am compelled to contact you and share with you my issues about the Emma Long Turkey Creek Nature Trail. I see, very clearly, an effort by some people and organizations to insinuate the erroneous fact that dogs are not allowed on the nature trail. Dogs ARE allowed, have always BEEN allowed, and should ALWAYS be allowed. I have seen no evidence that dogs are in any way a liability for any endangered species.

I contend that the effort to have dogs banned from the area is the misplaced effort of misled, over-reactive, anti-canine people. Merely referring to some passage that 'at one time it was

said that there would be no dogs' to restrict dog access is an dishonest effort to ruin the livelihoods of honest and respectful tax-paying, environmentally and species concerned, dog-oriented citizens. Banning dogs from the Turkey Creek Nature Trail will in no way positively effect any flora or fauna species that live there.

I plan to attend the meeting next Wednesday and expect that yourselves have solid evidence to present that it is necessary to the well-being of the resident species that dogs be disallowed, or that you be ready to concede that we will be able to continue our activities - WITH our dogs.

Comment #36 - Date: [2/9/06]

Dear Sir/Ms.

I read Speaker #1 concerns: Erosion from owners with dogs and feces on the trail.

I go to Turkey Creek trail at least once or twice a week, and for the most part, most dog owners pick up after their dog, or their dog(s) go out in the woods, which sometimes is impossible to pick up. It would be without a doubt very disturbing to ban dogs from this trail. It is absolutely beautiful, and I have personally only encountered one or two individuals with dogs who perhaps should not be there with them off leash. 99% of the time, the dogs are well behaved and the owners ARE RESPONSIBLE.

Perhaps this individual is not dog friendly, but one of these days we dog owners are not going to be able to take them anywhere without fear of getting in trouble.

Please consider keeping this trail for dogs off leash. It would be a great loss to everyone who has dogs if this trail was closed to us.

Maybe as a suggestion you could put more "pooch mits" along the trail with cans. I know this may be more costly, but the advantages, outweigh the disadvantages.

Thank you for your consideration and time.

Comment #37 - Date: [2/9/06]

Classify: general

Message: Please continue to reserve the BCCP for its intended purpose: habitat for wildlife, including endangered species. It is a preserve, not a park. If we want more parks, we need to create them in other places. Humans have a difficult time with the concept "hands off," sometimes. They need to have the concept reinforced.

Comment #38 - Date: [2/9/06]

The Balcones Canyonlands Conservation Plan (BCCP) lands have always been intended for a preserve. It was acquired in order to release western Travis County from severe federally imposed development restrictions enacted to preserve endangered species. The federal

restrictions required all private property owners to get federal permission for any development. Land owners were suddenly faced with expensive studies and even then many had to acquire mitigation lands to free theirs up for development. Some land owners could do no better than to sell their land for mitigation. The idea behind the preserve was to acquire enough land and restrict its use to preserve those endangered species.

But the test isn't how much land area we call "preserve". The test is the success of the species. Biologists count breeding pairs. Biologists have been unanimous in prohibiting intense activities ranging from jogging, pets off leash (on leash?) and mountain biking because those uses are a threat to the endangered species. These skittish species must be able to nest and breed. Crashing bikes and animals are not conducive to these activities. If the species lose ground then the feds will revoke the permit/reinstate the moratorium until a more stringent program is in place. And that will mean that western Travis County private land owners will lose their rights again. And of course there are the endangered species that will have died or simply failed to propagate. This is not the first time I've heard someone argue that they would not have voted for the money to purchase the preserves had they known the difference between preserves and parks. They argue they would have left western Travis county landowners, the endangered species, and those who might benefit from the survival of diverse species to fend for themselves.

Comment #39 - Date: [2/9/06]

Message: I'm writing you hoping you'll look at the BCP from a historical perspective.

It's no great surprise that man has co-existed with the golden cheek warbler, coyote, hawk, rattlesnake, and owl in central Texas for decades (some would argue for centuries). Historically speaking though, I think our current environment will be looked upon as comical. Isn't ironic (and comical) that a controlling minority in Austin finds some logic in removing the only non-preying species on that list as a solution to helping the golden cheek warbler? As if our small part of the equation has a significant impact on the laws of nature that we can only react to? At some point this ridiculous situation the BCP has gotten itself (and all of your constituents) into will certainly be looked on as a farce - don't you think?

What's more alarming, and certainly worthy of its own complete history text book, is the millions of dollars being spent to support the BCP's actions. Ironically, those funds are coming from the very constituents who are no longer allowed to access the beautiful land shared by our friends the golden cheek warbler, the coyote, the hawk, the rattlesnake and the owl. Don't you find that odd? I'm sure history will.

Keeping the BCP properties UNdeveloped is a wonderful solution. Prohibiting man from access is insane.

Instead of being viewed on the wrong side of history, let's create some positive change. Don't

let this ridiculous project continue to roll down the mountain of failed government missions. Allow Austin citizens to co exist in local forests and canyonlands. Open access to all the BCP properties.

Our current environment will be viewed by history in laughter, let's be known for the society that reversed this ridiculous situation, not proliferated it.

Please open access to all BCP properties.

Comment #40 - Date: [2/9/06]

Message: Please do not restrict access to public lands.

Comment #41 - [Received Feb 13, 2006 via email, written Feb 9 2006]

Further to my comments at last Thursday's CAC meeting, please accept my comments in a written form.

The specific part of the plan that I am addressing is "Tier II A, Chap XII, Public Access", and the corresponding macrosite documents for the specific tracts in Tier III.

Overall Comments:

The board should consider legal protection for BCCP lands, for example, placing restrictive covenants on the preserve parcels, and/or classification as a National Wildlife Heritage site, so that the long-term viability of the preserve tracts is not threatened by development pressures.

Gathering metrics on non-native species removal. The presence of invasive, non-native species is typically an indicator of the tracts being subject to erosion or overburdening. Would it be possible to gather metrics on how many non-native invasive species were removed per site, even if this data is expressed in man/hours per year, instead of individual invasives count?

TRACT: Bull Creek Greenbelt

Designation: park

There is a problem with trespassing from this property onto adjacent private properties. Often, the illegal activities reported by Fox News and KXAN News about this parcel actually do not take place in the greenbelt, but on adjacent private properties, which are more wooded and afford more privacy. There is currently a 25-foot segment of wood fencing at the trail head, which is very pretty, but does not do enough to deter trespassing and other illegal activities which spill onto neighboring private property.

Recommendations:

1. Extend existing fencing along boundary of greenbelt tract with adjacent Treetops subdivision an additional 300 feet. Add signage along boundary of park that clarifies to all park users: "The greenbelt ends here. Please respect the privacy of land beyond this point."
2. Add additional signage at trail head prohibiting weapons, firearms, and concealed weapons.

TRACT: Spicewood Preserve, a. k.a Spicewood Hollow Preserve

Designation: preserve

This tract contains Cotterel Cave and the spring head for Big Canyon Creek.

The habitat value of this tract is very high, due to the presence of the cave and the endangered cave species, and the spring head that is located here. Page 15 of the land management draft document, Tier IIA, Chap XII, Public Access", states that public activities on this tract include "mountain biking". This may be a clerical error, as the corresponding Tier III document for this macrosite does not mention mountain biking. Condition: fence around Cotterel cave is torn down and is not sufficient height and quality to deter unauthorized access into the cave.

Recommendations:

1. Remove mountain biking as an allowed public use for Spicewood Preserve. This is clearly an inappropriate use for this parcel, both because of the ruggedness of this parcel, and the public import of protecting the cave and the spring head.
2. Restrict unregulated public access to "seasonal access only" on this designated preserve tract.
3. Replace and extend torn and deteriorated fence around cave with 6-foot, no-step fencing.

Comment #42 - February 9, 2006 4:54:25 PM CST

Please continue to reserve the BCCP for its intended purpose: habitat for wildlife, including endangered species. It is a preserve, not a park. If we want more parks, we need to create them in other places. Humans have a difficult time with the concept "hands off," sometimes. They need to have the concept reinforced. Thank you,

Comment #43 - February 10, 2006 2:20:17 PM CST

I am a mountain biker who used to ride the trails at the Forest Ridge preserve, among other places around Austin where riding is or was permitted. I have about ten friends who also rode at that preserve until it was closed to mountain biking years ago. It is one of the finest mountain biking trails in the country, confirmed by friends who ride in very popular spots such as Utah and Colorado. The combination of beauty and fine riding is unparalleled.

I firmly believe that mountain biking is consistent with the intended use of this land. I have never, nor have any of my mountain biking friends - to my knowledge - ridden on trails that were closed, or created new trails where they are prohibited. We care dearly about the environment, and I can say that, by and large, most mountain bikers feel the same way. I will not deny that there are "bad eggs" among us, who carve new trails, damage trails, and generally give the entire sport a bad name. This is true for all walks of life.

We deserve a chance to experience the beauty of these lands as others do.

Thank you for your consideration.

Comment #44 - February 10, 2006 4:35:52 PM CST

Dear BCCP Planners - I would like to weigh in on the proposed amendment to restore the public use of the BCCP lands. Having been involved with the formation of the Plan through the City of Round Rock and Nature Conservancy, and then a long time Austin Mnt. biker, I was dismayed to see that horse back riding and hiking were the only permitted uses in the Forest Creek Preserve. This location is nationally known as one of the 50 best urban mnt bike rides in the nation. Or was! Knowing the biologist associated with the program and having seen Black Capped Vireo's nesting in the front yard of a suburban home blocks from the Williamson Co Regional Park, I find it hard to believe that mnt bikers disturb these birds ever. The biologist confirms this yet their hands are tied since this was a decision handed down. Yes - In the past there have been a handful of mnt bikers (commonly called bike nazi's) who were outside the norm and not representative of 99% of mnt bikers, but overall we are all young and middle aged professionals, men and women and all races and economic classes. Austin is an outdoor city and this a gem among mnt bikers. Please restore riding to this and other locations so that the citizens who funded this initiative may benefit fully. Regards - Hugh Bender

Comment #45 - February 10, 2006 4:50:01 PM CST

I'd like to see mt biking re-introduced to the Forest Ridge-Hilltop-St Eds regions of the BCU. I think human disturbances can still be limited/contained while providing for mtb recreation. While I acknowledge that trail cutting and other 'off-piste' activities occur and are detrimental, I think the incidence rate of these are relatively low. When bikers stick to the trails, as is most often the case, disturbance may even be more limited than by hikers, who

move more slowly and are more apt to stop. Believe it or not, biking is a relatively quiet activity: bikers are less likely to be talking while riding (it's hard to hear and riding requires more focus) and bikes, especially newer ones just aren't that loud.

Nevertheless, I think that habitat loss to development and the presence of non-native predators (ie, cats) pose a far greater threat to the GCW than bikes. I think bikers are too easy a target and can be easily held up as an example that the managers are doing something, whereas controlling feral and typical house cats is too daunting a task.

I ask that mtn biking be re-introduced and monitored. Requiring permitting for bikers would also be a great way to help ensure compliance with trail rules and build a greater pool of BCU stewards.

Comment #46 - February 11, 2006 3:33:16 PM CST

I live in River Place. I've always voted for the BCP bond packages, and feel it has been a wise investment. As my children grow older (oldest is now 8), I am starting to feel that adding bicycle access to some (though not all) would be useful. There are few close areas that a dad can take his boys out into the woods for biking. I am trying to get my boys to appreciate the outdoors, and increased land access would help.

Comment #47 - February 12, 2006 1:34:48 AM CST

Hi folks and thanks for taking my comments. I have been cycling in and around the Austin area for some 15 years now and I love it. I do a lot of mountain biking along with my road biking and have learned a lot from this great community. Number one, the cyclist I have had the privilege of cycling with care about maintaining the areas we ride on. They do this by either signing up to do road side cleaning or by maintaining the trails when riding on them by picking up lost or discarded items on the trail(trash). Most people care about continuing to have access to these precious trails and it is a real treat to have new trails to ride on as the older ones get a little well to put it simply OLD. I would appreciate you keeping this in mind when deciding if we should have access to the trails we are funding through our tax dollars you are using to purchase this land with. We sincerely miss the trails that you have taken from us and would love any opportunity you may give to prove to you th! at we are a responsible cycling community here in the Austin area. We all should be allowed equal access to the lands that we have contributed our hard earned money to.

Comment #48 - February 12, 2006 9:35:23 AM CST

To Whom it May Concern, Lands that are held and managed for the publics trust need to have public access. I agree it is unfortunate that animals and birds that have adapted to living in close proximity to humans are flourishing (deer, grackles, coyotes, etc) while those that

are extremely shy of humans are diminishing. However if no one gets access to these lands and consequently no one gets to see or appreciate these species then what is the point? Furthermore animals are constantly adapting and species that were at one time thought to be incompatible with large human populations are now flourishing in neighborhood backyards. Mt. Biking in particular keeps trails open and provides a method of traveling deeper into preserve areas that typically is practical on foot. As recently discussed on the Discovery channel until the entire community is given a commercial interest in protecting and preserving nature all efforts to close it off and protect it with fences, laws, and other restrictions will fail.

Comment #49 - February 12, 2006 2:02:22 PM CST

Re: Turkey Creek Trail I have been told that there is a proposal to prohibit dogs from Turkey Creek Trail in order to protect endangered species such as the Golden Cheeked Warbler. This action makes little sense for a few reasons. One is that considerable land, such as that which surrounds my neighborhood (Long Canyon), is already set aside as restricted. In addition, 100s of acres of similar habitat extend from Austin west to the Edwards Plateau and south beyond San Antonio. Thus, it is unreasonable to take a small parcel of a city park that has been specifically set aside and grandfathered for use by people and their pets and make it a restricted area. What is the point of even having a park if you can't go there and use it?

Comment #50 - February 12, 2006 5:14:08 PM CST

I support keeping Turkey Creek Trail at Emma Long Park open to dogs. While all inhabitants of the park are valuable, dogs can co-exist with warblers, and my understanding is that dog owners are respectful and responsible on this trail. It is also my understanding that this is a very small portion of the warbler habitat, and there are already few places where dogs are permitted in a leash-free environment. Please reconsider closing off the park to dogs. I am certain other options are available which can protect natural inhabitants while providing for access and enjoyment by residents and their canine companions.

Comment #51 - February 13, 2006 9:56:03 AM CST

The more dog friendly areas the city provides, the healthier the human population! When dogs walk, people walk. Keep Austin Animal Friendly!

Comment #52 - February 13, 2006 10:40:46 AM CST

I am writing to support my fellow mountain bikers which will be in attendance on the 15th. While I agree in the general principle of the BCP, I recommend that you reconsider the restrictive land access measures that have been put in place up to now. Preserving green

space in such a rapidly growing area is a great idea, but preventing the very people that are funding these land purchases and maintenance is not only unreasonable, but may be detrimental to future projects and/or purchases due to lack of public support.

I am asking that you consider allowing controlled access to areas where it makes sense and that this access include mountain biking. If built properly, a mountain bike/hiking trail will not degrade the land on which it is built and maintenance will be minimal. There was a study done at BLORA (Belton Lake Outdoor Recreation Area) that showed mountain biking was neither more nor less detrimental to parkland than any other type of activity. Access could be restricted during mating periods of any species that populate the preserves to minimize any impact to them.

Considering how health problems such as obesity, high blood pressure, etc. are increasing due to lack of activity, we should be encouraging outdoor activities such as hiking and mountain biking. Increasing access areas where people can enjoy the wonderful scenery we have in the area can only encourage people to become more active.

Thank you for your time.

Comment #53 - February 13, 2006 2:08:00 PM CST

As an environmentalist, nature lover and avid bird watcher I am disappointed that Austin is considering a ban of dogs at Turkey Creek in Emma Long Metropolitan Park in the name of the Warbler.

Not all species are meant to thrive and continue as new species evolve and take their place. This is an uninhabited area yet the Warblers was endangered when very few humans even walked this area with or without their dogs long before this land become preserved and the public had access to it.

Are we going to ban Deer, snakes and the rest of the predators?

It would be rare if a dog could catch these and dogs make noises going through the brush, etc. which warns these birds of poss. dangers.

It is bad enough that our children cannot enjoy nature on horseback since horses on the little open land with trails that is left in the area, which pose NO THREAT and are picky about the ground they step on and stay on the trails for safety reasons are not allowed to enjoy the Austin nature trails but now dogs are going to be banned?!

Lets use some commonsense while co-existing peacefully with nature and enjoying the nature that our tax dollars pay for WITH or WITHOUT the ever elusive Warbler...

Thank you for your time.

Comment #54 - February 13, 2006 4:42:56 PM CST

The City is proposing a dog ban at Turkey Creek at Emma Long Park. Turkey Creek at

Emma Long Park is one of the few hiking trails in the city that allows off-leash dogs. There is a claim that the dogs threaten the endangered Golden-Cheeked Warblers. However, my understanding is that the portion of the park that allows dogs is only about 10% and dogs may actually help the warblers that live 15 feet up in the trees by scaring away their predators. I am also interested in keeping the warblers protected.

Please continue to allow dogs to visit Turkey Creek at Emma Long Park. Let's keep the Golden-Cheeked Warbler protected and let's keep Austin a dog-friendly city. Both are good for Austin's image, good for the endangered birds, and good for dogs and their human companions. That would be a win-win situation for everyone.

Comment #55 - February 13, 2006 3:37:36 PM CST

The BCP is missing out on an opportunity to partner with like-minded outdoor enthusiasts by unduly restricting access to public lands for mountain biking.

Specifically, mountain bikers are a well-organized group of outdoor enthusiasts who are generally interested in preservation of green space and natural recreation areas which coincides with the general purview of the BCP to preserve habitat for endangered species. However, exclusion of mountain bike access to these public parks is overtly hostile towards this like-minded group of enthusiasts. With overwhelming opposition to the BCP by mountain bikers, the BCP has managed to alienate their likely allies in the effort to preserve habitat, and instead drive mountain bikers and mountain bike organizations to become allied with others who are opposed to the BCP.

The BCP needs to work to build alliance and not instill opposition to their efforts to preserve habitat. Mountain bikers as a whole are opposed to over-development of public park land and are freely willing to assist in the efforts of the BCP and other organizations to preserve natural habitat, but this natural ally can easily become a powerful enemy if the BCP continues their quest to alienate organized mountain bike clubs and groups.

Sanctioned trail access for mountain bikers makes it possible to encourage responsible trail use, maintenance, and monitoring of the effects of mountain biking on the habit. If legal access is made to trails, then mountain bike use can be easily controlled on specified trail corridors.

The mountain bike community understandably views the BCP as a virulently anti-mountain-bike organization, willing to trade access to choice lands for political favors but not capable of stewarding the taxpayer's money to offer park land that actually serves any public purpose. The BCP will be far more successful if they are willing to form partnerships with groups, such as mountain biking clubs, who are generally in support of the BCP's goals of preserving habitat. In the current standoff between mountain bikers and the BCP, everyone is going to lose.

Comment #56 - February 13, 2006 2:57:35 PM CST

The dogs are not a problem at this park. The majority of individuals hiking in this area enjoy one of the only places to take a dog off leash left in Austin. If the city is worried about the wildlife might I suggest banning children? Having two children of my own I know what kind of damage they can do, far worse than any of my three dogs. Don't ban the dogs, keep Austin dog friendly, don't make us like Houston or Dallas!

Comment #57 - February 13, 2006 6:59:52 PM CST

Please allow bicycles access to these areas. I have the good fortune to travel with my mountain bike and have seen first hand the low impact this sport has on wildlife when managed properly. I encourage you to turn to your local Bicycle clubs, and allow them to build trails and enforce the management of these trails for all types of users. They are a great FREE resource with International support tools from the IMBA and NORBA.

Comment #58 - February 13, 2006 7:12:36 PM CST

I am in opposition of the banning of dogs in the BCP park and trail. This is a beautiful trail where all people and dog lovers go to ease the stresses of everyday life and encourage bonds and relationship with their dogs through long walks. Having the ability to bring a dog on a long walk encourages people to get out and get exercise for their health and the health of their dogs. It is a wonderful place to socialize and I sincerely hope this ban does not take effect. Thank for hearing me

Comment #59 - February 13, 2006 7:22:18 PM CST

Please do not ban dogs from Turkey Creek Park! If it can be truly proven that they are threatening the endangered birds, I can see why it must be done, but if they only "might" threaten the birds, please reconsider!! The only reason I use this park is because I can hike there with my dog.

Comment #60 - February 13, 2006 8:12:10 PM CST

I just wanted to send a note to say we love taking our dogs to the park on the weekends. We don't believe there is any damage being done to the warblers or the erosion of the land because of the dogs. This excuse sounds ridiculous. We are responsible dog owners and everyone we meet on the trail seems to be as well. I'd hate to have to go elsewhere. Thanks for your time. Sincerely,

Comment #61 - February 13, 2006 8:31:42 PM CST

I am not able to attend the Balcones Canyonlands Preserve Plan Revision Meeting Wednesday, Feb. 15, at the Travis County Transportation and Natural Resources Westside Service Center. I want to strongly support keeping Turkey Creek a leash free trail.

I am a resident of Austin and I have lived here for 6 years. I hike Turkey Creek often and responsibly taking care to pick up after my dog. I have spent the time and money to ensure that I have good voice control over my dog - so that she can have the freedom to be off leash and I can make sure she treats the land, people and other dogs and species as well as I do.

We hike Turkey Creek Trail usually once a week. My understanding is that Turkey Creek was grandfathered into the BCP as an off-leash trail, very few of the many people who hike there realize that its status as an off leash trail is being questioned. I believe that if that is changed there will be a large public outcry and either it will be changed back or many people will feel disenfranchised.

I work to help keep the trail in good shape. I always try to remember to bring trash bag to try to pick up trash when I see it on the trail.

I strongly object to the proposed Land Management Plans by the BCP City Staff regarding prohibiting dogs on/at the Turkey Creek Trail in Emma Long for a number of reasons:

1) I believe that Emma Long was grandfathered into the BCP. Citizens were promised that access to pre-existing parkland would continue at its pre-1996 levels and conditions. The City of Austin designated Turkey Creek as an off-leash park in the 1980s, a status that was affirmed by the Parks and Recreation Board in 1994. Dogs were and are a part of Emma Long. The City's BCP staff overreached in their initial Land Management Plan for Emma Long Plan and are overreaching, again, to prohibit what has been a legal use of this trail well before the BCP was created. I object.

2) Neither the scientific literature nor the City's BCP staff identifies dogs as a threat to the golden-cheeked warbler. The Scientific Advisory Committee which supports the BCP has not recommended that dogs be removed, according to the information available on the City's BCP website. The US Fish and Wildlife Service has not required that dogs be removed as a condition of the BCP permit. City's BCP staff cannot comprehensively demonstrate or document that the presence of dogs on Turkey Creek has had a negative impact on the warbler or on water quality. As a grandfathered trail that had dogs on it before it was added to the preserve and in the absence of any documented evidence, I object to the City BCP's Land Management Plan for Emma Long that would prohibit dogs.

3) Proposition 10 which was placed before the voters in the 1992 City bond election identified three objectives of the BCP bonds: To preserve water quality, to protect endangered species, and to provide public access. The Land Management Plan proposed for Emma Long would, without any data or documentation, simply eliminate an important public

objective that is unique to Emma Long that is, public access for owners and their dogs. As a responsible owner and voter, I object to the City BCP's Land Management Plan for Emma Long that would prohibit established access to people and their dogs.

4) The Plan Conflicts with City Statute and the Parks Department Policy Strategy: The Land Management Plan for Emma Long conflicts with city ordinances and the Parks and Recreation's long-standing policy on dogs on/at Turkey Creek. As a responsible owner, I object to the City BCP's staff asserting that they are empowered to void both a city statute and Parks Department policy without any public input. I object to the City's BCP Land Management Plan for Emma Long that would prohibit access to a legally recognized off-leash park and that conflicts with a policy approved by the Department charged with operating Emma Long.

Thank you for hearing me. Please feel free to contact me if I can help maintain Turkey Creek as the great place it is!

Comment #62 - February 13, 2006 8:53:29 PM CST

Quit listening to narrow minded special interest groups. Dogs are OK in the park. Period. No more rules. Period.

Comment #63 - February 13, 2006 9:06:10 PM CST

Please allow dog walking in this area, even if on a leash. This is a great place for dog lovers to enjoy the facilities and exercise themselves and their pets

Comment #64 - February 14, 2006 7:37:05 AM CST

Dear Sirs: I am writing to voice my disapproval with the limitations on public access placed on these public lands. Almost all these lands were purchased with voter-approved bond funds that were touted as including public uses, but these uses have been totally prohibited or severely restricted on all tracts. Public parkland has been "grandfathered" into the BCP preserve system, restricting public use of those parks.

As a resident of San Antonio I am familiar with limited access to trails and the Austin area is our last chance for a rewarding family outdoor experience. My family and friends enjoy the Austin area because of the outdoor options and spend our money in the shops and restaurants while we are visiting. I urge you to open these areas to responsible public access. I appreciate the opportunity to comment on this plan and I thank you for your time.

Comment #65 - February 14, 2006 7:50:45 AM CST

Dear Advisory Committee, I am a hiker and mountain biker (a member of the IMBA) and just in general love the outdoors and outdoors activities. If managed wisely there is enough

land area to allow increased use of these areas for hiking, biking and other activities without endangering the overall intent of your project while allowing public enjoyment and relaxation in outdoor areas.

While frequently in the Austin area we visit our daughter and family and the visits always include time in the outdoors.

For these reasons I hope you will support a plan that will increase public enjoyment of these outdoor areas through cooperation with various groups.

Thank you for your kind attention

Comment #66 - February 14, 2006 9:01:36 AM CST

I am in favor of keeping Turkey Creek leash-free for dogs.

Comment #67 - February 14, 2006 9:19:05 AM CST

Please do not abolish the no leash law. I have friend that has a dog that if it didn't get to run around in the park it would explode for the build up of energy. After all that is what parks are for. Thanks for you attention.

Comment #68 - February 14, 2006 9:38:10 AM CST

I moved to Austin in 1994 in large part due to the outdoor recreational opportunities that trails like those at Forest Ridge offered. I was very disappointed that only a few years later, trails for mountain bikers (MTBr's) and hikers at Forest Ridge were closed and remain closed to mountain bikers. Officials stated that a study period would be instituted there to determine the impact of mtb's on the endangered species that nest part of the year there. While I am not aware of any formal studies taking place here, a study was conducted in nearby Fort Hood and found no negative impact from mtb's on the Golden Cheek Warbler.

The population of Travis County is increasing at a rapid rate. Obesity has reached epidemic proportions in part because of limited access to recreation. WE NEED ADDITIONAL TRAILS FOR RECREATIONAL OPPORTUNITIES. An unfortunate by-product of the shrinking availability of public lands puts additional pressure of existing resources. At Walnut Creek Park in North Austin, mountain biking has increased drastically over the last several years and now borders on being overused.

MTBr's have proven to be excellent trail stewards. Groups such as The Austin Ridge Riders and the Texas Bicycle Coalition's Trail Care Crew as well as others have a long history of building and managing sustainable trails for the enjoyment of everyone. We have access to these excellent resources to help increase the opportunities for exercise in the great outdoors. Now the mtb community only needs you to allow these volunteers to create additional trails

on the land managed by the BCCP.

Comment #69 - February 14, 2006 9:41:41 AM CST

I am in favor to keep Turkey Creek "leash-free" for dogs.

Comment #70 - February 14, 2006 10:07:29 AM CST

I've heard that the city might abolish the leash-free status of Turkey Creek. As a dog owner I put great value on having such a great place to take my dog and would be heart broken if you were to do this.. Please keep Turkey Creek leash free for dogs..

Comment #71 - February 14, 2006 12:54:21 PM CST

I am exceedingly distressed that there is even a thought of making "Turkey Creek Nature Trail" a "dog-free" area. It's the only place in this city where we dog owners can go, get OUR exercise, as well as exercise our dogs in a "hiking" environment. It's always clean, orderly, etc. I have always been filled with pride that the City of Austin works to make this city "user-friendly." According to the census, there are MORE dogs in this city than CHILDREN. Therefore, there are more tax-paying citizens with dogs than with children. Please respect our needs, as well.

The dog areas in this city, such as Red Bud, are for downtown "yuppies" and apartment dwellers.

For those of us citizens who like to hike, walk, and enjoy our surroundings, Turkey Creek is the ONLY area of its kind for us to go.

I pay almost 20,000 YEARLY in property taxes. I have never felt over-taxed because I have felt that the city has used my money in a way to make my lifestyle more comfortable. And Turkey Creek is THE major part of this for me. I hike there, quite literally, EVERYDAY. And my dog thoroughly enjoys the experience as well as I do.

This area MUST be kept for us dog owners to use. There are so many areas in the county for non-dog use. We deserve this area for our pleasure, as well as our pets!

Remember: THERE ARE MORE DOGS IN THIS CITY THAN CHILDREN!!!! It's imperative to keep this Turkey Creek area...this "one-of-a-kind" area for us Austin citizens to exercise and walk our pets!

Comment #72 - February 14, 2006 1:09:36 PM CST

Please keep Turkey Creek leash free for dogs. Thanks,

Comment #73 - February 14, 2006 1:28:43 PM CST

Please open more land access to mountain bikers. Research has proven that cyclists are low-impact users, leave less trash on average than pedestrian users and are active in trail maintenance. The Bicycle Sport Shop in Austin has a Pay Dirt program in place which mandates a minimum of ten hours of trail maintenance work for all mountain bikers who compete in the Texas Mountain Bike Series. This means that bikers are working a lot of hours preventing erosion, maintaining trails, and cleaning up litter on public lands! Please take us into account!

Comment #74 - February 14, 2006 1:35:48 PM CST

I am writing in response to the section of the plan that states..."No dogs, on or off leash, are allowed in the BCP portion of the park, except in designated parking areas."

I believe this would be a terrible mistake. I was recently hiking with my dog at the 2.7 mile nature trail, within the park, and was so happy to be in such a beautiful, quiet, peaceful park with my dog. The path seemed clean, and I noticed people picking up after their dogs. After looking for a park like this, then finally finding it, only to have it decided that you may change the rules of the park, I find that extremely sad. I hope this is not the policy you adopt. Please allow the park to continue having our four legged friends. They enjoy parks like these, as do their owners.

Comment #75 - February 14, 2006 3:03:47 PM CST

I support allowing mountain biking on designated trails in the BCP. I believe that bicycling on trails will in practice have minimal impact on land preservation and endangered bird species, so that bicycling will be compatible with the goals of BCP. I am an environmentalist and member of Sierra Club and Nature Conservancy, also an original donor for the purchase of Wild Basin.

Comment #76 - February 14, 2006 3:54:33 PM CST

Thank you for having a comment methodology other than driving way up north to do it in person and taking a whole evening as well. And thank you for taking so many of your own hours to help.

I have been a user of the trails around Austin since moving here in 1985. I welcome anything that sustains access. I once used the Forest Ridge trail network extensively, until it closed. I can only assume that the restrictions have helped the species they were meant to help. It closed the best mountain bike and trail running area in central Texas. Besides being an outdoor exercise enthusiast, I am also an ardent environmentalist. I am sure it is difficult to balance the competing interests of so many with so little land. I am asking that you not restrict trail running or mountain biking without good evidence of the deleterious effects on

land or species.

Comment #77 - February 14, 2006 4:46:35 PM CST

Almost all of the Balcones Canyonlands Conservation Plan (BCCP) lands were purchased with voter approved bond funds that were touted as including public uses, but these uses have been totally prohibited or severely restricted on all tracts. Public parkland has been grandfathered into the BCP preserve system, restricting public use of those parks.

I am in support of expanded public access to these public properties. If the lands are accessible to hikers, mountain bikers, and other non-motorized public uses, volunteerism will increase and together we can provide better protection for all of the endangered species.

I urge you to please support public recreational uses of the Balcones Canyonlands Preserve, because recreational use of the land and volunteering are compatible with the preservation of endangered species in an urban setting.

Thank you.

Comment #78 - February 14, 2006 7:26:09 PM CST

I am in favor of keeping Turkey Creek leash-free for dogs.

Comment #79 - February 14, 2006 8:04:08 PM CST

It seems to me that allowing access via trails for running, hiking and cycling would be consistent with preservation of the habitat. From my experience in other parks in Austin, there is very little disturbance except for the trail itself, assuming that the trails are properly installed and maintained.

Comment #80 - February 14, 2006 8:22:01 PM CST

Almost all the lands under management by BCCP were bought with bonds funded by voter approval. It is not fair to severely restrict or totally prohibit public access to these lands since we paid for them to use them as biking trails, running trails, and public parks. Come on folks!!! How many plants are we going to kill if we stay on the trails? Get a life.

Comment #81 - February 14, 2006 8:38:29 PM CST

I writing to provide my support for the public use of the lands managed by the BCPCAC to include hiking and mtn biking trails. It has been shown in other areas that managed trails have not had negative impacts to the land and these trails have been continuously actively managed by various mountain biking clubs. I would like for you to strongly consider piloting a plan in a given area by working with the Austin Ridge Riders.

Comment #82 - February 14, 2006 10:23:02 PM CST

I'D LIKE TO SEE THE "PUBLIC LANDS" OPENED UP FOR PUBLIC ACCESS, LIKE THEY WERE PRESENTED TO US WHEN WE VOTED THE BONDS INTO FRUITION.

Comment #83 - February 15, 2006 8:53:06 AM CST

Bicyclists and mountain bikers need greater accommodation in the park and preserve areas covered under this Revised BCP Land Management Plan.

With proper management and allowance for bicycle lanes on paved roads, and management of mountain bike trails, impacts to the landscape environment can be maintained at little impact for cyclist lanes, and minimal impacts to the landscape from designated and maintained mountain bike trails. The benefits to the human element include physically fit bodies and productive workers. These benefits are well documented. Additional benefits include refreshed minds and the pleasure associated with fresh air and eye pleasing natural scenery.

Specifically, the BCP Plan must accommodate recreational activities strongly supported by the large population of road cyclists and mountain bicyclists. This accommodation must include several designated cyclist lanes (one per road) that provide connectivity to existing road cycling routes (i.e. roads with 2' shoulder or greater) and several new mountain bike trails that can provide connectivity to existing trails in several of the existing park and preserve areas.

Thank you very much for your consideration of these relatively small needs which produce great benefits to individuals, families and the community.

Comment #84 - February 15, 2006 9:21:35 AM CST

I strongly encourage the committee to consider expanding access to these lands whenever it can be done in a low-impact manner. I am a mountain biker and hiker and believe these activities can be responsibly implemented with low impacts. Thank you for your consideration and efforts.

Comment #85 - February 15, 2006 9:56:34 AM CST

Almost all these Balcones Canyonlands Conservation (BCCP) lands were purchased with voter approved bond funds that were touted as including public uses, but these uses have been totally prohibited or severely restricted on all tracts. Public parkland has been "grandfathered" into the BCP preserve system, restricting public use of those parks.

These lands - purchased with public fund - need to be open to the general public and not a

select few. If not, the voter - approved bond funds were acquired in for misleading and possibly fraudulent purposes.

I urge you to expand access to these public properties. There is a proposal for two public-private partnerships on one city managed and one county managed tract to demonstrate how recreational uses and volunteering are compatible with the preservation of endangered species in an urban setting.

Comment #86 - February 15, 2006 10:32:09 AM CST

The Balcones Canyonlands Conservation lands were purchased with voter approved bond funds that were touted as including public uses, but these uses have been totally prohibited or severely restricted on all tracts. Public parkland has been grandfathered into the BCP preserve system, restricting public use of those parks. I support expanded public access to these public properties. I live at Bee Caves and Cuernavaca so this directly impacts me. I am surrounded by public land and "parks" but have nowhere to take a walk. My neighborhood is very hilly, narrow streets with no sidewalks. I doubt I would support another bond for land until I see some action on this.

Comment #87 - February 15, 2006 11:00:20 AM CST

For many years, I have been (and still am) an avid runner, including running on undeveloped trails especially in the Bull Creek/Spicewood Springs public parklands near where I live. I am totally disappointed and frustrated by the increasing prohibitions/restrictions to public use of the areas being grandfathered into the BCP preserve system. The available options to runners/hikers continue to decrease each year. More runners/hikers are being confined to smaller and fewer areas. Instead of preserving these areas, they are being spoiled by miles of ugly "concentration camp" metal/barbed wire fences to keep people from enjoying their natural beauty.

Over many years, I voted for several bond funds to purchase these and other areas with MY tax dollars so that they would not be developed. The bond funds were promoted as a means to preserve the land, wildlife AND for public use.

I support expanded public access to these public properties. Specifically, I support the proposal for two public-private partnerships on one city managed and one county managed tract to demonstrate how recreational uses and volunteering are compatible with the preservation of endangered species in an urban setting.

Comment #88 - February 15, 2006 12:33:38 PM CST

The BCP uses tax payer money to buy land and then does not allow those taxpayers access to

the land. The only time the BCP will allow bike access is when that access has been grandfathered. If a tract has established trails and established users then those activities should be grandfathered in also. Restricting access to an area that does not have any current endangered species makes no sense. Refusing to use studies that have been finished (BLORA) and refusing to study the impact of bikes just shows that you are anti-bike.

Comment #89 - February 15, 2006 3:27:21 PM CST

Please keep turkey creek leash free for dogs

Comment #90 - February 15, 2006 4:36:43 PM CST

Please ease the restrictions on mountain bike use in these areas. Thank you

Comment #91 - February 15, 2006 5:35:16 PM CST

To whom it may concern. I really like to hike/run and mt. bike out at Forest Ridge Park, off of loop 360. I've been going there for many years now, way back before there was any restrictions. I believe that people and "the birds" can live together. It would be really nice to allow more mt. bike riding out there, and if there's a problem with trails (or trail building), this can be done and maintained by volunteers.

Comment #92 - February 16, 2006 7:16:19 AM CST

Limited public use should at least be attempted on a trial basis.

I strongly believe that these areas should be open to hikers and especially mountain bikers.

Mountain bikers in particular pack little if anything in, therefore they don't leave anything behind. In fact many of us carry bags to pick up trash left behind by non-bikers.

Mountain bikers don't ride when it's wet and the trails are more vulnerable. No one wants to preserve and respect the preserves more than the people that would use them and pass them on to their next generations.

Sincerely, xxxxxxxxxxxx

PS: Consider putting the entrance(s) on steep hills like the Big Hill entrance to the Greenbelt off Scottishwood. The hill has done a good job of discouraging people from bringing in ice chests/large containers full of supplies that would frequently be left in the park. Note the more trashed out areas off the Mopac entrance, etc.

Comment #93 - February 16, 2006 11:30:39 AM CST

I was sorry to have missed last night's meeting but wanted to offer my comments.

I am a lover of nature and an avid mountain biker. Those two qualities are not incompatible

and I applaud the establishment of the BCP to limit rampant development of our beautiful hill country assets.

That being said, if we can't use these assets responsibly then the chief benefactors are people that live and work developments immediately adjacent to them. Taxpayer dollars should not be used to purchase land assets that only benefit wealthy developers and homeowners.

I would like to see a plan to pilot development of responsible, low impact hiking and biking access to portions of BCP tracts. We outdoor enthusiasts are well aware that irresponsible resource usage benefits no one and we are not advocating rampant trail development in wildlife-sensitive areas. However we also know that responsible trail building can produce an asset that increases the value of taxpayer-purchased assets for all, with little to no impact on wildlife.

Thank you!

Comment #94 - February 16, 2006 3:35:13 PM CST

As an Austinite and a lover of all things outdoors, I'm pro preserving green space and natural habitat. I'm also pro smart, balanced and fair access to public lands to non-motorized users. Preserving habitat and providing access are not mutually exclusive. This fact seems to get lost anytime the BCP is discussed.

The agreement with US Fish & Wildlife does not require exclusion of access to lands controlled by the BCP. Published warbler counts have not shown a statistical difference between tracts that allow access and tracts that do not. More progressive land managers at other USF&W permitted warbler habitat (BLORA, Government Canyon, Lake Georgetown) have proven that it is possible to balance access with species preservation and have both a thriving warbler population AND smart access for citizens.

The BCP has been funded in part by bonds that were earmarked for Public Parks. The acquisition of land by the BCP reduces the tax base that funds public parks. BCP eases the regulatory process for developers, which facilitates and accelerates development in Travis County. Combined, this results in a significant reduction in accessible green space and park land in Austin exactly the opposite a citizen would expect from something called a 'Preserve'. I think a very different outcome would occur if the vote to establish the BCP were repeated today.

It's also interesting to note that most of the responses in favor of continued severe access restrictions are bird watchers or property owners near BCP parcels. Bird Waters already enjoy unmitigated access to most all BPC property and the ability to enjoy it as they want. Adjacent property owners have a vested interest in excluding access as well. It's easy to be in favor of restricting access when it doesn't prevent you from using the land the way you want to use it.

The warbler is migratory bird, spending less than 6 months a year in Austin. It's hard to imagine how smart access could impact the warbler when it's present. It's impossible to understand how it could impact it when they are thousand of miles away. It's also hard to fathom how the destructive act of building fences and the impacts on species movement that comes with that could be considered a good thing. The fences built around BCP tracts has done more damage to the canopy and had a larger impact on the environment than legitimate trail users could have caused in hundreds of years of use.

I propose that the BCP open select tracts of land for public use for non-motorized activities such as hiking, mountain biking, trail running, rock climbing, dog walking, etc.

If the BCP will not do this, I propose that it refund to the citizen of Austin all proceeds from bonds marked for Public Access, as well as all revenue lost from the reduction in taxation on land acquired by the BCP and that those fund be utilized to purchase publicly accessible parkland within Travis County specifically in the same areas the BCP controls. (Reimer's is great, but driving 30 miles round trip to walk a dog isn't going to happen)

Comment #95 - February 17, 2006 10:32:45 AM CST

I am xxxxxxxx, Evaluation Director with the Texas Bicycle Coalition, a statewide bicycling advocacy and education organization. First, I want to take the time to thank everyone for all the hard work you have done, especially Karen Sonleitner and Jackie Goodman.

As an employee of the coalition, a UT doctoral student, a commuter cyclist, and a novice mountain biker, I work to both promote access to roads and trails and to educate cyclists on responsible trail use. In addition, the Texas Bicycle Coalition trail doctor program has assisted on trail design and building in more than 40 state parks. As a spokesperson for the coalition, we strongly advocate for continued mountain biking access to public lands. We encourage increased access be included in the Land Management Plan for Balcones Canyonlands Preserve.

Studies show that the biggest culprit in the destruction of trails is water. Trails can be designed in a sustainable way to minimize erosion from water and allow for low impact use by equestrians, hikers and cyclists for years to come. The sustainability of trails that are accessible to all users is evident in a recent partnership between the International Mountain Bicycling Association and the National Park Service. One of the three pilot national parks included in that partnership is Texas_ own Big Bend. This partnership underscores the fact that mountain biking can play a role in our parks and preserves with fragile ecosystems without endangering habitat or wildlife. Finally, I would like to offer that the coalition would be willing to provide information or technical support to any committee charged with the exploration of access to public land for responsible trail users.

Comment #96 - February 18, 2006 1:06:37 PM CST

Please don't take away the dog park!!!

Comment #97 - February 19, 2006 5:26:45 PM CST

Turkey Creek is a very nice area for dogs to be allowed to legally run off leash. I am a responsible dog owner who ensures that when my dog uses the bathroom in any area - I pick it up. I keep "Poop bags" attached to my dogs leash at all times. Also, even if I am in a leash free zone, I have my dogs leash with me at all times. I am not the exception to the rule, there are many dog owners who have the same practices that I do and appreciate the luxury of having a nice "leash free area" for their dogs to run, play and explore in. Please do not change zoning status to take this away from us.

Comment #98 - Speaker #1

Speaker #1 proposed that Turkey Creek remain accessible to people and off-leash dogs while taking action to preserve the creek area. "The trail is unique to people and their dogs, unlike any other dog park the popularity and level of management presents challenges to the golden cheeked warbler. The brown-headed cowbird, feral cats, the invasion of blue jays, as well as destruction of habitat by the white tailed deer, are all dangers to the birds; obviously, the dogs do not eat the flora and do not chase the birds." He said that "we don't confuse use problems with dog problems". He asked the board to look at managing and not restricting.

Comment #99 - Speaker #2

He supports the access for off road cyclists to BCP properties, Forest Ridge, on which at one time bikers had access. "In the LMP, Chapter 12 Section 2.3.1.4 . . . it reads, the appropriate barriers and enforcement penalties should be established to minimize trespass and preserve properties and subsequent damage by bicyclists.

"The barriers were fences, damage by bicycles was never scientifically studied, and erosion is due to trails that are improperly built. Forest Ridge was a subdivision and there were bulldozed roads that were never paved, many of the trails we were allowed to come in up and clean up and for several years we were not allowed to use the land. In this time trail runners have been asked to not use the property because of the proposed danger to the birds." He said cyclists, unlike runners, are fast and move through property quickly, some may consider it an active recreation but it is a passive recreation, not motorized.

"Another section 'new trails may be added within a preserve as part of an improved plan as long as activities don't harm the habitat or the species living there'. Sustainable trails don't

reduce the canopy whatsoever. We would like to create a partnership with the BCP.”

Comment #100 - Speaker #3

She supports Turkey Creek hikers and off-leash dogging. She asked the CAC to consider requesting the following from city and county officials:

1. Delay approval of the “grand-fathered” use of Turkey Creek
2. Hold a public hearing regarding trail status
3. Provide public with documentation that shows the any adverse impact of the trail due to the leash-free dogs. Volunteered to assist with trail upkeep and maintenance

Comment #101 - Speaker #4

He asked the CAC to think about extending the time for comment, because he felt there was not good public notice of the opportunity to speak before the CAC or other decision makers on the issue. He addressed two points in the LMP:

“Some of the areas were grand-fathered and those are to be treated differently than the areas that were purchased and brought in after the initial agreement. It is so stated in formal documents and in the bond we sold to purchase the land and in conversations. What I see in terms of this management plan is a subjugation of that whole issue of grand-fathering to where they are relegated to footnotes and often are not including all the grand-fathered properties. I particularly talk about Turkey Creek where we had an ordinance in place by the COA that owned Emma Long Park prior to placing it into BCP and that ordinance stated it would be a leash-free dog area in Turkey Creek. The LMP claimed to somehow negate the ordinance without the city acting on it, in fact, without any authority being given to staff to negate that ordinance. In addition to that, if you look at the original EIS, it’s not clear there is a crisis. As a consequence I encourage that you think about offering up some proposals to staff on this LMP that are not there now. One is that they should make this LMP consistent with the original Environmental Impact Statement (EIS), or do another EIS before they change the LMP. Those statements of use that were placed into that EIS - and for folks who don’t know, EIS has a process associated with it that is federal law. In addition I would hope that any access changes in grand-fathered properties are done through a specific public process that would at least encourage public dialogue that got those original public access provisions in place. Scientific evidence should be developed and specifically strategically developed to design what access should be there and what access cannot be there for the habitat in question. The only species at Turkey Creek is the warbler, and scientific data does not indicate dogs are a problem. Be proactive on the things that we know work – proven management tactics.”

Comment #102 - Speaker #5

He provided a proposal to demonstrate responsible public access to the Canyon Vista Tract, and said there is an administrative basis for this. “In the current draft Management Plan . . . Overview Section 6.2 reads ‘public access may be allowed when and where these activities do not threaten the welfare of the endangered species’. And it also adds ‘if monitoring of strategies of given preserve tract demonstrate to be effective, then public uses may be increased.’

“Our intent is to propose a demonstration at the Canyon Vista Tract to include that in the specific paragraph, either in the public access portion of the BCP Management Plan or in the Canyon Vista Tier 3 Plan so that we get a pre-approval of the concepts in this proposal which consist of effective partners, using those who know how to build trails, interacting with the neighbors, interacting with business to get money and using the users for the trail to enforce by peer pressure, reporting good and responsible use of the trail.”

1. Proposed responsible use, rules to protect birds, good access procedures, trail use monitoring and reporting, narrow trails on pre-existing sustainable routes, maintenance by trained volunteers, education of students and users and re-vegetation of compacted areas currently in the preserve.
2. Proposed a responsible increasing use of the preserve by hikers, hikers with dogs, bikers, starting with restricted access, opening the access up slowly, taking registration requirement over a period of 4 years, during which time the birds are being monitored and the strategies are effective.
3. Proposed responsible signs with monitoring of birds. The monitoring results at Emma Long, St. Edward’s, and Hamilton Pool suggest that there is no impact of trail use on bird population by hikers, dogs, or bikes.

Conclusion: Our birds are hearty and trail use does not affect the birds.”

Comment #103 - Speaker #6

He objected to the prohibition of dogs on Turkey Creek.

Comment #104 - Speaker #7

“Forest Ridge was shut down and there was supposed to be a five-year study on the use impact. 5 years is about up and there is nothing published on the study and no indication that a use study was started. Has one been submitted?”

Chairman Siff suggested that he submit that question to the website for a response.

Comment #105 - Speaker #7 (continued)

“Regarding the Canyonlands Vista Tract, has there been a study conducted on the status, the health and welfare of the endangered species there? I’m all for conservation and setting wilderness aside but it just seems that there have not been any studies done to prove a point. With regard to Forest Ridge, my understanding is that the money used to purchase Forest Ridge was via bonds that were sold to the public for public use. Then ‘poof’, the tract was closed and set aside.”

Comment #106 - Speaker #8

“The green space I had access to has been replaced with HEB, Target, Home Depot, etc., places that I rode bicycles on for years, is now illegal for me to set foot on. Parkland bond money that we voted for to build parks has been taken away and given to a personal playground that I’m not allowed to touch. That’s not what a canyonland preserve is. I would like to see Forest Ridge opened and Canyon Vista tract (DK Ranch) opened.”

Comment #107 - Speaker #9

He offered support for the creation of two public private partnerships, to demonstrate how public uses, including mountain biking can be compatible with preservation of endangered species on BCP lands. He recommended revising the access plan that mountain biking should be redefined from “active recreation” to “passive recreation”, as with hiking. He said that the BCCP Management Plan has instead locked up the land and locked out the people. “Without the people, there is no appreciation and no support the next time we need to preserve another Texas treasure. Please revise the access plan and allow responsible users access.”

Comment #108 - Speaker #10

He said that trail use including mountain bikers, groups of trail runners, and groups of boy scouts seek to maintain sustainable trails within BCP lands without negatively impacting the Golden- cheeked Warbler and endangered species in that land. “Users don’t impact birds. Studies should be done. Studies should be developed so that they actually get done. Let’s allow access. Do the studies, and let the data show the truth.”

Comment #109 - Speaker #11

Said he had been following progress of BCCP since 1990, and said “we can almost see light at the end of the tunnel. I have been studying the warbler for the last 14 years. He has done surveys in land in northwest Travis County, on the BCCP National Wildlife Refuge, on the

Travis Audubon Tract and on the Barton Creek Greenbelt. It is quite clear that human activity has had adverse impact on the warbler. Wild Basin Preserve, for example, has pretty much lost its breeding warbler population and that certainly has something to do with human activity. The BCP is legally obligated to put the welfare of the warbler and the golden-cheeked warbler above all other considerations. That could mean we would allow human activity in the sanctuaries but we have to ensure that whatever we do has to be taken with a great deal of caution. We have to put the welfare of these endangered species first and foremost.”

Comment #110 - Speaker #12

He is a regular dog walker on Turkey Creek Trail and supports dogs and hikers. “Treat the trail with respect. Dogs stay on the trail and people clean up after dogs. One point about the erosion - about two years ago, we had a gully washer, shortly thereafter I was on the trail. As you come on to the trail and you have that stockade fence, that little area was washed out real bad by that particular rain. My point is, if you ban hikers or ban dogs, you’re not going to ban Mother Nature. As far as the birds are concerned, it’s my understanding that the birds are in the canopies and trees so I don’t see how the dogs will affect them. Another thing, driving down 2222 in the summer, you can see red-tailed hawks sitting on the wires, which has to have an effect on the bird population. The other thing is the use of the trail itself. In cooler weather this is a high use period, when the summer comes, it’s a very light use. The dogs don’t cause a lot of erosion - don’t deprive the dog owners of this privilege.”

Comment #111 - Speaker #13

He spoke regarding the Forest Ridge and Canyon Vista tracts, “I would not say that the BCP idea is a cycling friendly or outdoor friendly concept. To section off the land for no human use does not preserve the nature, the outdoor activity lifestyle that Austin wants to promote. The Canyon Vista cycling trails utilize less than 1% of the land, but the fencing being built to protect the land is destroying more habitat than the bicycling or bicyclists would ever consider. Come to us and ask us how can we can be involved in community management. Rather than block off Canyon Vista and prevent usage, come to us and let us show you that we can use it responsibly before you turn us away altogether.”

Chairman Siff said, “We are your citizens voice, we’re not ‘them’, and you’re not ‘us’. This is what we were set up to do and what we are doing. Obviously there are different reps here representing different interests, but through each of our roles, we’re the Citizens Advisory Committee to advise the BCCP Coordinating Committee, not the CAC to advise staff that implements policy but the CAC advising the policymakers. Through your comments here,

plus you are all welcome to voice them directly to the mayor and Commissioner Daugherty who are the two members of the BCCP Coordinating Committee, the actual policy-making body. The Coordinating Committee will actually approve the Land Management Plan at the County-, City-, and LCRA level, the Management Plan. But you can have interests voiced through us, too, which is what this meeting is for.”

Comment #112 - Speaker # 14

She represents the Friends of Turkey Creek, a network of Austin and Travis County residents and their dogs who regularly walk and use that trail and regularly maintain the trail in the Emma Long Park and is an active supporter of the EDS Act.

“I object to the LMP, specifically to key issues in the LMP. Because Emma Long was a grand-fathered tract brought into the BCP, there are some very specific provisions that apply only to grand-fathered tracts, among them, that according to the Plan, previously existing parklands are permitted by the USFWS to continue providing current active and passive recreational use at current levels. Public access explicitly included dogs. In the early ‘80s the City, by ordinance, established that Turkey Creek was a leash-free area, and that designation was affirmed by Parks & Recreation in 1994. There is no question that the dogs were part of the process, the dogs were part of Emma Long. Despite that language, and the USFWS permitting the current use, the tract specific management plan identifies that relative to Turkey Creek Trail, “this trail has been designated by the Parks & Recreation Department in November 1994 as an off-leash area for dogs. The August 1999 edition of the BCP LMP voided that designation, the current document continues the stated restriction “no dogs are allowed in the BCP portion of the Park except in designated parking areas.” The Friends of Turkey Creek object. We object because there’s been a lack of documentation or data offered to support a prohibition of dogs that were there before the BCP was formed.

“We ask the Coordinating Committee to direct staff to amend proposed language in the LMP prohibiting dogs on Turkey Creek, ask that specific language be added to the LMP in its total value, not just for Turkey Creek that requires that any changes to pre-existing tracts be driven by specific tract data and documentation with the information collected, analyzed, and available to the public. We recommend to the Coordinating Committee that it affirm its own responsibility role in approving and disapproving proposed changes to pre-existing use, that this should not be a staff decision. Direct staff to prepare quantitative tract specific benchmarks for each species that are to be protected and amend the proposed LMP to tie perspective strategies back to those benchmarks. Recommend to the Coordinating Committee that they direct staff to explore the aggressive cowbird strategy that’s been so successful at Ft. Hood.”

Chairman Siff said: “Please understand we’re asking you to “hurl” stuff at us and we’re here to catch it and help it along its way, even conflicting information. Speaker #11 provided information that was in a different vein for most of you, we welcome that, too. You said that you were told that water quality and erosion was a factor in the development of the revised LMP for Emma Long, by whom?”

Comment #113 - Speaker #14 (cont.)

“It was always passed down as ‘other people told me’, at one point we got some of that information from park staff. What we heard initially was ‘it’s warbler issues’ and when we began digging further it was ‘well, it’s water issues’. You never see in the actual LMP a clear description of the problem to be fixed and that goes well beyond innuendo or suggestion.”

Comment #114 - Speaker #15

She said that when Forest Ridge was closed to mountain bikers, “we were told it was because that area was a habitat for the golden-cheeked warbler. We were told a 5 year study was being done to study the golden-cheeked warbler in that area. We propose that the CAC recommend reopening Forest Ridge to mountain bikers unless you are given specific data that proves the decline of the warbler in the area is due to mountain bikers.”

Comment #115, #116 - Speakers #16 and #17 said they also support the Friends of Turkey Creek but had no further comments.

Comment #117 - Speaker #18

She supports dog owners. She said she would like to have a large space to run her dog. “Ditto “managing vs. restricting”. More should be done with community awareness, more signage, more blocking of the eroded areas. I support Friends of Turkey Creek and recommend there be more time for the public to have input and learn more about the issue, more studies. If access is going to be pulled, you need to provide alternative areas because bond money was put into that and we all contributed to that”.

Comment #118 - Speaker #19

He is not a dog owner but supports the Turkey Creek dog owners. He feels strongly that the land should be available for people, dogs and friends. “Apparently this was grand-fathered in, or should have been and the grand-fathering is being overturned. I object to the overturning of the grand-fathering”.

Comment #119 - Speaker #20

He supports the use of Turkey Creek for dogs. He would like to see Turkey Creek be used as a public education opportunity because the uses are compatible and “if there are limited effects by public access, those are things that can be easily remedied. There appeared to be a hidden agenda with regard to Turkey Creek, dog access and all the other pre-existing uses at the time of the BCP”.

“Throughout the proposed plan, their references to the prime purpose of the BCP to protect the endangered species, and while that’s true, the grand-fathered uses are given a special status. With regard to the dogs at Turkey Creek, I can’t see that there is that much of an erosion impact. There are not that many people or dogs going off on these trails to a significant degree. If it appears that there is a disturbance of the soil due to loss of vegetation, the Turkey Creek group would be a proactive group in enhancing Turkey Creek and keeping it compatible for the golden-cheeked warblers. I recommend keep the grand-fathered uses under particular scrutiny.”

Comment #120 - Speaker #21

Said she objects to the prohibition of dogs on Turkey Creek but had no other comments.

Comment #121 - Speaker # 22

“Keep public access to an off-leash trail (Turkey Creek). Deer are a problem to the golden-cheeked warbler habitat”.

Comment #122 - Speaker #23

He supports the classes to understand the golden-cheeked warbler nesting season, and hikes and mountain bikes on Forest Ridge. “Responsible mountain-biking is an activity that can be allowed in a national park that will not damage the resources and should be allowed here”.

Comment #123 - Speaker #24

He is concerned with the Jollyville area and the Canyon Vista (DK Ranch Road) tract area regarding the golden-cheeked warbler – “no access makes no sense”.

Comment #124 - Speaker #25

He promotes access to roads and trails and education to mountain bikers. He advocates continued mountain biking access to public lands in the LMP for the BCP. “The biggest culprit in the destruction of trails is water. Mountain biking can play a role in parks and preserves with fragile ecosystems without endangering habitat or wildlife”.

Comment #125 - Speaker # 26

“What is the plan for motorcycle areas, knowing it’s used by mountain hikers and bicyclists. We have a small area set aside for active users, two tracts of land that are a ¼ mile apart that have different, varied activities”.

Comment #126 - Speaker #27

The speaker was worried about the possibility that the “grandfathered” aspect of Emma Long’s Motorcycle Park, might be taken away. “I encourage the study of GCWA use in this area. Manage it, yes. Restrict this use, no.”

The speaker wanted a clear plan for statistical studies showing why hiking allowed and why mountain biking is not allowed in Forest Ridge tract. The speaker offered to help with tract maintenance if access is allowed. “Legal access leads to responsible access”.

Comment #127 - Speaker #28

The speaker asked that there be access for groups of runners at the Forest Ridge tract. Groups of runners larger than just 3 people doesn’t harm the preserve. He asked if it would be OK to just meet in the parking lot and run individually in groups less than 3. He asked that the Public Input for this LMP revisions process be open for a longer period during the spring when there are more people on the trails with access. He asked that the announcement for requesting public access be posted at the trailheads, not just on the website. The speaker wanted both the old Land Management Plan along with the New Land Management Plan, both on the website for comparison.

Comment #128 - Speaker #29

The speaker was concerned about where the burden of proof will land. He urged that hard science is needed to prove that public access will do harm or if not proven, then public access should be allowed. He said that currently, the City of Austin and Travis County are shifting the burden of proof on to the bikers and runners to prove how they won’t harm the species.

Comment #129 - Speaker #30

The speaker said that the funding bonds promised access. She stated that the BCP hasn’t opened any new trails. Allowing public access will encourage more people to be stewards of the land and will result in more public support. The speaker said that people want to be involved and have access and help protect too. She said she voted for the bonds in about 1996 and wants access. “Access to this land is unbelievable important. We will help clean up

and look after this land.”

Comment #130 - February 20, 2006 9:48:40 AM CST

I would like to comment on public access related to tracts near my home in the Bull Creek Watershed, a place I dearly love. About 15 years ago we bought the land on which our home now resides. It is a wonderful location on Spicewood Springs Road (except for infrequent flooding). For years, my family and I had, with permission and legal egress, walked the hills west of my house. My sons learned much about nature and they revere it, as do I. I have been a member of the Travis Audubon and National Audubon Societies. I also photographed many thousands of images in the hills and valleys west on my home on xxxx White Cliff Drive.

Then they decided to put up hideous fences, closing off all areas where I hiked. I was told I could get a permit to enter these lands if I took a course offered by the City of Austin. I did so and received my Bull Creek Preserve Entry Permit. It is worthless as the areas are restricted by locked gate and I was never given the access I earned. I consider this poor public policy. It creates mistrust. The misrepresentation of facts is one thing, but as a long-time supportive environmentalist, to be treated as I have makes me reconsider my support of these areas. I believe in the coexistence of animals and humans and there are legitimate ways for this interaction to occur, even in circumstances in which we strive to protect birds. As a trained person who, with my permit, is supposed to be allowed access, I consider my shut-out unconscionable. I had written a graduate research paper on this topic, as well as the impact of the fences on protected bird populations. I will send that, !

entitled "Fencing with Nature," in another email. But be sure, when you put animal rights above those that are human, you will always have conflict. Let us resolve this in ways that meet the needs of protected animals and trained individuals (such as myself).

It is important to note that, over the years in which the fences were installed, in peering inside the fences, I am appalled at the damage done (allegedly by deer) in the defoliation of the areas and damage done by burrowing armadillos. And that is only from the vantage point outside of the fences. Maybe that is why they don't want intelligent people on these lands. We see that they are not being kept well, damage is being done, and many people are angry with the management of these prized lands. We don't own them, but may we not enjoy them, as part of an American tradition for love of nature, stemming back to our roots, and stated eloquently in works by Emerson, Thoreau, Ann Dillard and many others. Please, again, let us work to resolve these issues and allow, in appropriate cases, trained individuals to enter protected areas, as they have been promised and has been stated in public literature (see "Fencing with Nature"). I have never been one to sit back and complain. I have always tried to be part of the solution. I served on community executive boards for decades and I am a worker. I think I would be able to provide valuable help on behalf of my plea.

Please read my [paper](#) on the quality of life in Austin, which very much links to the BCCP management. My paper is cogent to new ways of dealing with the management of this land. Please consider my request, as stated in the following paper that I wrote in graduate school not too long ago.

Comment #131 - February 20, 2006 11:02:47 AM CST

The following comments were also made at the open public forum.

Thank you for providing this opportunity to make comments. My name is xxxxxxxx, I work at Texas State University, former President of the San Marcos Greenbelt Alliance and I'm a native Austenite. I have a BS in Wildlife and Fisheries Management from Texas A&M University and Masters in Natural Resources Management from the Ohio State University School of Natural Resources.

I'm here to voice my support for new BCP trails and access to demonstrate how public uses, including mountain biking, can be compatible with the preservation of endangered species on the BCP lands. Looking at the various BCP management plans and charter, I can find no scientific reason for the exclusion of the many low-impact public uses, including mountain biking, except the personal bias of those who wrote the original charter. The US Fish and Wildlife Service nor the Endangered Species Act prescribe locking up these lands and throwing away the key. They do not identify mountain biking as a high impact activity detrimental to the golden cheek warbler or the black cap vireo.

Scientific research compiled has thus far clearly demonstrates mountain biking has no more impact on an ecosystem than hiking and far less than horses and ORVs. I recommend revising the access plan and that mountain biking should be redefined from "active recreation" to "passive recreation" as is with hiking. In traditional land use recreation planning "active recreation" defines a activity that requires the development of facilities and infrastructure such as tennis courts or baseball fields. It is not the action or speed of an activity that defines it active recreation, is it the facilities and surface it requires. Mountain bikers seek the same natural surface, narrow-width trails required for hiking. The access plan also assumes to know that only a person on foot can be engaged in nature viewing and contemplation. Mountain bikers do that, too. They just choose a different mode of travel.

A scientific study conducted in at the Belton Lake Outdoor Recreation Area pre and post mountain bike usage showed I quote Golden Cheek Warbler territory density, return rates, and age structure at BLORA in 2000 did not indicate any impacts of mountain biking on golden-cheeked warblers. I believe the two public-private partnerships we propose will show similar results.

In the late 1980's I helped start the first citizen's water quality monitoring programs in Austin along with Dr. Wes Halverson at LBJ High School. As part of that effort I was invited

to the public celebration of the creation of the BCCP on what is now Forest Ridge. I was proud that day of what I thought we were accomplishing. Looking back, I am now disappointed. Instead of creating thousands of supporters of wise land use the BCCP management have instead locked up the land and locked out the people. And without the people there is no appreciation and no support the next time we need to preserve another Texas treasure.

Please revise your access plan to allow responsible users, like myself, access. Thank you

Comment #132 - February 21, 2006 12:55:15 PM CST

Please consider this request to incorporate multiple uses in the BCCP tracts. Those uses should include hiking and mountain bike access. I do not necessarily believe that every tract should be open for mountain biking, but neither do I believe that the public should be excluded from these lands. With some effort and coordination it could work and you could gain a valuable ally in your noble efforts to protect habitat in the western portions of Travis County. Given the opportunity, many mountain bikers would jump at the opportunity to partner in the conservation goal. If you can't see it and can't spend time in it, you are unlikely to feel a real commitment to the idea of preservation of open space. Thanks for your consideration.

Comment #133 - February 21, 2006 1:24:53 PM CST

I hike at turkey creek on a regular basis with my dog. it is very important to me that it remains off leash. Thanks.

Comment #134 - February 22, 2006 3:10:17 PM CST

These are comments on Tier 1 and parts of Tier II (Animal Management, Plant Management for Species of Concern, and Vegetation Management) of the Balcones Canyonlands Preserve Land Management Plan.

I'm submitting these as general comments because some of them pertain to more than one section of the Plan.

Overall I give these parts of the draft Plan an A+. It's an impressive piece of work.

Rare plants. I was very glad to see that the list of species of concern in Appendix A of Tier 1 included several rare vascular plant species, and that a chapter of Tier II is devoted to them. In general I support all of the requirements and recommendations in that chapter.

Deer. I recommend that all known bracted twistflower plants be protected from deer and human traffic by fencing them as quickly as possible, everywhere that they are not already fenced, in every BCP site. This would include fencing any newly discovered plants as soon

as they are discovered (see Bracted Twistflower, below).

Since most of the other plant species of concern probably also are being impacted by deer browsing, I recommend fencing them in the same way. Large deer exclosures in areas used for recreation could be given signs explaining their purpose; this would be a good opportunity to educate the public about the effects of deer on native plants.

In other parts of the country, such exclosures have become valuable scientific resources. In many cases, they have revealed ungulate effects on species that had not been previously suspected of being affected by browsing or grazing. That is likely to occur here, too.

Because many (most?) of our native forbs and woody species may be being negatively affected by our high deer densities, such deer exclosures should not be considered a substitute for deer management. I was very glad to see that the effects of deer on oak regeneration are mentioned as a concern in the Plan. Managing deer to promote oak regeneration should be beneficial for many other native plant species and help preserve these plant communities as well as preserving individual plant species.

Managers of conservation land (preserves, National Parks, etc.) all over the eastern and central US are confronting the problem of deer overpopulation and its effects on native plants, and trying various approaches to deal with it. BCP managers may be able to learn of effective tactics from them, and in turn the experiences of BCP managers with this problem could perhaps be the source of important contributions.

Just FYI, we have several papers on the impacts of deer on oaks in this region that may be of interest and were not cited in the draft: Russell, F.L., and N.L. Fowler. 2004. Effects of white-tailed deer on the population dynamics of acorns, seedlings and small saplings of *Quercus buckleyi*. *Plant Ecology* 173:59-72. Russell, F.L., and N.L. Fowler. 1999. Rarity of oak saplings in savannas and woodlands of the eastern Edwards Plateau. *Southwestern Naturalist* 44:31-41. Russell, F.L., and N.L. Fowler. 2002. Failure of adult recruitment in *Quercus buckleyi* populations on the eastern Edwards Plateau, Texas. *American Midland Naturalist* 148:201-217.

Feral hogs. This is a rapidly growing problem in our region. It has been shown that feral hogs can have substantial impacts on native plants, although to my knowledge this has not yet been scientifically studied in Texas. I agree with the Plan that riparian areas will be particularly affected, although I have observed hog rooting in quite dry sites as well. Hog fencing of populations of plant species of concern will likely become necessary. Land managers in Hawaii have a wealth of experience with the management of hogs (and with the damage they do to native plants); some of their methods (e.g., fence construction, snaring) may be useful.

Potentially invasive non-natives.

It is almost always less expensive in the long run to prevent invasions than to eradicate

invasive species after they have become established. Likewise, it is almost always less expensive in the long run to eradicate invaders when their populations are still few and small rather than wait until the species are abundant and widespread. .

Therefore I suggest that the BCP develop and periodically update a “watch list”, that is, a list of “species to be alert for” and also develop a protocol for rapid response when even one individual is found of a species on the “watch list”.

Even is a species cannot be prevented from invading or permanently eradicated - perhaps because it is already widespread outside BCP tracts - earlier rather than later control within BCP tracts should be cost-effective. The best predictor of whether a species will become invasive is that it is invasive somewhere else. I have not done a comprehensive literature search, but a few examples of species that probably should be on such a watch list come to mind, including fountain grass and feral goats. Both have had devastating effects on biodiversity elsewhere. Some cultivars of fountain grass may be sufficiently cold-tolerant to naturalize here, although other probably are not. Another species of concern is buffelgrass, because a cold-tolerant variety has recently been developed, and the species has had very serious negative effects on native biodiversity elsewhere. Another concern is the newer varieties of Old World Bluestems. These are just examples and no doubt a thorough search would uncover many others.

Bracted twistflower.

I strongly support the inclusion of the material on the bracted twistflower (in Tier IIA2). Unfortunately none of the many previous introduction/reintroduction efforts have succeeded. Future efforts should be done in a fashion that will provide scientifically valid information about its habitat requirements and/or potential genetic problems. More research is clearly needed, and I support the requirement for _all manipulation of the species [to be] undertaken in a quantitative experimental context using best conservation practices and directed by a written plan._ Meanwhile all remaining populations should be protected from browsing, human trampling, and probably hogs, as described above, and from upslope erosion and debris. Removal of non-native plant species should be done with great caution but might become necessary. As I said above (see Deer), I recommend that all known bracted twistflower plants be protected from deer and human traffic by fencing them as quickly as possible, everywhere that they are not already fenced, in every BCP site, including any newly discovered plants as soon as they are discovered I recommend that each fenced area could be made substantially larger than the area that the plants currently occupy, with existing plants in the center. In this way this species could more readily colonize new patches. This would help the populations compensate for patches that loose their plants. As Linam is cited as saying, these populations probably move around.

Invasive species - visitor management. The Plan gives the greatest attention, appropriately, to

utility easements and other major disturbances. However, I suspect that even hiking trails are avenues for the spread of invasive plant and animal species. Monitoring, at least, would be advisable. Both hiking trails and horse trails have been found to be associated with the spread of invasive plant species in other parts of the US.

Invasive species - other vectors. Unfortunately, removing non-native plant species can spread other non-native plant species. Staff and volunteers should be sure to clean their boots and tools. I strongly endorse the Plan's requirement that construction and maintenance equipment associated with utility corridors, etc. be cleaned of dirt from elsewhere. This won't control the bird-dispersed shrubs, but it might really help with the invasive grasses.

Re-seeding. Just a word of caution. Some supposed "native" seed mixes have a large admixture of non-natives; most of them have seed from plants not native to the region. It is safer to obtain single-species seed from a reliable local supplier (rather than a retailer of mixes prepared by a national company), or to have one of these local suppliers custom-prepare a mix.

Thank you.

Comment #135 - February 23, 2006 12:13:05 PM CST

There is no documented proof that limiting public access helps the GCW population. There should at least be access to bikers and hikers for the periods that the migratory bird is away from the Austin area. Our tax dollars are wasted purchasing and managing land that we are not allowed access. We are running out of public accessed lands in the Austin metro area. The protection would be better served in areas outside those normally used by Austinite. The BCCP enjoys having their own private little parks for their own playground and it is unfair to the rest of us. I have emailed XXX 3 times without ever receiving one response. He is totally ignoring those that wish access because it is different than his own desires. Fencing areas inside our urban areas is a tremendous waste of time and tax dollars. Just look at the holes already cut in the fence in the DK ranch area...

Comment #136 - February 23, 2006 5:33:01 PM CST

These birds along with several other native species need our protection. If you open up the land to mountain bikes and other such forms of activities it could destroy the nesting sites. It is your responsibility to assure the welfare of the endangered species. Please protect what precious few of these birds are left. We have ENOUGH places to mountain bike!!!

Comment #137 - February 23, 2006 11:22:08 PM CST

BCP Land management should be responsive to the community for management of the

public land that is grandfathered into its jurisdiction.

I am a hiker, mountain biker and a conservationist. As a member of the public community, I value highly the opportunity to see GCW while enjoying the greenbelt, Forrest Ridge, Emma Long. I believe that the major impact to GCW is habitat destruction and competition for natural resources. In the areas here, I believe that by far the largest impact to GCW habitat is from deer, pigs and cowbirds, because these affect the GCW habitat directly all over (See study at Blora). There is no place a GCW can go to get away from the destruction of their habitat by these animals. In contrast, hikers and bikers keep to trails (especially in wooded areas like Forrest Ridge), so overall effect on GCW habitat is minimal.

The long term survival of GCW actually will increase if people are more involved with the land they live in, because to effectively protect GCW habitat you need to remove competitors and animals that destroy the habitat (deer, pigs and cowbirds). Studies necessary to find what are the real factors in GCW population, and take appropriate action based on their results. And public awareness and funding are necessary for this essential work to be carried out effectively. So I believe that the answer is not to completely restrict access to this land. All forms of responsible, low impact involvement by the public should be encouraged, such as hiking and biking, with the aim of increasing public awareness of the land and environment. Public awareness and involvement should be fostered to help save the GCW and the land for all of us to enjoy. Please do not close off access (and involvement) to trails in these areas to the public.

Also, if there is a particular time of year (nesting time) that the GCW is sensitive to human presence (are there studies that support this?), I think that it may be prudent to limit access only during this time. Completely limiting hiking or biking year round harms the cause.

Thanks for listening.

Comment #138 - February 24, 2006 9:32:43 AM CST

In my opinion:

The properties should be managed specifically for their original intent (preservation of endangered species) - first and foremost;

Recreational use of the properties should be a minor consideration, and only allowed in locations/seasons that can be demonstrated to be of little to no impact to wildlife or habitat;

Recreational use of 'four-wheelers' and 'dirt bikes' should never be allowed;

Use of volunteers to support habitat enhancement projects should be considered a potential management tool;

Infrequent, guided tours can be used as a means for public education and support for the BCP.

Comment #139 - February 23, 2006, 8:43 pm

Message: I am against opening BCCP to Mountain Biking or any other vehicular recreation. Not only would this be disruptive to the wildlife the preserve is intended to protect but is not compatible with pedestrian traffic due to speed difference.

Comment #140 - February 24, 2006, 2:31 am

As a voter, taxpayer, and responsible citizen, I educate myself about the issues affecting me and the world around me. I strongly believe that plans need to be made that take in to account long term outcomes as well as addressing short term issues. To that end, I must strongly oppose the opening of any BSSP land to activities that will impact and degrade it in the future, namely mountain biking.

There is no argument that mountain biking permanently tears up the land, leading to erosion and other permanent degradation of the environment, ultimately destroying the entire ecosystem. The wagon trains our ancestors took to settle the West 100 years ago left huge wheel ruts on the land. To this day those ruts are still there. Time and nature has not restored the land to its former state. Mountain biking does far more damage, because it churns up land and removes delicate foliage keeping the earth anchored. Subsequently, rainfall washes the churned up dirt and now dead foliage away which leads to erosion and increases the chances for flash flooding. Austin is part of Flash Flood Alley, the most dangerous flash flood area in the United States.

There is no good, logical, sound reason to allow this activity in the first place. We do not have the "Right" to recreate anywhere we want in any method we want. We do not have the right to sacrifice the long-term stability of an area in order to appease a small but loud group of people wanting to enjoy a pleasure activity. In fact, to do so would abrogate the rights of all other citizens that choose not to destroy the land with their bikes.

So please reject permanently the plan to open the BCCP to mountain bikes and all other activities that impact the land. It is your duty. It is my right.

Comment #141 - February 24, 2006 11:12:32 AM CST

The mountain bikers should be kept well away from sensitive habitat and separated from hikers as well.

Comment #142 - February 24, 2006 1:12:43 PM CST

Your mandate is clear and your options are few. You MUST obey they law. Under the law, the Balcones Canyonlands Preserve was funded under the proviso that it would establish habitat for endangered species. You cannot capriciously alter the plan or the mandate.

You have heard testimony from biologists and land management experts who have provided testimony that dogs, bikes, and motorcycles will prove harmful to the endangered species for which this preserve exists.

Hundreds of parks exist throughout the region where dog owners can walk their dogs. They do not need the refuge for this activity. Cyclists have miles of roadways to use. They certainly do not need the refuge for this activity. Granted, there are few opportunities for "off road" biking and cycling, but that is not an important consideration for a wildlife preserve.

Land has been set aside at Balcones because a large percentage of the population believes that responsible land management to preserve our environment and our wildlife is of sufficient importance to the public and to posterity. If a similarly sized group of cyclists can garner enough support for using public lands for their activities, then they should be able to convince voters to create a cycling preserve. But to proclaim the belief that they have a "right" to use land which is legislatively mandated to protect, not destroy, the environment is a specious argument at best, and irresponsibly self-serving at worst.

Comment #143 - February 24, 2006 1:24:15 PM CST

We walk or hike on the Turkey Creek Trail 3-4 times a month. I am a responsible dog owner who appreciates safe public access to an off-leash trail that the City created in the 1980s and which has been grandfathered into the BCP. I work with PARD staff to help keep the trail in good shape. I pick up trash when I see it on the trail. Reason for Objection: The Grandfather Strategy: Emma Long was grandfathered into the BCP. Citizens were promised that access to pre-existing parkland would continue at its pre-1996 levels and conditions. The City of Austin designated Turkey Creek as an off-leash park in the 1980s, a status that was affirmed by the Parks and Recreation Board in 1994. Dogs were and are a part of Emma Long. The City's BCP staff overreached in their initial Land Management Plan for Emma Long Plan and are overreaching, again, to prohibit what has been a legal use of this trail well before the BCP was created. I object. I ask that my comments be considered as the Citizens Advisory Committee prepares its recommendations.

Comment #144 - February 25, 2006 5:48:24 PM CST

I am writing to oppose any ideas of opening of BCP lands to mountain biking. This is an activity that causes disruption by bringing fast-moving machines (albeit human-powered) into an area whose primary purpose is avian conservation. Mountain bikes can also cause erosion and damage to tree roots, which are the foundation of the warbler habitat. Mountain bikers will bring demands for wider trails. If these are not granted, a few bad apples will likely trim or break branches on their own. I have seen this happen at McKinney Falls State Park and other places. Hikers do not require such wide trails, and do not bring as much noise,

speed, and disruption into an area. The best solution is to keep bikes out completely. There are plenty of other places to take a bike in Austin. You don't need every kind of recreation to be practiced on every piece of public land to make people happy.

Comment #145 - February 26, 2006 11:40:01 AM CST

I have been an informed observer of the BCCP process for a number of years, and it amazes and distresses me that too many people refuse to educate themselves on the purpose of the effort. Even more unfortunate is that many people do seem to understand that purpose, but just want it to somehow magically go away. Staff for both the city and the county have done a commendable job of developing a plan that meets that purpose, while at the same time allowing reasonable public access to the land in question. The whining from certain special interest groups should be ignored, and the business of complying with the Endangered Species Act should proceed. Thanks for the opportunity to comment generally.

Comment #146 - February 27, 2006 4:49:47 PM CST

It would be nice to see more multiple use trails opened to the public.

Comment #147 - February 27, 2006 10:27:35 PM CST Poorly designed trails erode due to water runoff. For example, the Grand Canyon was created by water runoff a few years before man ever thought about mountain biking. Well designed trails do not erode and are an asset to the entire community. It is entirely possible to create designated-use trail systems that enable everyone to enjoy land purchased by all of our tax dollars.

Comment #148 - February 28, 2006 2:13:48 PM CST Thank you so much for allowing the citizens to comment on these issues. I am for the responsible use of our land. I think hikers and cyclist should have access to more land. There is absolutely no evidence that suggests cyclist and hikers affect endangered species. Unless they are purposely hunting them...

Trails built to IMBA guidelines will not cause erosion and lead to mass flooding of central TX. I would think that the construction of a single shopping center would cause more damage to our ecosystem than trail users ever would.

Comment #149 - March 1, 2006. While I don't like slippery slope arguments I worry that the plan could be implemented to vastly infringe on what Austin is all about. The open spaces that all the public has access to are vital to Austin and the reason so many people live here to start with. I spend a lot of time (on my Mountain Bike) in the greenbelts and open space areas around town, and I seldom ever see any ecological abuses done by the users except for

the builders and contractors who leave their wastes and trash on the fringes.

As far as animal species infringement by people, it does not seem to be a problem as proof by BCP own study of the Forest Ridge area. In fact from my perception all the Birds seemed to move across to street to where hikers and bikers were recreating thus BCP has now taken over that area.

I just hope the birds don't decide to move to Zilker Park, I know a lot of people will miss that.

And one more thing I don't understand, If people in the green belt habitats are such a problem to the birds how come they all choose to live in the Wal-Mart parking lot?

Comment #150 - March 1, 2006

If the powers that be were really concerned with wildlife habitat the thousands of acres that were allowed to be developed into homes and businesses would never have happened. It is only after the money has been made that suddenly "The Powers" are concerned and want to restrict usage by the public.

I am all for green spaces for wildlife but if the "Powers" have their way there will be so many restrictions on the public that no one will want to go there. I would like to see very limited controls on access to the public but a lot more policing of the requirements already in place such as leash laws, and littering which seem to be quite a problem in the parks and green spaces. No one seems to care that certain elements are making them their personal dumping grounds.

Comment #151 - March 1, 2006

As someone in Austin who has enjoyed these park areas for years, hiking with my children, mountain biking, etc.. For the record, I am pro environmentalism. As are most of the people that love these areas. What we are diametrically opposed to is the absolute closed mindedness of the few in charge of these natural treasures. Those who make decisions based on fear of the unknown, not scientific evidence.

I am just stunned that anyone in their right mind could honestly think that a mountain bike or a hiker can on a 1' wide trail with no more than 2-3ft of clearing, no more than 6ft off the ground can POSSIBLY cause ANY harm to a bird who nests in the trees above it all... Several months out of the year...

My son (8) asked me "daddy, why can't we go there when the bird isn't there?"

hmm.. a kid gets it

Where is the data that says it's a problem? The FT Hood Blora study clearly states that it's

not.

There was a person who stated "Clear that human activity has been negative. Reasons aren't entirely clear, but have to do with human activity., not specific human activity" hmmm , he was referring to the Wild Basin preserve, arguably the most managed "park" in our area. With no mountain bikes allowed there.. And there's less GCWs could it possibly be the fact that a major highway runs right by it, or the significant amount of development in the area? Is that specific enough?

RE: Forest Ridge My understanding is that land was purchased with bonds sold to the public under the guise of park land for public use. It was then given to the BCP who summarily shut it down. They said a 5 year study would be done... where is it? What is it going to say? That during periods x-x there are x amount of GCWs in the preserve? Well.. Ok... Fine.. How do you determine the impact of people there if you don't allow any? (or very, very few)

Where's the science?

Austin wants to promote Austin as a great place to work and live, quality of life. (nice catch phrase btw) Even the BCP uses it in their infomercial. It certainly improves everyone's quality of life to have 30,000+ acres of beautiful wilderness areas with high fences around them.

I propose the BCP work with the end users and try to come up with an equitable solution. One that promotes active participation of the community in support of the preservation of our natural resources. Get us involved and we will help.

Comment #152 - March 1, 2006

Hi! I am writing in regards to the issue of banning dogs from the Turkey Creek trail. I do not have any pets but I am opposed to banning dogs from Turkey Creek. One of the main reasons that I hike that trail is because I enjoy the dogs. They are always well behaved and their owners always clean up after them. I have never seen any problems on the trail and I hike the trail regularly. The dogs help make that trail a little more social. People stop to pet the dogs and they visit with the owners and you get to make new friends because of the dogs. I also believe that the dogs need some place to get some exercise and I'm not aware of any other trails where dogs are allowed. I do not understand the issue as to why dogs should be banned from the trail. I've heard something about concern for the warblers but are there any scientific facts to support the concern? If you feel that the dogs do need to be banned, would a compromise be possible? Maybe the dogs could be banned during nesting season or whatever you feel is appropriate? Thank you for the opportunity to express my opinion. Please feel free to contact me if you have any questions. Thanks!

Comment #153 - March 1, 2006

I am and Homeowner in the city of Austin. As Hiker and Mountain biker I regularly utilize the Areas currently "grandfathered" and open to mountain biking: Barton Creek Greenbelt/Wilderness Park, Bull Creek Greenbelt and Bull Creek Park, Commons Ford Park, Emma Long Metro Park, Mt. Bonnell Park, St. Edward's Park, Spicewood Springs Preserve/Barrow Preserve.

I hiked and mountain biked at Forest ridge prior to its closure.

There is no scientific evidence that Mountain biking adversely affects the welfare of wildlife. I request the BCCP will maintain current levels of access to hikers and mountain bikers and consider expanding access to other areas.

Austin is a growing city and we need to maintain opportunity for outdoor recreation. Protecting Wildlife and allowing sensible public access is possible.

Comment #154 - March 1, 2006

To Whom it May Concern, Having moved to Austin 6 years ago, I soon realized what the city had to offer in the way of open spaces that are readily available to its residents. I immediately took advantage of the trail system in place on many of the lands managed by the BCCP plan. Sadly, many of these trails have been closed due to the protection of the warbler. My concern is that the BCCP has not given the trail users the opportunity to use these lands during non-nesting periods. I believe that given the opportunity, responsibility and care will be taken to protect the trails and the land that the warbler now nests in.

Comment #155 - March 1, 2006

As an avid mountain biker I have to say that I am disheartened by the BCP proposals regarding land usage. In years past, bicycling was not allowed at Forest Ridge because of the GCW. However, nobody was able to explain how a bike could disrupt the habitat and that cutting down the trees and building a huge apartment complex had no impact. As a taxpayer I appreciate my tax dollars going towards preserving nature and keeping us from becoming the next Houston. But as a resident who is paying for this property, I want to also be able to use it. I believe that mountain bikers are unfairly singled out. Admittedly, there is always going to be a bad apple or two in any crowd, but the folks that I ride with are responsible adults, doctors, lawyers, businesspeople, as well as high school & college students - essentially it is a cross-section of Travis county. Please reconsider any restrictions that will limit access to trails. We as a nation are getting more withdrawn, more overweight and more out of touch with nature. Please don't take away our outlet for exercise, socializing and enjoying the outdoors.

Comment #156 - March 2, 2006, 2006

Classify: Emma Long

I have been a resident of Austin for over 4 years, and in that time I have never found a trail my dog and I enjoy more than the Turkey Creek trail in Emma Long Park. We hike there typically once a month, staying on the trail and keeping it clean. I very much appreciate having a safe off-leash trail where my dog can enjoy both water and shade, far from city traffic. I am strongly against the proposal that the Turkey Creek trail be made off-limits to dogs. It is a unique resource for dog owners. While I am an environmentalist and respect the habitat of the golden-cheeked warbler, I believe the warbler has a broader habitat. For example, I recently visited Wild Basin and donated money to that park, whose express purpose is to provide a safe habitat for many species including the golden-cheeked warbler. However, conserving this bird is NOT the historical purpose of the Turkey Creek trail, and while reasonable measures to protect it may be added, banning dogs is going too !

far. In fact, I am not convinced that allowing dogs on Turkey Creek trail has had a negative impact on the birds or their habitat -- the trail is not crowded and there is little barking, which is part of what makes the trail so enjoyable as an off-leash hiking experience. Dogs have always been a part of Emma Long Park, and Turkey Creek is a one-of-a-kind trail. The City of Austin designated Turkey Creek as an off-leash trail in the 1980s, a status that was affirmed by the Parks and Recreation Board in 1994. Emma Long Park was grandfathered into the city's Balcones Canyonlands Preserve, and Austinites were promised that access would continue on pre-1996 terms. It is a violation of this promise, and an unnecessary one at that, to take away this precious resource now.

Comment #157- March 2, 2006, 2006

While I favor environmental preservation, I also value access to park lands. As Austin continues to grow, we must seek sensible, informed ways to offer our citizens increased access to the natural environment many of us came here to enjoy. I wholly support opening BCP trails to bicyclists' use.

Comment #158 - March 2, 2006

Classify: Canyon Vista

I support some form of managed access.

Comment #159 - March 2, 2006

This plan has my full support.

Comment #160 - March 3, 2006

Hi - I am writing for 2 reasons. 1st to say thank you for continuing to focus on our natural areas in a constructive manner thereby proving the people of this community with wooded areas safe from development. My main reason for writing however is to voice my extreme concern regarding any attempt to eliminate human traffic in our public lands. I went for a walk yesterday at the Turkey Creek Trail on City Park Road and to my displeasure found a note posted suggesting that plans may be in the works to limit the amount of use in that portion of the preserve. This place is extremely special to me as over this past summer I found refuge for myself there while i watched a close family member struggle with and eventually lose a battle with cancer. Being able to walk in the woods allowed a tremendous amount of personal healing during those times and I am deeply saddened by any attempt to limit its use. If our "public lands" cannot be used by the public...then how can they be defined as public lands to begin with?

I was long ago upset by the fences placed around the Forest Ridge area at Bull Creek. Please don't add additional fences and limit further our abilities to enjoy our public spaces / trails.

Thanks you for your time,

Comment #161 - March 3, 2006

First and foremost, thanks for the opportunity to work with you. As an avid hiker and occasional mountain biker, I believe that access is key to the enjoyment of any natural area. It is near impossible to measure the affect of either activity, especially in isolation from other environmental effects, and I have not found any local data to support otherwise. I believe in preservation of open areas, and think that the job done thus far in Austin has been good. Please appeal to the many types of trail users and allow them to participate in the efforts for conservation - the path of least resistance is the most rewarding and most natural.

Comment #162 - March 3, 2006

Please preserve our mountain bike and hiking trails! My family loves using the trail systems all around Texas and we are actively involved in trail maintenance, as well. We are always respectful of the animals, flora, and fauna we encounter on the trail and are sure to pack out all that we pack in. I can't imagine how our presence could negatively impact any endangered species of any kind. To close ANY of those trails would have a decidedly negative impact on my family.

Comment #163 - March 3, 2006

I am not thoroughly versed on this plan but from what I have heard, it involves eliminating access to land that has been available for public use for centuries. Since this land is not meant

to be developed, I do not see how any public good can arise by refusing access to anyone other than the new owners. I know that mountain bikers have used the land for their sport for many years. Mountain bikers are not interested in destroying property, quite the opposite, they are interested in protecting the area they ride. In Dallas, they provide thousands of hours of volunteer time annually to maintain the land they ride. They even bring their own tools! That would apply in Austin too if you just ask. A symbiotic relationship by definition is a good one and long lasting. Why not take advantage of the efforts mountain bikers are willing to expend in exchange for the use of the land? Everyone benefits and I see nothing wrong with that!

Comment #164 - March 3, 2006

I hope the BCCP will allow more mountain biking on land under it's control. My mother, Janet Long Fish donated the original "Hike and Bike Trail" along Shoal Creek to the city 40 years ago with the help of her father, Walter E. Long, and their vision was always the preserving of public land for aesthetic, environmental and recreational uses. My sons (10 and 13) enjoy mountain bike riding and one is the National Champion. I truly believe that everyone can respect each others activities and environmental concerns and both mountain biking and environmental conservation can be accomplished together. Closing off large parcels of area close or within a large metropolitan area is not a balanced or fair solution. Thank you for your time.

Comment #165 - March 3, 2006

The land that BCCP manages was purchased with voter approved bonds for park land so that land should be open to public for hiking and biking on existing trails. The voters did not approve a closed off bird and wildlife sanctuary. Preserving wildlife and recreation uses of park land (biking, hiking, etc) are not mutually exclusive.

Comment #166 - March 3, 2006, 2006 11:55:59 PM CST

All publicly funded lands, bought or being purchased, are public lands. Therefore they should be use by the public within reason. Hiking, mountain biking, and horseback riding are all amongst the activities that should be allowed on our land.

Comment #167 - March 3, 2006, 2006 9:52:24 PM CST

Do not close any land to anyone for anything unproven scientifically. Do not trade with developers. I do not and will not support this action.

Comment #168 - March 4, 2006 8:11:26 AM CST

I'd like to start with my background: I'm an avid naturalist, a mountain biker, hiker, and one who enjoys minimal or no-impact land use. I also have my professional background (as well as my degree) in civil engineering (hydrology) and environmental engineering; as well as a recent degree in finance. I am very familiar with BCP preservation issues and commend what has been accomplished so far and what the costs have been and will be to continue to accomplish the BCP's goals.

My relevant comments on the expansion of the BCCP plan relate to the land that was acquired under the recent bond elections. I voted for the bonds and was under the impression that in addition to preserving the land, the new land management would allow for continued land use by the public for mountain biking, climbing, and hiking.

I understand the BCP has closed off certain areas in and around Austin to various activities to sustain the endangered species and protect their habitat. I have not followed up on the affects of these changes on the species' populations and their habitat; but I would support a diligent comprehensive study to discern what land use variables affect the species, and to what degree. I would like that this be completed prior to restricting land-use for biking, hiking, and climbing by the public on recently acquired land.

I have my own experiences and hypothesis concerning how various land-use activities affect habitat and to what degree. Contrary to many people's belief, mountain biking is one of the least intrusive land use options because; in the case of well built and maintained trails; there is minimum land disturbance (often deer trail width or less). Most trails are built to complement the land's natural contours and drainage patters; so they do not increase erosion, runoff, or affect vegetation. Also, from experience, bikers tend to move faster and quieter through such trails compared with hikers, who often disturb a larger footprint and have a longer presence per distance of trail in various habitats. I say this not to encourage restriction of hiking, but to demonstrate that bikes can effectively use the land without adverse impact. Motorcycles, ATVs, and other motorized vehicles can obviously not limit their impact to such a degree.

I would find it greatly disturbing if land that was approved for acquisition under the trumpet of continuing the above mentioned public uses and protection from development were to be removed from the intended public-use sphere and re-classified as endangered restricted use areas without first fully assessing the current variables in the land-use balance.

The various species should be preserved, maintained, and expanded where feasible; championing the BCP's purpose. But with that, I believe that the riding public use lands should retain their bike land-use capacity; so that more will be able to fully appreciate the work of the BCCP. Keeping multiple land-use activities under the Tier III plans for the newly acquired sites will allow for a more complete understanding of the concerned variables

affecting the species; will promote the activities of the BCP in preserving the public's minimum impact use of the land; and will enhance the BCP as a partner in any future land preservation bond elections. I fear that if the plans for newly acquired tracts limit land-use then future bond elections will not succeed on the views that the land will not be preserved as anticipated. I know that I will not vote for any future parkland bonds if many of the new tracts have no-land access status or reduced land use policies implemented under their new Tier III plans.

Thank you members of the board and the public for your input, time, and concern on this matter.

Comment #169 - March 4, 2006 3:28:16 PM CST

To Whom It May Concern, I have heard of a plan to eliminate dogs from the Turkey Creek area in Emma Long Park. I am an environmentalist and a long time member of the Sierra Club. In my opinion, the dogs do not pose a threat to birds, other animals or water quality. This is a special place enjoyed by many dog owners and dog lovers. There are not many other such places of this type in Austin and I believe it would be a grave mistake that would affect the well being of both the dogs and their owners. Please note my strong opposition to the banning of dogs from Turkey Creek. Sincerely,

Comment #170 - March 6, 2006 9:53:05 AM CST

I live off City Park Road, in Glenlake and thoroughly enjoy walking my dogs along the Turkey Creek Nature Trail. We walk the 3 miles at least once a week, and have for more than a year. It is wonderful that my dogs do not have to be on a leash, yet they stay right with me. I always pick up after them, either using one of the supplied bags, or bringing one from home. Most of the other walkers seem to pick up after their dogs. I've only seen a few mishaps.

All the dogs seem to get along wonderfully. I have never had or heard dogs getting into any type of confrontations.

Please don't take away something that not only I enjoy, but others as well.

Thank you for your consideration.

Comment #171 - March 6, 2006

I strongly support the Proposal to Demonstrate Responsible Public Access to the Canyon Vista Preserve by the Friends of Canyon Vista. Please accept this proposal

Comment #172 - March 6, 2006 6:25:43 PM CST

I purchased my house in the location that I did because I was told of Turkey Creek and the leash free trail. It DEEPLY upsets me that now I am told that dogs will be banned completely from Turkey Creek. You are changing my lifestyle and the lifestyle of ninety five percent of the people that walk Turkey Creek. Do you have any idea of how many people go there to walk their dogs? Your concern is for the habitat on Turkey Creek BUT you have no proof that the habitat has been effected by these dogs. Yet you do not seem to be concerned about the Motorcross Park that creates noise and air pollution.

I sincerely hope that you have not made up your minds to outlaw dogs on Turkey Creek without visiting it, particularly on a Saturday or Sunday to see how many people and their lives will be affected.

Comment #173 - March 6, 2006 8:24:56 PM CST

A notice was posted at St. Edwards Park regarding plans to further restrict public access in the Bull Creek area. A few years ago, much more of the area was accessible, now it is off limits to bikes and dogs even in the middle of winter when none of the endangered species are around. The park that is open to the public is quite small and is used heavily. Unless there is firm evidence that allowing access is detrimental to any endangered bird, and I understand there is no such evidence, how can you justify removing more land from being used? I walk with my dog who would not hurt a fly, and I resent being locked out of our not too generous quantities of public land. Please allow all of us to enjoy the great outdoors.

Comment #174 - March 6, 2006 9:20:50 PM CST

The time has come to modernize the BCP Management Plan, recognizing the urban setting, the evidence that GCW and people activities can co-exist, the need to embrace allow public uses, the need to have more citizen volunteers helping with management/policing/improvement/education/research, the need for measured and published results on Austin tracts, by including in the Management Plan text enabling and forming two proposed public/private partnerships to demonstrate and learn from this new paradigm. These two are the County's Canyon Vista tract and the City's Emma Long Park.

Comment #175 - March 6, 2006 10:31:11 PM CST

PLEASE keep Turkey Creek a place for the dogs!! It is a wonderful hike with your pups and you always see friendly faces of both the humans and canines enjoying a lovely walk in the woods. Humans that enjoy Turkey Creek are always mindful to pick up after their dogs, and it has such a friendly and open atmosphere. This is a very special place for dog lovers and hope that Austin continues to support those of us that enjoy the great outdoors with our beloved dogs. Please keep Turkey Creek for the dogs!

Comment #176 - March 7, 2006 7:59:15 AM CST

Hi There, My comments regard the Turkey Creek Nature Area in Emma Long Park. It is our family desire to see the Turkey Creek trail remain open to walking the trail with our dog. Walking in the woods with dog must be one of the oldest activities of mankind. Turkey Creek is well kept, relatively free of liter except those black and white "poop bags" left behind by well meaning walkers. From the information available regarding similar Warbler habitats in nearby Ft. Hood the bird population is improving. Please let's leave this tract available to us all to walk the dog, enjoy nature while we tell stories on the trail. Thanks, Good luck, I know you all have a lot of study to look at on this important issue. Tim Gaskin

Comment #177 - March 7, 2006 8:09:40 AM CST

I'm am writing to express my extreme concern regarding the proposal to remove the leash free designation from Turkey Creek trail in Emma Long.

I've been utilizing the trail since I purchased my home in the Cat Mtn. neighborhood over 6 years ago. In fact, Cat Mtn's proximity to the leash free trail was one of the factors that helped me determine where to buy.

As best I can tell there is no science that supports elimination of the leash free designation in order to protect species and/or improve water quality. Nor does there appear to be a seminal requirement from other agencies such as USFWS, etc. Therefore, I can only assume that this proposal is politically motivated.

I can assure you that I and others are more than willing to do what is necessary to protect and nurture this unique resource. I urge you to recommend against removal of the leash free designation for Turkey Creek Trail.

Comment #178 - March 7, 2006 12:31:10 PM CST

Please do not ban dogs from Turkey Creek. We used to walk our dogs at Pease Park, but the proximity of cars to the park and the constant erosion and multi-year reconstruction projects has basically ruined that park for dogs.

Please don't chase us dog owners further and further outside of Austin. It is our park and we pay the taxes to use it. Please!

Comment #179 - March 7, 2006 1:26:47 PM CST

Please, leave the Turkey Creek trail open to dogs! I'm an older man, who has relied on my dogs for companionship, exercise and a sense of adventure. The Turkey Creek trail has provided a great "sense of adventure" for me and my dogs. Before my dogs, in my younger

years-I would ride my bike to many trails around the NW area, particularly Bull Creek, Mt. Bonnell area, and other areas that are now, no longer available. I don't mind today's bikers as they seem to be always polite and very dog friendly. But please, let us Austinites partake in our little outdoor adventures that mean so much to us, our dogs, and our quality of life. Turkey Creek trail is a special place...for everyone!

Comment #180 - March 7, 2006 1:33:42 PM CST

It does not aid the cause of preservation by restricting public access. Only by sharing what you are trying to protect can people get a real, truly personal appreciation for the preserves in this way, you build up public support of conservation. If you disallow public access, public access, public lands become just a vague idea in people's minds – They have no personal attachment to it. This is only human nature.

Comment #181 - March 7, 2006 4:02:00 PM CST

Re: Turkey Creek Nature Trail. About one mile north of Turkey Creek, exactly between the motorcycle trails and the creek trail there is a housing development being surveyed, are the Golden Cheeked Warblers there? Can we stop that development instead of eliminating the small territory of hikers with dogs? Or can we eliminate motorcycles instead of hikers with dogs? I am very disappointed that hikers with dogs will be banned from the Turkey Creek Nature Trail. Do we really have the hard evidence to prove dogs are a problem? I am all for saving a species but let's make sure the facts are available. Even a seasonal allowance would be acceptable to me if the facts show dogs are a problem for the Warblers. How about providing an alternative site for hikers with dogs like the motorcycle trails?

Comment #182 - March 7, 2006 5:07:08 PM CST

One of if not the main reason I live, work, and raise my family in this city is b/c of the great trail system and outdoor lifestyle this city has always offered. Since moving here in 1993 I've seen many trail systems close down to development of homes and businesses. Now it looks like once again the city is wanting to take more PUBLIC land away without really doing any research. Most if not all of the people that use the trail systems take pride and care into the trails and parks we have. If BCP keeps this up Austin will be like every other city in Texas. Please don't turn it into that.

Comment #183 - March 8, 2006 9:42:53 AM CST

I have walked this wonderful trail for about 8 years now with my two dogs. I am a big animal lover and a very responsible pet owner. My larger dog, a Lab, is always unleashed and my

smaller dog, a Terrier/Maltese mix, is on a leash because of her love of chasing deer! I have never encountered any problems with other unleashed dogs. This trail is enjoyed by so many of us animal lovers and we would love to see it stay the same. Thanks!

Comment #184 - March 8, 2006 9:54:58 AM CST

I am writing in response to the plan to ban dogs from the trail. I am a responsible pet owner, as most pet owners I know are. We pick up and throw away poop, have well-trained pets, etc. There are fewer and fewer places in Austin where we can bring our pets to enjoy nature with us. In fact, it is through my dog and her love of the outdoors that I have reconnected with nature. Please do not take this, one of life's few pleasures, away from both of us.

Thank you!

Comment #185 - March 8, 2006 11:09:04 AM CST

To whom it may concern,

I strongly support the efforts to preserve these lands and to encourage respectful usage of the lands. I am a frequent user of the "Turkey Creek" hiking area. Although I am sympathetic to the endangered species issues, reversing the "leash free" designation would be a very negative event. The major users of the trail are pet owners. Efforts can be made to limit the potential for damage to the land and vegetation based on current trails.

I find the motorcycle and mountain biking activities to be far less desirable an activity. In addition to intentional destruction (chain saws, etc. to change the difficulty of the trails), the speed, noise and geological impact is most severe.

The use of the park by pet owners and their pets seems to be less disruptive than the use by motorcyclists. I encourage you to retain the leash free area at Turkey Creek.

Comment #186 - March 8, 2006 11:09:30 AM CST

I recently saw a flyer in support of banding dogs on Emma Long Trail. I oppose this very much. Living in a neighborhood allows limitations on the environment that dogs love. I have found that by escaping to the park it has helped me feel like Sugar, my dog, is able to be subjective to the habitat that dogs should be getting to play in. Thank you for your consideration and please keep Sugar and I happy nature loving people.

Comment #187 - March 8, 2006 11:44:55 AM CST

Regarding the movement to remove canine off-leash access, I would like to say that dogs should be allowed at Turkey Creek. It is a beautiful area and my dog & I love visiting the area because it is not heavily populated during the week.

Unless undeniable evidence is found that the presence of dogs is threatening the existence of an endangered species, denies public access or is destroying water quality, dogs should be allowed at Turkey Creek.

Comment #188 - March 8, 2006 11:55:15 AM CST

My name is xxxx. I have lived in Travis County since 1975, 31 years. I am a home owner and tax payer who willingly voted for the BCP bonds in 1992. I consider myself and environmentalist and I raised a daughter who has a master's degree in environmental science. I am a frequent user of Turkey Creek trail with my two dogs. I use the trail responsibly, keeping my dogs on the trail and picking up pet waste and litter on a regular basis. I think maintaining public access as an off-leash trail for dogs is very important. This area is unique and creates a community of dog lovers who enjoy nature. I strenuously object to the proposed ban of dogs on this trail. This trail belonged to the city of Austin and was designated as an off leash area for dogs long before the BCP. This prior use should be respected. Further, I have not heard of any scientific evidence that dogs pose a threat the the endangered species we are trying to protect. As a taxpayer and homeowner I would like to have some access to these lands with my dogs. I feel safer walking with my dogs than I would alone and I make sure that they do not harrass any wildlife.

Comment #189 - March 8, 2006 12:16:08 PM CST

Access to these parks should stay at current (2000 A.D.) levels and not be restricted further.

- I have been in Austin for 26 years and will most probably never leave because I love it here.
- I am happily retired after 22 years of gainful employment in Austin - I have owned property and paid taxes in Travis County for 16 yrs - I tend to vote for candidates who run on environmental platforms because I believe in protecting the environment for future generations. - I love the outdoors and I am an avid Mountain Biker. - I am an officer of the Austin Ridge Riders Mountain Bike club and a Ride Leader for 2 of the clubs programs, Ride Like A Girl & Kids Trips. -In my role as Ride leader for Ride Like a Girl and Kids Trips, I teach women and children the necessary skills to be safe riders, who are educated in proper trail use and etiquette and who respect the environment. - The Austin Mountain biking community has logged approximately 4000 - 5000 hours per year building and maintaining trails in the Austin area. We build sustainable trails that require minimal maintenance thereby making them least intrusive to the habitats involved.

I believe we can successfully partner with the BCCP because we have a solid track record with various Land Managers, including private, City, County and State therefore, I am asking the panel members present to PLEASE CONSIDER allowing additional access by mountain bikers to some of the BCCP lands.

Comment #190 - March 8, 2006 12:16:41 PM CST

My name is xxxxxx. I have been a resident of Travis County for 27 years, but was born in Lockhart Texas 50 years ago.

I supported and voted for the Balcones Canyon Land Preserve Bonds in 1992 and consider myself an environmentalist. I believe we have a fiduciary responsibility to take care of our natural resources so that our children and generations to come can enjoy them.

Turkey Creek park was grandfathered as a leash-free dog park in the 1980's and this was reaffirmed by the PARD Board in 1994. Dogs were part of Emma Long Park prior to the creation of the Canyon Land Preserve. We moved to this area because we have enjoyed using the park for decades.

We are responsible dog owners who pick up after our dogs on the trail. We use these facilities several times a week and it is an important part of our life. There is no scientific evidence that dogs are a threat to the Warbler. We have been hiking with dogs in that Canyon for a long time and the Warbler's are thriving. It seems like the Cow Bird is far more of an issue to manage than our dogs.

Dog areas are an important quality of life issue for many Austin residents! I understand that many parks in Austin are dog-free because we have to respect the needs of citizens who do not want to be around them. But there are fewer and fewer parks where dogs are allowed. Please do not take this precious park away from us. Closing it to dogs is the same as telling us that we can never hike there again -- and given that we have built our life in this neighborhood around such activities, this is unacceptable.

Please consider my comments in the recommendations by the Citizen's Advisory Committee.

Comment #191 - March 8, 2006 12:30:43 PM CST

I think you should allow mountain biking at these facilities: Emma Long Metro Park, the Barton Creek Wilderness Preserve, Forest Ridge and Canyon Vista. Mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner. The sport has matured greatly in the last 5 to 10 years and places where mountain biking is allowed are well maintained are treated responsibly by the average mountain biker of today.

Comment #192 - March 8, 2006 12:56:37 PM CST

I'll be brief and to the point. We need more trails for mountain-biking. Many have been shutdown without suitable replacements. There are many areas that could become "destination quality" if access is allowed and trails are constructed.

Comment #193 - March 8, 2006 1:02:47 PM CST

I would like to comment that I support the use of this public land for the use of recreational bicycling in the area affected by the plan.

recreational bicycling is a low impact upon the environment and encourages a healthy lifestyle. Please ensure that the plan incorporates the allowance for recreational bicycling in all trail areas. I would further like to comment that I support the expansion and maintenance of all existing trails for bicycling use.

Comment #194 - March 8, 2006 1:16:41 PM CST

I would like to access the Balcones Canyonlands Preserve lands (specifically the Bull Creek Area) on my mountain bike like before. It is shameful to not allow the public to access these beautiful public lands. Please revise your plan to allow hikers and bikers access the BCP lands.

Comment #195 - March 8, 2006 1:19:14 PM CST

I would like to see a focus on creating additional access to protected properties made available for bicycle use on existing and new trails.

These lands can be shared with and enjoyed by more users when concepts of shared use trails and/or exclusive use design of new trails are adopted. Many successful examples exist to be used as models and the guidelines offered by the IMBA are a valuable resource. Local bicycle clubs and rider/volunteers are also available to help expand the access of users to these lands.

Mountain biking is a growing recreational alternative that appeals to many people regardless of age, race, color and sex. Studies have shown that shared (hiking/bicycling) use of properly designed trails can reduce the overhead in maintaining trail systems with virtually no impact on the habitants and ecological concerns of protected environments.

I hope that this review will continue to move forward to find ways to share these lands with more of the people, as well as meet the environmental concerns necessary to sustain them.

Comment #196 - March 8, 2006 1:45:49 PM CST

I feel mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner, with proper research and management. I would like to see future mtb use of BCP if deemed ecologically acceptable.

Comment #197 - March 8, 2006 1:55:31 PM CST

I am writing as another member of the Austin mountain biking community who would like to see the BCCP access plan revised to allow mountain biking and other responsible public uses. I attended the February 16 public meeting and have followed discussions of the plan revisions on this site and in other online forums. I would like to echo earlier calls for public/private partnerships to demonstrate responsible access, the redefinition of mountain biking from "active recreation" to "passive recreation", and decisions based on and supported by timely scientific evidence. Thank you for your time.

Comment #198 - March 8, 2006 2:10:31 PM CST

My name is xxxxxx. I recently returned to Austin after having moved away for some years. I value Austin for its diversity of people and for its dedication to the environment. My husband and I have enjoyed camping at Emma Long Park and taking our dogs hiking along the Turkey Creek Trail. There is no other place like Turkey Creek Trail. To be able to walk along while the dogs run and play in the water is incredibly relaxing and enjoyable. I have come to associate this bi-monthly activity with our Austin life style.

I believe that the people who use the trail are responsible individuals and very conscientious of the environment and other people and their dogs. I am part of Friends of Turkey Creek which is a group of like minded people. I serve as a co-signatory on the comments from Friends of Turkey Creek.

I object to the proposed land management plans by the BCP city staff regarding the prohibition of dogs from the Turkey Creek Trail in Emma Long Park. The scientific literature does not identify dogs as a threat to the golden-cheeked warbler. The US Fish and Wildlife Service has neither a policy nor a position regarding dogs, much less a requirement that they be removed as a condition of the BCP permit. City's BCP staff cannot comprehensively demonstrate or document that the presence of dogs on Turkey Creek has had a negative impact on the warbler or on water quality. As a grandfathered trail that had dogs on it before it was added to the preserve and in the absence of any documented evidence, I object to the BCP's Land Management Plan for Emma Long that would prohibit dogs.

I ask that my comments be considered in the recommendations by the Citizens Advisory Committee to the Coordinating Committee.

Comment #199 - March 8, 2006 2:18:55 PM CST

I want to voice my support for expanded use of the BCP by mountain bikers. I personally took up mountain biking when I had surgery on my leg and was unable to run/jog as much as I used to. That was 3 years ago when I was just barely 40, and I still prefer biking over running today. Heck, I read that Pres. Bush has taken up biking to replace the exercise running used to provide. In general, I have found mtb's to very respectful of the areas in

which they ride. We choose mtb over road riding for a reason, we enjoy nature and we don't want to disturb it either. The sport itself does not encourage the packing of much more than you would need on your ride, water and some spare parts. Hence, I think mtb's would be less likely than hikers or dog-walkers to pollute or disturb the areas they ride in. Often times we are riding on a trail less than a foot wide and we rarely stop and dismount, so the likelihood of a mtb disturbing habitat, or protected species is very low. Thank you for your time and consideration.

Comment #200 - March 8, 2006 2:22:06 PM CST

Bikers are nature lovers or they wouldn't be in the woods riding their bikes. Therefore riders would take care of and not trash out the environment. Every mountain biker I know feels this way.

Comment #201 - March 8, 2006 2:33:11 PM CST

We would love to have mountain bike access in these parks! We love to ride and love nature and are very concerned with maintaining it so that we always have a place to ride! Mountain bikers are very concerned with maintaining land and most of the time do the trail upkeep themselves. Thank you for considering it!

Comment #202 - March 8, 2006 2:47:17 PM CST

Hello -- Please continue to allow, or begin to allow cycling (mountain biking) access to all lands in this plan. Mountain Bikers are environmentally ethical and would be wonderful stewards of the land. Thank you for your consideration,

Comment #203 - March 8, 2006 3:42:26 PM CST

Hello! I live in Houston, but drive to Austin at least once a month to get a good ride in for training and just for sheer fun. It is important to keep these parks open to Mountain bikers (such as myself and the race group I am apart of HART) so that we have great, inspiring places to ride. When people ask about what I do for fun, and I elaborate on my mountain biking stories- many people always laugh and ask, "Where do you MOUNTAIN bike in Texas?" I quickly reply Austin, baby!! I would easily challenge anyone I know to try and ride Emma Long - I would bet it is one of the most technical trails in the state of Texas. In fact, when I was purchasing the mountain bike I ride now....I took it to Emma Long for my "inaugural ride". If she (my bike) could handle well on that trail, well I knew it was the bike for me! I hope that we can find a way to keep these parks open - it is so very important to the real mountain bike enthusiasts in the state of Texas. Thank you for your consideration.

Comment #204 - March 8, 2006 3:44:10 PM CST

Please don't take away good mountain biking trails around the Austin area. It's good clean fun and would be wrong to ban access for bikers. Thanks.

Comment #205 - March 8, 2006 4:05:52 PM CST

Please open up more parks and park areas to mountain biking. I live in Corpus Christi and my friends and I are constantly looking for new and challenging places to ride. Our ages range from 39 to 24 years. We currently travel to the San Antonio and Austin area to ride two to three times a month weather permitting. I am looking forward to exploring and experiencing more of our great Texas Wilderness.

Comment #206 - March 8, 2006 4:15:28 PM CST

It disturbs me as a taxpayer that Emma Long Metro Park, the Barton Creek Wilderness Preserve, Forest Ridge and Canyon Vista are all properties that either once had mountain biking access or are public park lands that have been grandfathered into the BCP system, resulting in mountain bike access bans on these properties. I think there is consensus that mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner.

Comment #207 - March 8, 2006 4:19:56 PM CST

It's a shame that ignorance is so pervasive in such a progressive city as Austin. Why is it that the BCP feels it must enforce a blanket restriction? When Forest Ridge was closed, it was said that a 5 year study would be implemented. Where is that study? Nobody seems to be able produce the results. Meanwhile, a study was done at BLORA (Belton Lake Outdoor Rec Area) that showed that mountain biking and other human activity had no impact on the GCW. I'd even venture to hypothesize that the existence of limited human traffic helps the GCW by keeping natural predators at bay.

Since the bond proposition used to purchase the land was presented to the voters for "the acquisition and improvement of land to protect water quality, conserve endangered species...and open space for passive public use.", then public use should be allowed since it does not compromise the water quality or endangered species (as proven by the BLORA study)! Otherwise, this is blatant fraud against the voters.

Of course, there is the argument that mountain biking is not a 'passive' use. This can only be the argument from a non-mountain biker. Mountain bikes are not powered by anything other than our own legs, just like walking and running. How can this activity be lumped into a

different category than other human powered activities?

Despite popular opinion, a properly constructed mountain bike trail does not erode the land. In fact, many mountain bike trails are more sustainable than hiker only trails because mountain bikers are less likely to venture from the trail. In forming an alliance with mountain bikers, you also receive a very active group for trail maintenance. I personally have donated many, many hours to building and maintaining trail at City Park Metro Park, Muleshoe Bend Park, Walnut Creek park, and the Goodwater trail.

Something else that is often overlooked is the positive benefit of having an active user group on public land. If you had visited Walnut Creek prior to it being a popular mountain biking area, you would have noticed that it was popular for such activities as prostitution and drugs. I am sure it still exists now, but on a much smaller scale due to the increased presence of active law abiding citizens.

I have also noticed that on certain BCP areas that have recently become restricted, large fences have been erected. Clearly the 10' corridor cut through the woods to erect the fence has removed much more 'nesting habitat' than do the many miles of 18" trails that exist on the land. This seems counter productive.

There is one last thing that I would like to bring to the reader's attention. There are certain user groups (read: Audubon Society) in whose best interest it would be to see mountain bikers/hikers/dog walkers/runners/etc restricted from BCP property. These would be groups that already have unrestricted access and do not see the need to 'share'. Wild Basin Preserve was used as an example by one member of the Audubon society to show the need for restriction. "Wild Basin Preserve, for example, has pretty much lost its breeding warbler population and that certainly has something to do with human activity." What he fails to mention is that the Wild Basin Preserve is already heavily restricted in that pets/running/mountain biking are not allowed. Using this as an example only shows that pets and mountain biking are not the problem.

As a young, progressive city we should be encouraging our citizens to venture into the wilderness and get some much needed exercise and stress relief in a responsible way. We should not have a blanket restriction because of some ill-founded notion that our presence disrupts the GCW habitat.

Thank you for your consideration, an environmentalist, a voter, a tax payer, and an avid mountain biker

Comment #208 - March 8, 2006 4:45:36 PM CST

As an active member of the Mountain biking community, I feel that having a strategic plan to incorporate more trail access to mountain bikers and hikers will not only promote Austin as a city focused on providing outdoor activities for the community but also provide a potentially

positive revenue stream for the host parks. Currently I work with an organization in Bryan, Texas that is responsible for the construction and maintenance of nearly 25 miles of trails. We are looking to incorporate a TPWS grant to supplement our activities in the future. We have seen the trails as a proactive step to providing a place for active adults to enjoy their pastimes. We promote the responsible usage of these trail systems and have found them to be a positive revenue impacting aspect of the park in which the trails reside.

Comment #209 - March 8, 2006 4:51:02 PM CST

I would like to request the continuation of trail use for mountain biking purposes. 'mens sana, corpora sana' (sound mind, sound body)

Comment #210 - March 8, 2006 4:52:40 PM CST

I have mountain biked at Emma Long and other areas in and around Austin, Texas. It is my opinion that mountain biking is NOT a threat to the eco-systems, and that mountain biking is a low impact sport meaning that erosion does not factor into the equation. Please do not close these lands to mountain biking, we cherish the land we ride on more than can be calculated by a committee. Mountain biking is a passion that involves the very essence of outdoor sport. When I ride I probably have SIMILAR thoughts to a hiker, or jogger... I might stop at some point and take in a view, and have even picked up trash along trails. Please consider that mountain biking is a light human powered vehicle that has a low impact on the environment. Thank you for your consideration.

Comment #211 - March 8, 2006 5:23:35 PM CST

I am submitting these comments to provide my strongest recommendation that the Revised BCP Land Management Plan be changed so as to allow the free use of bicycles on all affected properties.

Bicycles are an appropriate use of the BCP. Numerous scientific studies demonstrate that bicycles do not have a negative impact on the land or the surrounding environment. The International Mountain Biking Association has these studies available on their website www.imba.org.

Cyclists are a highly effective deterrent to criminal and delinquent use of public lands. The presence of bicycles has had a well-documented, highly beneficial impact on parklands and preserves in many urban areas similar to Austin. I invite you to contact the city ranger at Lynn Woods, located in the city of Lynn, Massachusetts for one such testimony.

Banning human use of urban wild lands is nearly impossible to enforce, and requires significant investment of public resources better put to use protecting the most vulnerable

land. Bans results in the continued presence of only the most irresponsible users, who lack any public or peer repercussions for their behavior.

Cyclists in Austin, Texas and the nation as a whole have an exemplary record of accomplishment in their volunteer participation in land stewardship. Walnut Creek, the Barton Creek Greenbelt, and the so-called "motorcycle trail" at Emma Long have all benefit greatly from thousands of hours of volunteer labor aimed at improving the public resource and building sustainable and environmentally sensitive trail networks.

Given the public health crisis of obesity, particularly among children, it is highly irresponsible for a public agency to close off opportunities for recreational exercise. Austin is particularly well-suited to cycling, and the Parks and Recreation Department continues to successfully run a youth off-road cycling program that will only flourish with the expansion of ride-able terrain in Austin.

I greatly appreciate your consideration of my comments. Keep all BCCP lands open to bicycles.

Sincerely,

Comment #212 - March 8, 2006 7:03:41 PM CST

Just a quick note to express my appreciation for responsible BCP use.

I live in the Canyon Springs apartments on Bull Creek. I work at XXX on Spicewood Springs Road. This part of Austin is my life. Losing mountain bike access to the Bull Creek trail was heart-breaking, but I understand the environmental sensitivity of this area.

I can remember every beautiful turn of that trail. And how my spiritual and physical health improved during the years I was able to ride this trail. The view from the top is one of the best in Austin. And the hard work it takes to get to the zenith makes the view even more special. During some difficult times in my career and personal life, I was able to bike to the top, rest on the ledge, and look DOWN at my own office building and home. A humbling experience that I will always treasure.

I still climb the summit as the seasons permit. But I miss being able to guide my out-of-town guests to the most beautiful view of Austin from the saddle of a bicycle.

SIDE NOTE: There was an unexpected effect when the mountain bikers moved out. The sex offenders moved back in. Right in my back yard. There have been reports on television news, but they come right back. It's a danger to people in my community, and to the families who visit Bull Creek Park.

Please open Bull Creek Park back up to mountain biking. Even if by permit, it is a trail that is enjoyable to many. Perhaps a mountain biking club can offer training or certification to it's members to be able to ride this trail with minimal environmental impact. Thank you for your time,

Comment #213 - March 8, 2006 7:40:16 PM CST

As a dues paying member of the IMBA and concerned citizen, I would like to voice my comments to the BCCP regarding Mountain Bike Trails. I hope the BCCP will allow such trails to exist on the properties in question. MTB trails are an appropriate use of public lands and can be built and maintained in a sustainable and environmentally friendly manner. Please do not block or stop the building and maintaining of these trails. Thank you.

Comment #214 - March 8, 2006 8:02:06 PM CST

I want mountain biking to be included as an authorized recreational activity in the management plan. I believe with the involvement of the IMBA and the state and regional mountain biking organizations that this activity will be managed in a responsible manner. Thank you.

Comment #215 - March 8, 2006 8:26:58 PM CST

I would like to submit my support for a managed multi-use access of this wonderful resource. The community in Austin and in surrounding Central Texas needs more open space to avoid overuse and crowding that is currently seen in the Barton Creek Greenbelt.

My personal enjoyment of this resource comes in the form of mountain biking, a sometimes controversial use of open space. My club, The Church of the Knobby Tyre, promotes good behavior and friendly co-existence with hikers, horseback riders, and other people wishing to enjoy these lands. Our members lend time and money to keep access multi-use and even gain new places to ride as our population grows, and interest in our sport grows. We will happily and enthusiastically help land managers maintain the "untouched" nature of managed properties, while spreading the word about good behaviors to both the land and those that use it.

Comment #216 - March 8, 2006 8:40:52 PM CST

I am a long time mountain bike rider and hope that mountain bike riding trails will be part of the plan.

Comment #217 - March 8, 2006 8:54:45 PM CST

Please keep the land open to hiker, bikers, etc... Environmental damage is done by development, not people that respectfully access parks. Thanks,

Comment #218 - March 8, 2006 9:08:31 PM CST

I would like to express my opinion that mountain biking is an appropriate use of public land and can be done responsibly. Thank you.

Comment #219 - March 8, 2006 9:11:44 PM CST

I consider myself one of your active constituents. I run in the park trails along and near Bull Creek and the other areas of Northwest Austin. My running companion is a mutt who swims in the creeks, bolts after deer, rabbits, squirrels, and scents the feral hogs, coyotes, and other critters that inhabit the creek's drainage areas.

For years we've used the trails along and around the creek. Gradually we've lost access to trails as they've been declared sensitive habitat. Canyon Vista, used by only a few nearby residents, a handful of cyclists (it's awfully steep and jagged terrain), and runners is off-limits. Forest Ridge, a gorgeous trail, is off limits. The upper end of St. Edward's Park is off limits. Now someone wants to keep us out of Turkey Creek.

I've NEVER seen anyone in the upper reaches of the Turkey Creek trails. The trail is only a two-and-a-half mile loop, so the upper reaches aren't far from the trail's head. I can say the same for most of the other trails, too. Rarely have I seen anyone or the trash that people leave behind in any of those other sites.

I am deeply disappointed that the regulators of the wild areas keep restricting access to those very areas' natural constituency -- users. Individually and quietly we clear trails after storms, pick up mountains of trash left by casual visitors who stay close to parking lots, and work with groups like the Bull Creek Association on trail maintenance and cleaning.

Regular trail use has benefits: It keeps out coyotes, cuts down on the predations of feral hogs, and limits the frequenting of parks by people who are "up to something." One needn't be a Ph.D. animal biologist to recognize that only after Bright Leaf State Nature Area was closed off to the public, principally the neighborhoods abutting the park, that coyotes became a problem in the Dry Creek area of Northwest Hills. Our family and a number of friends have lived near that land since the 1960s with no coyote predations until ownership went from private, which tolerated access, to public, which terminated it. Fluffy was safe until the State fenced out the neighborhood. Then, Fluffy and Spot became Coyote Chow.

You'll have the same problem in Turkey Creek and other areas as you restrict them.

I no longer vote bond money for any natural areas in Travis County. I no longer vote for the public officials who block my access. So long, Karen Sonleitner.

Please consider working with us -- cyclists, runners, dog-walkers -- who would happily and do happily police your wild lands.

Thank you for your time. I'd love to see anyone from the committee jogging a trail some weekday afternoon. Then I'd know your hearts are in the right place.

Comment #220 - March 8, 2006 9:14:17 PM CST

Are we sure that it is the runners, hikers, and mountain bikers that endanger this habitat?

As a layman to conservation activities, it would seem like the development of subdivisions, unoccupied office buildings, parking lots, and fences in this habitat have had a greater impact on the environment.

I believe this used to be one of the key places that characterized Austin as a fit, outdoor recreation-oriented city. Having a piece of nature (BCP) in the middle of a city was a wonderful thing to have. Not too many cities have this. I hope we'll get it back.

Comment #221 - March 8, 2006 9:16:50 PM CST

I am strongly opposed to the proposal to limit dog access to Turkey Creek Trail. It is a safe and clean trail and a unique place to enjoy nature and being with dogs. When I have been on the trail it has always been used responsibly by both pets and owners. It is my understanding that there is no proven science that supports limiting access or that the habitat is being adversely impacted by the presence of dogs. Please do not further limit access to what was always intended to be a public and open space in the original bond package.

Comment #222 - March 8, 2006 9:47:12 PM CST

To Whom It May Concern I believe that mountain biking is a very good use of the land as it encourages an active lifestyle which according to many current reports most Americans need and many enjoy. I feel that each person has a right to publicly owned lands and that each participating group should be allowed equal access when possible. In addition I feel efforts should remain equal to attain this access. Some groups feel threatened by MTBs' but as many may feel the same of equestrians and some feel that horses do more damage to trails than bikes do. Personally I feel that damage to a trail is done by individuals and not whole groups and can be done by anyone in any group. I see many more young people and juniors entering the sport and to make room for them we need more access not less. Austin has lost access in the last 5-10 years not gained even though more land has been bought by tax and contribution dollars. Some of this land is deemed no access at all. This is wrong. I can understand initially a tract being studied and off limits, but at some point it should be opened to some use since it is public land after all. It was in my opinion a successful trial test at the Forest Ridge site when we were allowed to hike, bike, and run there. Then it was closed to biking, running in groups, and off limits for a good portion of the year. We were never given any actual scientific proof of human interaction being a deterrent to the endangered species breeding. I mean like it or not we are nature itself not separate from it or above or below it.

Humans are natural animals and everything we do is an interaction of nature not to it or against it. It is our land we want to use it. Yes, we need rules to obey and you are going to have offenders from every group, but that is no reason for bans and closings. People stay inside playing video games way too much anyway. I bike, backpack (extended), paddle, and trail run. Please open our lands up to public use.

Comment #223 - March 8, 2006 9:52:20 PM CST

I am a voting resident of Austin and Travis County for the past 25 years. My absolute favorite place in Austin is Turkey Creek because of the fact that it is so beautiful and not crowded there. But more importantly, I like it because I can take my dog on an off-lease hike there. I average 2-3 hikes per month, mostly on weekends, but sometimes during the week. I consider myself an environmentalist (I am a member of Sierra Club) and understand and voted for the BCP bonds in 1992. I do not believe that allowing dogs to continue to have access to Turkey Creek will cause any harm to the GCW. As a grandfathered trail that had dogs on it before it was added to the preserve and in the absence of any documented evidence, I object to the City BCP's Land Management Plan for Emma Long that would prohibit dogs. Instead, the BCP staff should be directed to explore and implement the aggressive cowbird strategy used by the US Army at Fort Hood and its appropriate application to the BCP. I hope that the Coordinating Committee (e.g., Mayor Winn and Travis County Commissioner Daugherty) affirm their exclusive responsibility and role in approving or disapproving proposed changes to pre-existing uses, rather than allowing these responsibilities to be assumed by BCP staff. Please consider my comments in the recommendations by the Citizens Advisory Committee to the Coordinating Committee.

Comment #224 - March 8, 2006 10:12:42 PM CST

If you take away access to the public lands for mountain bikers you are going to hurt this area immensely. Austin is known for its mountain biking freedoms and is one of the reasons people vacation here and live here in general.

Comment #225 - March 8, 2006 10:31:50 PM CST

Trails for mountain biking are for everyone! It brings many businesses and opportunities for everyone! It is an extremely good cardio and mind exercise. It is the safest form of outdoor cycling and brings groups of the community together (Bike Clubs). Fun for the whole family! Keep rules for the trails and have work days to keep the land clean and free from erosion and unwanted trails.

Comment #226 - March 8, 2006 11:28:34 PM CST

For what reason are pedestrian, bicycling, and horseback riding activities prohibited from any trails? Is there any evidence that these activities are harmful to the animals being protected? I would like to see these trails used for recreation while the tracts are still able to serve their role of a habitat. Has any research been done on how hiking, biking, or horseback riding affect the populations? If so, what aspects are detrimental to the population? What criteria affect the population: noise, the horse manure, wear on trails? I am not convinced that the tracts need these activities to be restricted in order to maintain a suitable habitat. Please do whatever you can to open the trails to non-destructive recreational activities.

Comment #227 – March 9, 2006 12:41:42 AM CST

I support the proposal for responsible public access to the Canyon Vista Preserve south of Laurel Mountain School.

Comment #228 – March 9, 2006 3:06:17 AM CST

After attending the public hearings and reading what I could find concerning the issue of public access to BCP lands (including this website) I have yet to find anything showing even slight evidence that recreational use of these lands have had any effect on bird population levels. About the only thing I could find was another government agency turning a deaf ear to the public while special interests, in this case high end home builders seem to get free reign. No public use of public lands bought with public money when the public seems to what to use and allow to be used the land we were told would be available for public use including recreational activities. Seems like pandering to me. Even as I write this I know your agency has already reached there decision and that the hearings are only to satisfy some federal regulation and that all the public comments will end up in a "file" somewhere.

Comment #229 – March 9, 2006 6:39:43 AM CST

Would like to add my comments to the record regarding the use of the preserve lands by mountain bikes. There are numerous examples of mountain bike associations around the country actively participating in the maintenance and upkeep of the public lands for which they are given access.

So it would seem that in a time when the general fitness of the population in this country continues to degrade, kids get thrown in front of a game boy instead of being sent outside to play, and we all get to watch our health care costs skyrocket right alongside the obesity epidemic, that last thing in the world we should be doing is restricting or impeding active pursuits....

Comment #230 – March 9, 2006 7:13:05 AM CST

As a life long resident of Austin area, I have seen areas developed, and areas not developed. It truly is confusing to see one area designated preserve for habitat and on not 100 yards a away an office building can be constructed, removing what would be deemed species habitat for a glass house. In my finite wisdom, I do not see this as fair and or equitable. One who has fiscal strength can manipulate the system in order to see there project completed. Public land is public land. What became of we the people? I see no issue why we the people cannot cohabitate with birds, dogs, hikers, cyclists. It is truly a shame to see these areas fenced off to keep we the people out. How is a preserve to be public land with a 9 foot game fence? Thank you for the opportunity to voice and or speak!

Comment #231 – March 9, 2006 7:37:23 AM CST

Hello, my name is xxxx xxxxx, I am 52 years young. I am casting my vote against the proposed land(s) to ban outdoor mountain biking or any such activities. Thank you and let the bikes roll.

Comment #232 – March 9, 2006 8:21:10 AM CST

Please do not ban mountain biking in these areas. Mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner. Thank you,

Comment #233 – March 9, 2006 8:35:12 AM CST

I appreciate the work you do. Off-road bicycling, mountain biking is one of the best uses of public lands there is. Multi-use trail systems benefit directly from cyclists, who donated approx 120,000 volunteer hours in Texas in 2005.

Many times it is cyclists who come in behind equestrians to repair trails. Hikers, birders, and other pedestrian open-space users benefit from cyclists who need the trails trimmed back and maintained (bench cutting, erosion control, sustainable trail routing).

Closing trails to bicycles makes no sense at any level.

The International Mountain Bike Association and state advocacy groups work tirelessly to keep trails open. These aren't hippies running around the woods. These are professionals that value life and the living that goes on outdoors.

Comment #234 – March 9, 2006 8:56:56 AM CST

re: Proposal to ban dogs from the Turkey Creek trail. I've been using the Turkey Creek trail with my dogs since 1990. I've watched this areas deteriorate at an alarming rate in recent

years. Dogs are NOT the cause of this damage. The damage has been caused by the insane level of human use facilitated by BCCP trail maintenance and improvements. Your policies and processes are the root of this problem, not the dogs! If you are truly worried about this area, you'll significantly restrict parking, remove trail improvements and STOP grooming the area as if it were a golf course.

Comment #235 – March 9, 2006 9:08:40 AM CST

I think that mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner.

Comment #236 – March 9, 2006 9:25:21 AM CST

Hello, I as an avid mountain biking proponent and environmentally conscious land owner myself, I absolutely think mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner. Thank you for your consideration...

Comment #237 – March 9, 2006 9:41:58 AM CST

I would like to take this opportunity to let the BCP land managers know that I believe mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner. Do not ban the very people that work to acquire, preserve and sustain the land you manage. Thank you for your consideration.

Comment #238 – March 9, 2006 9:55:39 AM CST

This document provides for bicycling access in "selected sites designated as experimental sites, with appropriate monitoring for effects on the preserve and enforcement of all applicable rules." Furthermore, it says "Any new bicycle trails should be designed to minimize erosion ..." (Section 3.10.6).

The local mountain bicycle club (Austin Ridge Riders) is conscientious and systematic about maintaining mountain bicycle trails in the Austin and surrounding areas and I think that they should be given a chance to be responsible for these experimental sites. Appropriate monitoring should be able to satisfy the land management as to the viability of this plan. Please discuss this at the public meeting.

Comment #239 – March 9, 2006 10:16:45 AM CST

I am a big proponent of granting access of parks and public lands to bicyclists. Bicycling is a great exercise, especially mountain biking. It is only surpassed by (foot) hiking and maybe

camping as a way of absorbing the environment and the beauty that God gave us. Coupling the exercise with the experience of nature makes mountain biking an ideal activity. There are numerous bicyclists in the area, and others I've seen come from around the state (bringing their money to central Texas) to appreciate our landscape (rather than Dallas or Houston).

I have always found bicyclists to be very respectful of the land. I'm sure there are some that trek off on their own (if you shut everyone out then you'll have more mavericks), but the bicyclists I've seen stay on the trails, are quiet, and take home only the thrill of the ride, larger lungs and stronger hearts and legs. Mountain biking does require a lot of land, but organized bicyclists are also quite capable and willing to lay out and construct appropriate trails. Rugged landscape is a plus and being away from more subdued activity is good too.

One of my favorite trails is the motorcycle trails out at City Park. (Let the motorcyclists also remain--we all get along very well.) Its close location to Austin and very challenging trails are fantastic. I was very disappointed when the trail near Spicewood and 360 near Bull Creek park was closed--it provided the closest-in, most demanding trail (that uphill was killer!) and I hope it reopens soon. Walnut Creek is fun, not so "technical", though the biggest challenge is finding your way out. But we need more and more variety. I love the Texas terrain and the more a trail makes use of the cliffs and ridges, the better. I've seen many deer and animals and I think we co-exist quite well.

I am not some kid or some crazy. I am 50 years old and been a resident of Austin for 30+ years, riding my bike to college (the 70's), on the streets, and on the trails. I have paid taxes for that many years and I earn a very good salary in high tech here. I bicycle to work most of the time, not because I have no car, nor because I'm some fanatic, but because I just flat enjoy it and it makes me feel good that I'm not burning up gas and polluting. I have also had open heart surgery and the doctors were surprised at how good my health and cardiovascular system was in, and how quickly I recovered. My bicycling was a key contributor to that.

I won't be specific about where trails should be in which parks or properties. Do please keep existing trails fully accessible for bicycling, and help us by providing more and more expansive trails. Bicycling is important to the local economy, contributes to the image of Austin and central Texas as being attractive, young, and health-conscious.

Comment #240 – March 9, 2006 10:44:36 AM CST

Mountain bike access to the green belt is a much needed resource for maintaining a healthy outdoor minded community. I believe we can responsibly maintain and share the trails with the rest of the community, thus making it a welcome place for everyone.

Comment #241 – March 9, 2006 10:48:28 AM CST

Thank you for work on preserving our natural areas. I am a mountain biker, hiker,

birdwatcher, and all-around nature lover and hope to have even more access to all of these public lands in the future so that I may enjoy all of my hobbies in more areas.

Comment #242 – March 9, 2006 11:03:17 AM CST

Mountain biking is a misunderstood sport. The majority of cyclists are nature-lovers. We pick this sport because it brings us closer to the outdoors, to nature, to what we love. We don't tear up the land or the environment. We don't leave garbage and we don't hurt animals. Our machines are self-powered - no pollution, no ruts, no noise. To ban mountain biking in any of these areas is to remove a majority of visitors, a majority of nature lovers, from what they live to do. Understand that before you make your decision.

Comment #243 – March 9, 2006 12:14:35 PM CST

Please continue to allow mountain biking and rock climbing on trails where it already exists and consider opening additional land for those uses.

Comment #244 – March 9, 2006 1:02:31 PM CST

Austin is quickly becoming the place to be for cyclists. Its terrain and weather create some of the most ideal conditions for year round cycling, including access to many diverse trails. Allowing access to these trails aligns with Austin Mayor Wynn's plan to achieve the status of Austin being the fittest city in America. Land that has been purchased and/or maintained with tax dollars should be accessible to the general public for responsible recreational use.

Comment #245 – March 9, 2006 1:16:06 PM CST

I think it would be a true tragedy to lose access to these parks for Mountain Biking! With an appropriate trail system I believe Mountain Biking can be a great use of public lands and parks, providing yet another group in our community access to these lands and parks for their enjoyment.

Comment #246 – March 9, 2006 1:51:48 PM CST

will be brief and to the point. I have been a resident in Austin for eleven years now. When I first moved to Austin one of the many attractants to this area was the use of the wildlife areas. I live in Steiner Ranch and pay a significant amount of taxes to live in this area. I am also an avid mountain bike rider. The two areas where I formerly rode are now off limits (Bull Creek / Jester area and Steiner). These pieces of land were paid for by MY taxes, and I can't even ride my bike back there now....

Question.... How does riding my bike down a pre-existing trail harm a bird that is up in a

tree? Question 2... Isn't this PUBLIC land paid for by the PUBLICS tax dollars? Question 3... If this is public land, why can't I use it as public land as long as I am not destroying anything?

Show me proof that riding a bike down a trail is causing any ill to any wildlife in the area. I just don't see it. Even over at Emma Long where motorcycles are ripping up and down the trails we have the same wildlife as we do in the areas that were closed. This is ABSERD!!!

Comment #247 – March 9, 2006 2:17:09 PM CST

I am a resident of Travis County and have been so for three years. I also lived here from 1991-1995. Among the many perks of Austin/Travis County, and part of what contributed to my return to Austin, was that Austin has always been considered a dog-friendly place to live. Animal companions play a significant role in the day to day health and ultimate longevity of their owners. As such, maintaining the health of animal companions (i.e., dogs) is critical to the functioning of the dogs themselves AND their owners. Part of a healthy canine lifestyle, in addition to a good diet and a responsible owner, is the ability to exercise on a regular basis. Many of us, voters and taxpayers in Austin and Travis County, regularly utilize Emma Long Park, Turkey Creek specifically, as an avenue for maintaining healthy pets (not to mention our own health given that no other off-leash park allows for exercise of human companions). I hike Turkey Creek Trail several times a month and am a responsible dog owner who appreciates safe public access to an off-leash trail that the City created in the 1980s and which has been grandfathered into the BCP. I understand that some have asserted that off-leash canine traffic at Turkey Creek is contributing to diminishing numbers of Golden-Cheeked Warblers. These concerns are unfounded and have absolutely no scientific credibility. Neither the scientific literature nor the City's BCP staff identifies dogs as a threat to the golden-cheeked warbler. The Scientific Advisory Committee which supports the BCP has not recommended that dogs be removed, according to the information available on the City's BCP website. The US Fish and Wildlife Service has not required that dogs be removed as a condition of the BCP permit. City's BCP staff cannot comprehensively demonstrate or document that the presence of dogs on Turkey Creek has had a negative impact on the warbler or on water quality. As a grandfathered trail that had dogs on it before it was added to the preserve and in the absence of any documented evidence, I object to the City BCP's Land Management Plan for Emma Long that would prohibit dogs. I believe that we run a real risk to individual freedoms if we begin making policy decisions based on assertions that are unfounded.

I ask that my comments be considered as the Citizens Advisory Committee prepares its recommendations. Thank you for your consideration. Keep Austin Austin!

Comment #248 – March 9, 2006 2:26:24 PM CST

I have gone to Turkey Creek Park for the last 4 years with my two dogs Taylor and Sasha and have loved every minute of it as much as my dogs did. I not only enjoyed the beautiful terrain but also have enjoyed meeting and visiting with other people there. While there I have never had any trouble at all with any of the dogs, I feel it would be a terrible waste to ban dogs and I can tell you that if I could not take my dogs who are part of our family then I would rather not go. Thanks for listening.

Comment #249 – March 9, 2006 3:00:13 PM CST

I am a member of the Austin Ridge Riders (ARR) Association. This organization has been recognized countless times by local governments and organizations like the LCRA for helping to create, maintain, and most importantly, teach citizens how to respect our valuable parklands. For example, ARR conducts bike patrols in order to make sure the trails are maintained, at the same time helping others along the way with mountain bike education and how to respect other riders. Another example would be helping park organizations develop trails that add adventure for all but do not disturb the areas natural inhabitants. These are just a few examples of what ARR gives to our parks. Why does ARR donate all this time and effort; to make sure all members and non-members just enjoy God's gift to central Texas.

ARR is one of many organizations that time and time again, prove that conservation of lands can exist with respectful recreational activities. I ask for my opinion to be weighed in favor of public access to all BCCP lands for recreational activities, like Mountain Biking. BCCP together with organizations like ARR can secure the preservation of all the BCCP parklands for many generations to come.

Comment #250 – March 9, 2006 3:07:30 PM CST

I understand that there is a proposal to ban dogs from Turkey Creek. I am strongly against this proposal. This area was already designated a leash-free area and that fact was grandfathered in when the area was placed into the BCP. Would approving this proposal subject the change to being challenged in court? Who would be paying that cost? Would the BCP suffer due to that expense? The people walking their dogs there provide security to the land that local and state government agencies cannot afford to replace. I have not heard of any scientific evidence supporting a need for this ban. I have never seen dogs damage the area or being uncontrolled. The proposed change seems to be for the sole purpose of keeping people and dogs out of an area that was set aside for our enjoyment. Please vote against this proposal.

Comment #251 – March 9, 2006 3:19:09 PM CST

My name is xxx xxxxx. My husband & I have lived in Austin for 10 years. We have 2 dogs. For years my husband, myself & my two dogs have enjoyed this trail! Two reasons that we love living in Austin is because of all the beautiful nature walks and that Austin is such a dog-friendly place. We especially love taking our dogs to the Turkey-Creek Nature Trail. Not only can my husband & myself get out to get some exercise but the dogs get a nice walk out of it as well. It would be a shame for this trail to be ban dogs from this trail. We are responsible pet owners who keep a close eye on our dogs and pick up after them. Which many Austinites are. Please keep this trail as a dog-friendly nature trail. Its places like this that keeps us in Austin and it's also what makes Austin a great place to live, for both humans and mans best friend. Thank you for your time.

Comment #252 – March 9, 2006 3:28:19 PM CST

This message is to express my extreme concern about the proposal to remove the leash free designation from the Turkey Creek nature trail in Emma Long Park. Since having moved to Austin and adopting two puppies, our family has regularly frequented the Turkey Creek nature trail to hike and enjoy the outdoors with our dogs. The trail is a contained, ideal setting in an ideal location for Austinites to exercise and enjoy the outdoors with their pets. I highly value the fact that Austin is an active, pet-friendly urban community -- for me, my family and our dogs, enjoying the Turkey Creek nature trail is central to that experience -- and I would be deeply saddened to see Austinites loose what is possibly the best place to exercise their dogs off leash, *especially* in the absence of scientific proof showing that a leash free designation would protect species and/or improve water quality. Please do not remove the leash free designation from the Turkey Creek nature trail.

Comment #253 – March 9, 2006 3:39:14 PM CST

Thank you for seeking input on the plan. I think it's great that we have a comprehensive conservation plan to preserve some of Austin's increasingly rare undeveloped land. However, my issue is with the overly restrictive rules against bicycling access on these properties. Research has shown mountain bike use to be as low impact as hiking or equestrian use, and mountain biking can occur in fragile ecosystems without endangering habitat or wildlife.

Empirically-based research articles used by the Balcones Wilderness Preserve to justify restrictions of use do not refer to the same wildlife or same type of land as what exists in the Preserve. These lands were acquired with municipal bonds under the presumption that access would be much more open to the citizens than they are today. While I'm very supportive of spending tax dollars for parks, recreation, and conservation, I cannot support the using taxpayer funds for the acquisition and maintenance of properties which are closed to the

general public for low environmental activities such as mountain biking.

Comment #254 – March 9, 2006 3:48:33 PM CST

This correspondence is in regards to the Jollyville unit, Cuevas, located west of Hwy 620 in the Grand View Housing development. Within the Grand View housing development the BCP owns a tract of land that has been a valuable resource for the rock climbing community in Austin. I understand that there are several caves in this area, this one in particular lies behind a water pump house that I believe is operated by the city. The area is restricted from public access, in my understanding, due to the golden cheek warblers' presence in the area. We, Central Texas rock climbers, would like to explore the possibility of gaining some type of access to this wonderful and scarce rock climbing resource. We have worked closely with the TPWD, and the county to gain access to areas such as Reimers Ranch, Mc Kinney Falls, Hueco Tanks State Historical Park (El Paso), and Miller Springs Nature Conservancy (Belton). I believe that there are several ways in which we can further protect the integrity and conservation of the area as well as allow limited access to the climbing site. The rock climbing community has a good track record of acting as a self governing body at many climbing areas in Central Texas. Some of the use plans that we have enacted in the past include, but are not limited to: permit systems, guide programs, volunteer trade programs, and self governing environments. We have a good number of climber who are state certified guides at Hueco Tanks in Austin who are more than willing to help implement any plan that may allow access and protect this area and its habitat. We are more than happy to raise funds build trails, or whatever we can do to gain access to the limited and ever dwindling climbing areas here in Central Texas. If this area can be utilized in your experimental land use plan please feel free to contact me with any questions or concerns you may have.

Comment #255 – March 9, 2006 4:21:39 PM CST

The Friends of Turkey Creek are a loose network of Austin and Travis County residents, their dogs, and others who regularly hike, walk, and maintain this 2.5 mile looped trail in the Emma Long Metropolitan Park (ELMP). Although representing a diverse cross-section of residents and their dogs, the Friends share common values as responsible dog(s) owners with most of our members personally and politically supportive of the objectives of the Endangered Species Act broadly and the role of the Balcones Canyonlands Preserve in protecting water quality, preserving species, and providing public access while allowing for development in Western Travis County locally.

Given this background, the Friends of Turkey Creek should be strong allies and advocates for the proposed Land Management Plan. However, as demonstrated in the testimony of Friends members provided to the Citizens Advisory Committee (CAC) during its February 15 public

hearing, as well as the written comments submitted by individual Friends members via the BCP-CAC website, the Friends of Turkey Creek strongly object to both general and specific elements of the proposed Land Management Plan. These written comments are submitted to supplement comments provided by individual Friends members and on behalf of the Friends of Turkey Creek organizationally in response to the proposed Land Management Plan.

I. Because Emma Long Metropolitan Park is a grandfathered BCP tract, public access at Turkey Creek is to continue at its 1996 levels. Dogs were an explicit element of Turkey Creek before 1996. However, the 2005 proposed Land Management Plan continues a 1999 prohibition against dogs that explicitly violates this commitment this prohibition should be rejected and removed.

Included in both the 1999 BCP Land Management Plan and in the proposed Plan are the following provisions:

The grandfathered units are allowed to continue public access at levels as of adoption of the BCP 1996. (sic) (Source: 2005 Proposed BCP Land Management Plan, Tier II-A, Chapter XII, Public Access, page 3, Section 1.2.1: Grandfathered Uses)

Previously existing parkland are permitted by USFWS to continue providing current active and passive recreational uses at current levels. The tracts have been grandfathered from the more stringent requirements placed on other BCP lands. (Source: 2005 Proposed BCP Land Management Plan, Tier II-A, Chapter XII, Public Access, page 7, Section 2.2: Recreation in Grandfathered BCP Parkland)

Initially referred to as City Park, the City of Austin's Parks and Recreation Department (PARC) identified the development and inclusion of what is now called the Emma Long Metropolitan Park to the city's park system as early as 1939. Designed to respond to a wide range of recreational uses, Emma Long is among those City-owned tracts that were dedicated parkland or preserve land prior to the creation of the BCP that were brought into the Preserve as grandfathered tracts. (Source: 2005 Proposed BCP Land Management Plan, Tier II-A, Chapter XII, Public Access, page 3, Section 1.2.1: Grandfathered Uses)

While many uses on these grandfathered tracts were identified, owners and their off-leash dogs had their access and use of the Turkey Creek Trail established by City statute prior to the inclusion of Emma Long as a grandfathered BCP tract in 1996. In the 1980s, the City of Austin had, by ordinance, established Turkey Creek Trail as one of the City's legally-designated off-leash areas. (Source: City of Austin Ordinance 3-2-2 (9). This designation was re-affirmed by the Board of Directors of the City's Park and Recreation Department (PARC) in 1994. (Source: Draft 2005 BCP Land Management Plan, Tier III North Lake Austin Macrosite Emma Long Metropolitan Park, page 5, Section 2.6: Public Access.) Ironically, even the joint City-County Habitat Conservation Plan- Final Environmental Impact Statement (HCP-FEIS) submitted in March 1, 2006⁹⁹⁶ to the US Fish and Wildlife Service

(USFWS) in support of the Endangered Species Act §10(a) permit identified dogs as a recreational element in the EMLP. (Source: HCP-FEIS, Chapter III Affected Environment, Section E. Recreation, Table 18: Recreational Facilities West of Loop 1, Page 3-90.)

The commitment to pre-existing uses on grandfathered tracts and the formality of City statute notwithstanding, the 2005 proposed Macrosite Management Plan for Emma Long, again, includes the following:

(Turkey Creek) trail had been designated by the Parks and Recreation Department in November 1994 as a off-leash area for dogs. The August 1999 edition of the BCP Land Management Plan voided that designation. The current document continues the stated restriction, no dogs are allowed in the BCP portion of the park, except in designated parking areas. (Source: 2005 Proposed BCP Land Management Plan, Tier III North Lake Austin Macrosite Emma Long Metropolitan Park, page 5, Section 2.6: Public Access.)

The Friends of Turkey Creek object to this no-holds-barred blanket prohibition against dogs on Turkey Creek, both substantively and procedurally. Substantively, this policy reverses a public commitment made by the City and County and permitted by USFWS that public access would continue at pre-existing 1996 levels on grandfathered tracts. Procedurally, the City BCP staff comprised of unelected employees have deemed themselves empowered by administrative fiat to set aside a City ordinance passed democratically by the Austin City Council, as well as a policy passed by the Board of PARD, the agency with management responsibility for Emma Long.

II. As with its earlier incarnation in the 1999 BCP Plan, the BCP offer no scientific basis nor documentation to support its continued exclusion in the 2005 proposed Land Management Plan.

As a management strategy for public land, the Plan's prohibition of dogs is presented sans documentation and/or data, an approach that should be rejected as the underpinning of a strategic public lands management strategy. As responsible citizens and dog owners, we sought to better understand the genesis of this prohibition even before the much-delayed 2005 proposed Land Management Plan was released. Initially, we understood via innuendo and implication that it was the presence of the Golden-cheeked Warbler (GCWA) during its six-month layover that compelled the prohibition. After scouring the 1999 Land Management Plan, the BCP's annual avian monitoring reports, the USFWS Recovery Plan, and the available scientific literature, we found nothing that outlined the threat of dogs to the GCWA. When we were told that the USFWS objected to dogs on the trail and it might serve as grounds for pulling the joint County-City 10(a) permit, we directly contacted the USFWS-Austin Office and asked for clarification on their policy on dogs in the BCP along Turkey Creek. Their reply in January 2005 was similarly direct:

The Service does not have a policy or position on dogs in the Balcones Canyonlands

Preserve.

The BCCP EIS/HCP gives the general constraints on the management and use of the Preserves.

Beyond this, it is not the Service's desire or responsibility to determine what or how much use there can be on preserve lands. (sic) (Source: Email from Sybil Vosler, USFWS- Austin to Sheila Holbrook-White, January 2005.)

Based on their response, we went back to the 500 pages of the HCP-FEIS and searched for references to dogs none were found.

And, again, we asked. This time, by inference and innuendo, the issue was water quality and erosion as it pertained to the GCWA habitat. This shift was both novel and curious as the relationship between the GCWA and water is murky as the 2005 proposed Land Management Plan identifies that golden-cheeked warblers may require access to water. (Source: 2005 Proposed Land Management Plan, Tier II-A, Chapter VII Golden-Cheeked Warbler Management, Page 3, Section 2.1: Habitat Description) While the Friends can understand generalized concerns about sedimentation and erosion, we were unable to find any additional scientific literature that clarified this otherwise tentative understanding. However, what we know is that the warbler does not appear to swim and no federally listed karst species have been identified per the BCP staff in Emma Long.

Thus, the BCP staff proposes to prohibit dogs as a clear-cut solution to a threat that cannot be identified in the scientific literature or quantified by the staff. Were the consequences not so severe, a management strategy, utterly lacking in scientific documentation and support as per the 2005 proposed Land Management Plan, would be laughable. Darkly humorous or not, the prohibition should be rejected.

III. The 2005 proposed BCP Land Management Plan offers neither tract-specific goals or detailed strategies for species conservation for Turkey Creek, an omission that is troubling in light of the BCP staff's novel assertion regarding human intrusion and its impact on the GCWA. As with the exclusion of dogs, the BCP staff, again, does not provide applicable support for a land management strategy that may exclude individuals from public lands.

While the BCP staff outlines a no-holds barred prohibition on dogs, its tract-specific Land Management Plan offers little detail in its responses to the threats that are tangible and significant. Consensus exists as to the major threats confronting the GCWA: Habitat loss and fragmentation associated with urbanization, agricultural clearing, large flood control projects, the parasitic brown-headed cowbird, oak wilt, over browsing by white-tailed deer, and domestic and feral cats. The 2005 proposed Land Management Plan identifies controlling non-native plant species, suppressing oak wilt, monitoring vegetation, controlling brown-headed cowbirds and other nuisance animals, developing and implementing a fire control plan, and reducing vandalism and impacts on habitat along the Motorcycle Trail and Turkey

Creek as its management strategies. While each of these strategies are likely to be constructive, the 2005 proposed Land Management Plan offers no indication of the priorities! assigned to each nor the relative weight or emphasis that the BCP staff will place on each intervention.

That lack of specificity raises a critical point vis-a-vis our neighbors 90 miles to the north at Fort Hood who also hosts the GCWA. The US Army in collaboration with the Nature Conservancy has engaged in a very aggressive campaign of cowbird trapping, a strategy that has yielded significant increases in the warbler s sustainability. According to the 2005 annual biological USFWS review of the Army s progress, the GCWAs on Fort Hood has increased from 1992 to 2003... (with) current population estimates exceeding the goal (of maintaining suitable habitat to support 2000 males at maximum density) by a factor of 2 to 6. (Source: USFWS 2005 Biological Opinion addressed to Mr. Roderick A. Chisolm, US Army on March 1, 2006, consultation number 2-12-04-F-478, pages 19 and 20) The USFWS asserts in its 2005 opinion that the cowbird control program is likely the single most important factor in the observed increases in the black-capped vireo and GCWA populations at Fort Hood. (Source: USFWS Biological Opinion, consultation number 2-12-04-F-478, page 24). Based on the generic description of strategies offered by the BCP, it is not clear that BCP staff plans a similarly aggressive campaign, although Fort Hood s experience is clearly worth consideration and deployment.

Similarly lacking, the 2005 proposed Land Management Plan does not contain the tract-specific measurable outcomes or mechanisms that will define success or which quantifiably raises a red flag that indicates that a new, modified, or different intervention strategy is needed. This omission is glaring, particularly in light of the Plan's rather generic language about public access:

Public access may be allowed where and when such access does not threaten the welfare of the target species of concern, which includes threatening the quality of habitat, with a demonstration over time of effectively implemented management strategies on a preserve tract may justify the allowance of increased public access opportunities. Likewise, site problems resulting from public access may justify closing or reducing public access for a particular tract. (Source: 2005 proposed Balcones Canyonlands Preserve Land Management Plan, Tier II-A, Chapter XII Public Access, Page 4, Section 1.3: Public Access Guidelines)

In the absence of tract-specific outcomes, how could one ever manage to open or limit access? How would one ever demonstrate effectiveness? And, perhaps, as critically, who would decide?

Unfortunately, this is not an esoteric concern in light of the following rather novel assertion in the 2005 proposed Land Management Plan:

Finally, recent literature, as well as observation by BCP biologists, has documented the detrimental effects of human disturbance on foraging and nesting behaviors of GCWAs. Studies of other songbirds also indicate that the presence of humans may have a detrimental impact on GCWA behavior, causing flushing, reduced singing rates, nest abandonment, lower nestling survival rates, and displacement of birds from foraging areas. (Source: 2005 proposed Land Management Plan, Tier II-A, Chapter VII Golden Cheeked Warbler Management, page 4-5, Section 2.2: Threats)

This assertion is rather surprising in light of the function that Fort Hood plays in our military and the unabashed enthusiasm of the USFWS about its success. According to the USFWS, Fort Hood provides resources and training facilities for active and reserve units in support of the Army's mission with training activities (that) include maneuver exercises, live weapons firing, and aviation training. (Source: USFWS Biological Opinion, consultation number 2-12-04-F-478, page 3) These training activities (are designed to) replicate combat conditions as closely as possible. Combat effects such as smoke, noise, and simulated nuclear, biological, and chemical conditions are integrated into every training event to condition units for operations in a difficult, stressful battlefield environment. (Source: USFWS Biological Opinion, consultation number 2-12-04-F-478, page 4) Aviation activities include low-level flight on two major airfields, using hellfire missile shots and helicopter door gunnery training. Thus, even with service personnel literally crawling about, launching hellfire, and simulating a nuclear event, the warbler is thriving, a success that the USFWS heralds in its 2005 biological opinion.

The disconnect between the Fort Hood experience and the BCP staff's assertion is, in part, a function of the selective and misguided citation of articles that the BCP staff uses and perhaps, of intent. Many of these articles have little applicability to the unique needs of the GCWA and the unique ecosystem that is the BCP, although they are cited as support for this assertion. For example, the BCP staff cites articles that were focused on species other than the GCWAs, including the black-crowned night heron, green-backed night herons, mourning doves, and black-capped vireos. Related, three articles were focused on an ecological setting that is distinctly different than the BCP, including coastal bays, the Southwest Ponderosa Pine Forest, and a sub-alpine forest setting. Two articles focused on the impacts of mountain-biking, which is not currently permitted in most GCWA habitat currently.

Digging past the titles and into the text of the articles only increases the extent of concern that the BCP staff is citing sources with little applicability to the GCWA and/or the BCP. An example of the disconnect between the species studied in the cited documentation and the GCWA is a 1998 study of the ovenbird in which the scientists focused on the species selectivity of habitat using the size of woodlots as the element to be studied. While better understanding the relationship between breeding and the size of the territory is not

particularly inappropriate, applying the conclusions of this study as support for the contention that human disturbance has negative impacts on the GCWA is problematic.

Simply put, the authors were not studying direct human impact as might occur between a hiker walking a trail and a GCWA, rather they were exploring the consequences of permanent fragmentation of forest habitat vis-a-vis construction and clearing. Further, the ovenbird does not have similar habits and behaviors to the GCWA. The ovenbird primarily obtains most of its prey from the forest floor by foraging through leaf litter. (Source: Burke and Nol. 1998. Influence of Food Abundance, Nest-Site Habitat, and Forest Fragmentation on Breeding Ovenbirds. *The Auk* 115(1): 96-104. Citation appears on page 96). However, the USFWS Recovery Plan states that most (GCWA) foraging time is spent on foot moving from branch to branch gleaning small insects from the foliage (with) Pulich observing that GCWAs forage in the upper two-third level of its habitat. (Source: USFWS. 1992. Golden-Cheeked Warbler Recovery Plan, page 16). It is quite a stretch to compare what is legally-permitted human interaction in the BCP (e.g., hiking and walking with one's dog, for example) with a bird that stays well above the forest floor with the permanent loss of habitat for a bird that is a floor forager, much less to cite the latter to support the former.

Similarly, the BCP staff takes significant liberties in applying the conclusions of the authors they cite as support for their assertion. In a study of singing occurrence and consistency in sub-alpine birds, the authors studied the impact of walking through habitat on various songbird species with the walking occurring at various frequencies and with varied proximity to the species over several years. (Source: Gutzwiller and Wiedenmann, et. al. 1994. Effects of Human Intrusion on Song Occurrence and Singing Consistency in Subalpine Birds. *The Auk* 111(1): 28-37.) In their findings, the authors' conclusions make clear that human interaction with bird species is quite nuanced, writing:

Within species and among years, responses to intrusion were not consistent. Numerous studies during the last few decades collectively demonstrate that the effects of intrusion on birds can be very context specific. Different responses within a species at the same sites during consecutive years are conceivable because population composition in terms of individuals change continually, particularly for short-lived species. Disparate responses to human intrusion are not rare among the individuals of the same species because of differences in prior experiences with people. (Page 35)

Notwithstanding that the GCWA was not one of the species studied by Gutzwiller and Wiedenmann, their conclusion is hardly an affirmation that human intrusion is consistently problematic even to the species they studied. However, with no caveats, the BCP staff references this article to support this conclusion.

Conspicuously missing from the series of articles that the BCP staff appears to cite out of context is an actual discussion of the actual nesting and breeding trends within the BCP and

specifically, along Turkey Creek. Reviewing the BCP annual avian monitoring reports, Rochelle describes that the monitoring provides strong evidence that normal warbler densities can coexist with heavy use of trails by hikers, hikers with dogs, and bikers. A high density was observed at Emma Long with heavy use of a trail by hikers with dogs (Turkey Creek) is a prime plot with one of the greatest GCW densities. Several bird territories appear to span the trail. The trail is fully canopied with a compacted width of 6 to 8 feet. (Source: Rochelle, Gary. 2006. Literature Review on Effects of Recreational Trails on Golden-Cheeked Warblers, 2) Based on his review of the avian monitoring, warblers are doing well with both hikers and dogs along the trail.

IV. The composite of the 2005 proposed Land Management Plan for Emma Long and thus, Turkey Creek falls well below the threshold of strategic public land management that is scientifically-grounded. It should be rejected.

The full picture of the BCP's proposed Land Management Plan for Turkey Creek is not a profile in strategic management of the public's land. Without documentation, the BCP staff asserts that dogs need to be prohibited. Citing materials that have little to do with the issue ostensibly in question, the BCP staff raises the specter that restricting public access to a grandfathered tract is not out of the question. The ease with which such controversial decisions can be made is greatly facilitated by the absence of benchmarks that identify success and failure publicly. Conspicuously missing is the generally positive trend data collected by the BCP's own staff that would undermine both the prohibition against dogs and the guarded evaluation of hikers.

V. The Friends of Turkey Creek proposes several recommendations for consideration by the Citizens Advisory Committee.

Seeking to be constructive, the Friends of Turkey Creek urge the Citizens Advisory Committee to adopt the following:

The Friends of Turkey Creek urge the Citizens Advisory Committee to adopt the following:

1. To recommend to the Coordinating Committee that they direct BCP staff to amend the 2005 proposed Land Management Plan, removing the prohibition of dogs from Turkey Creek.
2. To recommend to the Coordinating Committee that they direct the development of tract-specific Task Forces of current users who will work with the BCP staff, PARD staff, and other interests to develop public access, use plans, and prioritized intervention strategies that will serve as the Land Management Plan. While the preferences of the BCP staff and PARD should be considered, the Citizens Advisory Committee should also have significant input in the population of these tract-specific Task Forces.;
3. To recommend to the Coordinating Committee that they direct staff to contract with a third-party resource, such as the Nature Conservancy, to develop tract-specific data and species-specific data that will be used by the tract-specific Task Forces as the basis for their tract plans. These activities should

be supplemented by the participation of the Citizens Advisory Committee and the Scientific Advisory Committee.; 4. Once established, these benchmarks should be provided to the public with adequate opportunities for review and comment; 5. To recommend to the Coordinating Committee that they direct staff to explore the aggressive cowbird strategy used by the US Army at Fort Hood and its application to the BCP's properties; and 6. To recommend to the Coordinating Committee that it affirm its own responsibility and role in approving or disapproving proposed changes to pre-existing uses with adequate opportunities for review and comment.

In closing, let me, on behalf of the Friends of Turkey Creek; thank the members of the Citizens Advisory Committee. As volunteers, the Committee has worked diligently to increase the public's involvement in the management of these public resources. We appreciate your commitment to the public's lands.

Comment #256 – March 9, 2006 4:57:50 PM CST

I want to say that I appreciate what the BCP does to protect lands in Austin from being developed. I do however think that some of the restrictions on access should be reconsidered. As an avid hiker and mountain biker I have seen many tracts of land become restricted over the past years with the majority of the restrictions put in place by BCP. I understand that some of these lands have been restricted due to them being endangered species habitats. I think that the BCP should do more scientific research on the effects of these activities before labeling them as detrimental to these habitats. I also believe that when the BCP takes stewardship of these lands that it be put to a vote publicly and not done behind closed doors without the public's knowledge. I moved to Austin because people here care about the environment and I wholeheartedly agree that certain areas be restricted. But I do believe that before restrictions are put into place that the community should be heard and 3rd party studies be conducted.

Comment #257 – March 9, 2006 5:23:37 PM CST

Hello! My name is xxx xxxxx and I have been a resident of Travis County since 1997. I hike on the Turkey Creek Trail with my dog 3-4 times a month. I also hike on other leash free trail areas in and around Austin on a daily basis. Turkey Creek has always been a special place for me. It is much cleaner than all the other trails, I've picked up an empty water bottle once in 9 years time. I feel this is a reflection on how all the trail users feel about this special place. I am writing with hope that you will recommend that Turkey Creek remain a leash-free dog trail. This trail was designated as such before Emma Long was included into the BCP. Also I have heard no evidence that dogs are a threat to the ecology of this trail. It really is a very special place to so many of us. There is just no place like it and our walks there are always the best part of my day. This trail helps to make Austin part of the wonderful place to live

that it is. Thanks so much for your time,

Comment #258 – March 9, 2006 6:15:50 PM CST

I specifically looked at the public education Tier II-A plan and it was excellent. People such as Gail McGlamery of the City of Austin and Rob Iski of BCNWR are doing a wonderful job of outreach with limited resources. Please continue to limit public access especially during breeding season, control nuisance species such as deer and cowbirds, and educate neighbors of the BCP about the actions they should limit such as illegal trail building and dumping. Pursue offenders vigorously. An unrelated comment - would there be any mechanism for the Citizens Advisory Committee to notify conservation minded groups such as Travis Audubon or Hill Country Conservancy of desirable land contiguous to the BCP that is available for sale - even small plots? Perhaps some of it could be purchased and held until funds were available for its acquisition by the refuge system or other agency. It is such a threat to areas such as Doeskin Ranch to have a subdivision right on their doorstep.

Comment #259 – March 9, 2006 6:50:53 PM CST

My name is xxxxx. I have been a resident of Austin for four years.

I walk the Turkey Creek trail with my dog four to five days a week. I am a responsible dog owner who appreciates safe public access to an off-leash trail. I have used other off-leash areas in the Austin, but Turkey Creek is unique because it is a nature trail, rather than just an open space. Turkey Creek gives my dog and me an opportunity to enjoy the natural world and spend time together.

I am a member of the Friends of Turkey Creek and serve as a signatory on the Friends' comments.

The City of Austin designated Turkey Creek as an off-leash park in the 1980s via City ordinance, an off-leash status that was affirmed by the Parks and Recreation Board in 1994. Dogs were allowed off-leash at Turkey Creek prior to the creation of the BCP and prior to the inclusion of Emma Long into the BCP. The BCP Land Management Plan directly violates the agreement that uses on grandfathered tracts would be retained even after these lands were included as part of the BCP. The City's BCP staff violated the grandfathering agreement in the initial Land Management Plan by prohibiting dogs from Turkey Creek in 1999.

There is no evidence that dogs are a threat to the Warbler. Deer, however, are a threat. In hundreds of walks at Turkey Creek, I have never seen a deer near the Turkey Creek trail, and I credit the dogs for their absence. It is my opinion that the dogs actually help the Warbler.

The US Fish and Wildlife Service has no policy or position prohibiting dogs in the BCP.

As a responsible dog owner and public park user, I would recommend the following:

1. Remove the prohibition of dogs from Turkey Creek, in light of its grandfathered status and the existing City ordinance identifying the area as "off-leash;"
2. Add specific language that requires that changes to grandfathered tracts be driven explicitly by specific-tract data and documentation with the information collected, analyzed, and presented to the public;
3. That the Coordinating Committee (e.g., Mayor Winn and Travis County Commissioner Daugherty) affirm their exclusive responsibility and role in approving or disapproving proposed changes to pre-existing uses, rather than allowing these responsibilities to be assumed by BCP staff. Any changes should be accompanied by adequate time for public review and comment; and
4. That BCP staff be directed to explore and implement the aggressive cowbird strategy used by the US Army at Fort Hood and its appropriate application to the BCP.

I ask that you please consider my comments in the recommendations by the Citizens Advisory Committee to the Coordinating Committee.

Comment #260 – March 9, 2006 6:53:16 PM CST

As an avid camper and mountain biker; I implore anyone involved in the decision making process to include mountain biking in your plans. Even if a fee is necessary, it would be money well spent to enjoy the natural beauty of the region.

Comment #261 – March 9, 2006 11:10:01 PM CST

We have lived in Austin since 1984. In 1997 we acquired a female puppy who eventually became a medium-size (some would say large) dog. All dogs require exercise to maintain their health, and in the case of large dogs that means running, off leash. With the permission of the vice-principal we exercised our dog for some time at the Anderson High School athletic field, which was a marginal solution at best because of the frequent conflict with student activities.

In 1999, frustrated, we contacted the City of Austin Parks and Recreation Department staff to express our concern over the complete lack of off-leash exercise areas for dogs. We were informed that the Turkey Creek Nature Trail, which we had never heard of, was such an area. After one visit we and our dog, Ruffian, were equally addicted to the natural beauty of the trail. We have taken her to the Turkey Creek Nature Trail several times a week ever since. In that time, some seven years, we have never encountered an unfriendly dog. The great majority of the people we encounter on the trail have their dogs with them. The dogs are happy (ecstatic might be a better word) to be there, and the exercise and natural beauty of the trail is therapeutic to their owners as well. Stated another way, the dogs that are there are there because they are loved by their owners, and the owners, being dog lovers, are uniformly

friendly and congenial people. Our dog is on a first-name basis ! with Gladiola, Coco, Wolf, Simon, Bigelow, Socrates, Rudy, Smiley, Wrigley, Major, Cassie, Max, and many others. She has introduced us to their owners (with the exception of the two we already knew), with all of whom we have become friends.

Approximately one year ago we became aware that there was a surreptitious effort afoot to close Turkey Creek to off-leash dogs, if not all dogs. We have since learned that there is apparently also an effort in certain quarters to deny access to other BCP areas, such as Forest Ridge, as well. Since our experience relates primarily to Turkey Creek, we will focus our comments on it.

We have been informed by the City of Austin Parks and Recreation Department staff that the Turkey Creek Nature Trail covers approximately 28 acres out of the 24,000_32,000 acres encompassed within the BCP. The suggestion that off-leash dogs are causing _erosion_ or are interfering with the mating of the Vireo and Warbler, even on that minute portion of the preserve, is disingenuous at best and completely unsupported by evidence. The trail is an extremely low-intensity, benign use. In our experience it is literally 100% litter free, and approximately 90% pet waste free, which is more than can be said for, by way of example, the Town Lake Hike and Bike Trail. The taxpayers who use the Turkey Creek Nature Trail appreciate its beauty and take great pains to preserve it. They never litter, and they not only pick up their own dog_s waste, if another owner has missed one of his own pet_s deposits, they pick that up as well. There is actually a considerable likelihood that the! periodic presence of dogs is a benefit to the Warbler, since it encourages white-tailed deer, a known danger to the Warbler, to move elsewhere.

There is a sign at the Turkey Creek trail head announcing that the area is leash-free. That has not prevented certain parties, whose identity we do not know, from making false statements to the media (for example, the recent Channel 8 release) that dogs are not allowed at Turkey Creek. There appears to be an effort to deny public access entirely and to convert the Turkey Creek Nature Trail and other BCP areas into wilderness preserves, something not required by the EPA permit, and certainly not anticipated by the Travis County and City of Austin taxpayers who voted for the bonds that made the BCP possible. The prospect of pre-existing park lands being confiscated and converted into no-public-access wilderness preserves (especially when there is little or no scientific justification for doing so) would, if known by the voting taxpayers, undoubtedly have resulted in the defeat of the bond proposals.

We urge in the strongest possible terms that the "grandfathered" status of the Turkey Creek Nature Trail as a leash-free area for dogs be preserved and guaranteed in the current revision of the Balcones Canyonlands Conservation Plan. In particular, we urge that a rumored "relocation" of the trail be rejected for what it is a transparent attempt to deny a longstanding and "grandfathered" use of City parklands. We are members of the group known as The

Friends of Turkey Creek, and we unequivocally support the comments submitted by Sheila Holbrook-White on behalf of our group.

Thank you for your consideration.

Comment #262 – March 9, 2006 11:14:45 PM CST

Although mountain bike trails can be damaging to the land if improperly constructed, or disruptive to the wildlife if poorly positioned, mountain biking is an excellent way for the area's citizens to get outside and gain an appreciation for the land. And if the citizens do not stay in touch with the local wilderness, they might very well lose it. As planning allows, please consider mountain bike trails a positive use of the land.

Comment #263 – March 9, 2006 11:54:01 PM CST

Mountain biking is a great outdoor sport and access to more trails improves that experience. If you're worried about bird habitat, simply build trail further away from those areas, but don't close off such a large tract of land that should be left open to the public. Point made simple: Open the land to public use.

Comment #264 – March 1, 2006, 2006 12:26:19 AM CST

I've been a resident of Austin since 1997, and a dog owner for two years. A few months after I adopted my dog from a local rescue group, a friend told me about the Turkey Creek trail in Emma Long Park, and my dog and I have enjoyed the trail immensely about once a month since.

I am surprised and disappointed to learn about dogs possibly being prohibited on the trail. If dogs on the trail truly are a threat to wildlife, I can accept and respect that, but apparently, there's no evidence to support that wildlife is being affected by the presence of dogs.

Of even more concern to me is the discovery that the dog prohibition in the BCP Land Management Plan directly violates an agreement to retain the land uses that existed prior to the Plan and conflicts with city ordinances, as well as with Parks and Recreation's long-standing policy on dogs at Turkey Creek. Perhaps with compelling evidence (or any evidence at all) that dogs are harming the environment or otherwise presenting a problem, including a dog prohibition in the Plan might be appropriate. As it is, it appears to me that the BCP is not cooperating with other parts of city government and is taking unauthorized, arbitrary action. As a citizen of Austin and a regular user of several parks in the city, this disconnect concerns me greatly. From what I'm understanding, City Council is the only entity authorized to rule on this, as city ordinances govern Turkey Creek. Surely the BCP would respect that?

With regard to dog activity at Turkey Creek, most dogs, both on and off leash, stay on the

trail with their owners. If dogs are off the trail at all, it's only steps from the edge of the trail. I've never seen dogs fighting there. I'd estimate that well over half the people I see there are with dogs, and yet the trail is very clean. Recently I was there at 5.45 pm at the end of a beautiful Saturday afternoon (and probably after a lot of Turkey Creek traffic), and I saw only one poop bag that hadn't been retrieved and discarded. Everyone, people and dogs, are enjoying the trail responsibly and uninvassively.

One of the things I love most about Austin (if one can choose one thing) is the dog-friendliness of the city, especially the excellent way Parks and Recreation supports dogs and their owners. I'm always so pleased to brag to out-of-town visitors about all the leash-free parks in the city, and I'm quick to note Turkey Creek as the gem of them all. My dog and I love Turkey Creek, and I consider it a great privilege that both my dog and I have leash-free access to such a well-kept, beautiful trail. Please keep Turkey Creek open to dogs and leash-free.

Comment #265 – March 1, 2006, 2006 5:42:33 AM CST

An important purpose of the BCP is to provide habitat for the endangered Golden-cheeked Warbler. The preserve should be managed in a way to optimize the warbler's success. Anything that degrades the habitat or disturbs the birds should be prohibited. There are many other areas around Austin with less sensitive habitats for those activities, such as mountain biking, that would degrade and disturb the Golden-cheeked Warbler. Thank you for your consideration in this matter.

Comment #266 – March 1, 2006, 2006 7:29:20 AM CST

I am a resident of Austin for almost 20 years and a homeowner for over 10. Please stop using our parks to supplant federal wildlife habitat programs. We need wildlife habitat IN ADDITION to parks, not INSTEAD of them. One of the most important reasons I moved here from another part of Texas is because of the parks. Austin has seen a huge population boom, and we need MORE parks and trails, not fewer. I pay thousands in taxes for schools which other peoples' kids attend. I pay for busses I don't ride. I am happy that Austin has these services for other people, but I use the parks, and I vote.

Comment #267 – March 1, 2006, 2006 8:54:10 AM CST

First, I would like to provide a little background about myself. I am a Senior Technician for a locally based telecommunications company, a graduate student at St. Edwards University, an at-large member of the Board of Directors for the Austin Ridge Riders Mountain Bike Club, a member of the International Mountain Bicycling Association (IMBA), an experienced trail

builder and trail steward, an environmentalist, a mountain biker, a dog owner, and a hiker. With this background it is obvious that I enjoy using the public outdoor spaces in the Austin area.

I am troubled by some of the provisions in the proposed land management plan for the BCCP. Specifically I am very concerned about the language affecting 'grandfathered' use. It appears to me that the land management plan would allow changes in access to existing tracts such as the Barton Creek Greenbelt and Emma Long Metropolitan Park Turkey Creek and motorcycle trail areas. I oppose any changes to the access to these areas, including mountain bike and dog access. I will not cite any of the studies indicating that responsible human activity does not affect the Golden Cheeked Warbler (GCW) population as that has been done previously in the public comment process. I have not seen any studies that indicate the existing usage of these tracts of land has had any impact at all on the GCW or other endangered species population. I am not even aware that any such studies exist. In light of this, I see no reason to restrict access further to responsible users of this managed land.

Mountain bikers as a group tend to have a bad reputation, but in reality most of us are conscientious trail users and practice the IMBA rules of the trail. These include riding only on authorized open trails, reducing as much as possible the damage to the trails, yielding to other users to eliminate conflict, and good environmental practices. These activities are compatible with existing usage goals for BCCP land management. I suggest opening more BCCP land to biking. I firmly believe that those I typically ride with share my views on responsible use. Austin has a large and active number of mountain bikers with sustainable trail building experience. We as a group would gladly volunteer our expertise as long as we would be considered a stakeholder moving forward. As it is now, mountain bikers are completely disenfranchised when it comes to BCCP land access. There are thousands of us; we pay our taxes and we vote.

Thank you for your time and efforts serving on the Citizen's Advisory Committee.

Comment #268 – March 1, 2006, 2006 9:41:17 AM CST

I own a house and shop and live in Austin. I am a taxpayer, and I want to use the parks. I do not appreciate this plan being used to limit access to parks and eliminate hiking, biking, and walking my dogs on existing trails. This is not what the parks were designated for. Other land should be set aside for wildlife preservation, not just our public parks.

Comment #269 – March 1, 2006, 2006 9:43:30 AM CST

In years past, as a member of the Austin Ridge Riders, I, along with many volunteers, spent hours doing work in the BCP at Bull Creek and Forest Ridge. We removed tons of garbage, made huge reclamation improvements to erase roads built into the preserve and we improved

trails. Imagine our surprise when we were prohibited from using land we had worked so hard to improve. The fence went up and mountain biking was barred. I wrote letters, attended hearings, attended meetings and it all seemed to fall on deaf ears. I've attended training and I have a BCP permit so that I may at least continue to run and hike on the property. I understand that as land managers and protectors of habitat your mission is a balancing act. I agree with what many others have stated in these comments: It is far more detrimental to the habitat to allow building right up to the fringe of the preserve than to allow mountain biking. I too would like to take this opportunity to let the BCP land managers know that I believe mountain biking is an appropriate use of our public lands and can be done in a sustainable and environmentally responsible manner. Do not ban the very people that work to acquire, preserve and sustain the land you manage. Thank you for your consideration.

Comment #270 – March 1, 2006, 2006 9:54:22 AM CST

I'm pro-environment, but it's flat out silly that hikers, dog walkers, and mountain bikers are restricted from accessing BCCP tracts. There is zero evidence that any of these user groups has any impact on endangered bird populations in BCCP land. I ask that the members of the BCCP land management plan please look closely at the findings of the study at Fort Hood. According to that study, "Warbler territory density, return rates, and age structure at BLORA [Fort Hood]. . . did not indicate any impacts of mountain biking on golden-cheeked warblers." In other words, even mountain bikers do not affect the warbler population. We have very little public land in Texas. It's wrong that so much of BCCP land is completely off limits when scientific research indicates that activities such as biking, hiking, and dog walking do not affect warbler habitat.

Comment #271 – March 1, 2006, 2006 11:15:23 AM CST

I am writing to support the continued right of dog owners to use the Turkey Creek Nature Trail with their dogs off-leash.

The city council's designation of Turkey Creek as a dog off-leash area predates the adoption of the BCP. It is my understanding that at the time the BCP was proposed, citizens were told that all preexisting uses in Emma Long Park, which would include Turkey Creek as a dog off-leash area, would be grandfathered into the plan. The fact that the plan apparently did not keep this promise and protect this use is a violation of the public trust. Further, nor adequate basis has been put forth for the need to ban dogs. There seems to be no evidence that allowing dogs on the trail is detrimental to the protected species or their habitat.

Support and protection for endangered species and their habitat will only suffer if members of the public are not granted reasonable access to the public lands they agreed to set aside for protection. It suffers even more if the public feels that they have been betrayed and cannot

trust the promises their elected leaders have made to them. Controlled access, reasonable use, education are all better ways to address any problems that may be identified, rather than an outright ban.

One of the reasons Turkey Creek is so popular is that it is a completely unique resource for the dog owners of this community. None of the other limited number of official dog off-leash areas even comes close to providing the experience that Turkey Creek does with its distance from the roadway, medium length trail that is accessible to most physical ability levels, and access to water. Please help preserve this irreplaceable resource.

Comment #272 – March 1, 2006, 2006 11:39:33 AM CST

Hill Country Trail Runners

Public Comment Submitted To the Balcones Canyonlands Preserve Regarding the 2005 Management Plan Revisions

The purpose of the Hill Country Trail Runners (HCTR) is to promote and encourage trail running and long distance running, and to educate the public about the benefits of trail and long distance running. Founded in 2002, the association currently has 191 members.

While the sport of running can take place on any number of surfaces and in many venues, the sport of ultra-marathons - runs longer than 26.2 miles - generally takes place on naturally surfaced trails in parks, preserves and other public lands. The sport draws individuals who love nature and enjoy spending many hours on the trails of this state. Members of the club help organize and sponsor trail runs in parks throughout Central and East Texas. There is great respect by the membership for the land that supports our sport.

In 2003, shortly after club formation, HCTR was using the Forest Ridge Preserve, a unit of the Balcones Canyonlands Preserve, to conduct its weekly group run. There were no posted notices prohibiting group trail running at Forest Ridge. Average attendance at our group runs was eight people at most.

Subsequently however, we became aware from a City of Austin web site, <http://www.ci.austin.tx.us/preserves/bcp.htm>, that trail running in groups greater than three was prohibited at Forest Ridge. We, therefore, discontinued our group runs at Forest Ridge. Acknowledging the discriminatory practice against trail running, BCP managers later extended the group prohibitions to all pedestrian users. Today, a family of four is subject to arrest for trespass if they hike together at Forest Ridge.

HCTR members and others have commented on the arbitrary nature of this policy. Four people who know each other cannot use the Forest Ridge Preserve even if they happened to be the only people on the entire preserve. On the other hand, hundreds of people could be on Forest Ridge so long as no more than three associated persons enter together.

Trail runners, because they so frequently pursue their sport in nature, are conservation

minded people. While any use of trails has some deleterious effect, running is no more damaging or invasive than hiking. Our club encourages compliance with park rules. HCTR believes the Balcones Canyonlands Preserve should embrace the public's interest throughout the preserves it manages. HCTR asks the BCP to remove the prohibitions at Forest Ridge. At the least, there is no reason to limit access during the non-nesting season, from July through February when the Golden Cheek Warbler is away in its winter range in Central America. HCTR also notes that the BCP has closed and fenced off trail heads in the Barton Creek Wilderness Park. Notably, in 2005 the BCP closed the trailhead at Stonebridge Rd. and Loop 360. Under the terms of their incorporation into the BCP, all City of Austin parklands were grandfathered; consequently, their use as parks cannot and should not be curtailed. This is an area that is beloved by club members. It is a jewel that we show off to those around the country who visit Austin and are amazed at what a wonderful park is right in the city. It would be a grave injustice to prohibit or restrict public use of this public land. Respectfully submitted, HCTR Board and Members

Comment #273 – March 1, 2006, 2006 11:44:18 AM CST

I have lived in Travis County for 17 years. I supported the original bonds, watched the formation of the BCCP and have remained as an interested observer as the BCP evolved and matured. I also am an active recreationalist who cares deeply for the health of the environment in which I play.

My dog Gladiola and my wife also take me to Turkey Creek a couple of times a week where we enjoy a beautiful trail, get a bit of exercise, and breathe in the tranquility of this beautiful trail. We also pick up any miscellaneous trash on the trail, do small restorations each visit, walk gently, and commune with the others _ mostly regular users - we see on the trail.

We became founding members for the Friends of Turkey Creek when, in late 2004, rumors began to circulate that BCP staff was attempting to restrict dog access. We quickly formed a network of users, the Friends of Turkey Creek, who seek to ensure public access as well as responsible use and management of the area.

While I am in support of the comments provided by the Friends of Turkey Creek, I have a few additional issues to highlight.

Proposition: Dogs are actually beneficial to the success of Golden Cheeked Warblers at Turkey Creek.

This proposal is directly counter to the proposal by BCP staff. They propose that dogs are another predator and thus, “may” negatively impact Golden Cheeked Warbler (GCWAs) nesting or breeding success rates. Unfortunately, there is insufficient scientific understanding or monitoring data to prove or disprove either proposition.

However, my proposition explains existing data better than does the BCP staff’s proposition

regarding dogs.

Observation 1: Dogs have been using Turkey Creek longer than BCP has been in existence and longer than BCP staff have been monitoring nesting and breeding rates. Yet, Turkey Creek is considered the highest quality habitat for GCW in BCP.

Observation 2: The GCW is thriving at Turkey Creek. There may be year-to-year fluctuations in breeding rates, but there is no clear explanation for this and such fluctuations occur without clear attribution of cause at all sites.

Observation 3: More than one third of the observed nests have been sited within a few feet of the trail. For the most detailed survey area, the 100-acre Survey Plot, in 2005 there were 9 of 21 territories on or adjacent to the trail and in 2004 there were 8 of 20 territories on or adjacent to the trail.

Observation 4: There is no science indicating dogs are a threat to GCW; however, there is near universal consensus that brown-headed cowbirds, rat snakes, white-tailed deer, and domestic/feral cats are known predators of the GCWAs. While the presence of dogs will not substantially impact the activities of brown-headed cowbirds, dogs likely minimize the presence of deer, domestic/feral cats, and snakes.

What is clear from the above facts, derived from BCP staff's own monitoring data it is more likely that removing dogs would have a negative impact on the GCWAs than that dogs are a threat.

Proposition: Commitments to the Public Must be Treated Seriously

The text of Proposition 10, approved by the voters included the following language: "Shall the City Council of the City of Austin, Texas, be authorized to issue and sell general obligation bonds of said city in the aggregate principal amount of \$22,000,000 for the public purpose of paying costs incurred and to be incurred in the acquisition and improvement of land to protect water quality, conserve endangered species, including (all are named), and providing open space for passive public use and other costs...."

Neither the bond language nor the campaign surrounding the bonds supports BCP staff's single-minded assertion that the (as in one and only) objective of BCP management is conservation of the species. Quite the contrary, three (3) purposes were to be met with the bonds.

Further, the City and County filed a joint Environmental Impact Study (EIS), a document that weighed three different options and was required to analyze the impact of each of these options on key criteria, including recreational access. The options evaluated in the EIS were "no action" (e.g., all landowners have to pursue their own individual efforts with the US Fish and Wildlife Service), a BCP that preserved 30,492 acres (what was chosen), and a third option that increased the number of acres to be preserved (more than 35,000 acres). The EIS examined the significance of each alternative on recreation.

For the alternative chosen (Alternative II: 30,492 acres), the City and County identified that "Alternative 2 will increase the recreational opportunities for the region by transferring into public ownership and potential recreational use approximately 20,000- 22,000 acres of land not currently accessible to the public. Many recreational activities occur on land designated as part of the preserve. The preserve will also increase the minimum-impact activities engaged in by individuals and small groups, developing the educational potential of the preserve and appreciation for the environment and species." (See page 4-77 of the Habitat Conservation Plan-Environmental Impact Statement.) The EIS is quite clear that a consequence of selecting Alternative II would be the expansion of recreational opportunities, an improvement that the USFWS supported in its approval of the permit that provided the use of the BCP as a way to offset the take of endangered species.

During the process of securing the permits from the US Fish and Wildlife Service, the joint City-County Final Environmental Impact Statement- Habitat Conservation Plan approved by the US Fish and Wildlife Service specifically committed that access and uses of pre-existing parklands added to the BCP would continue, even after these lands were added to the BCP. This commitment was reiterated in the original Land Management Plan and is included in the 2005 proposed Plan, as well.

The City of Austin designated Turkey Creek as an off-leash park in the 1980s via City ordinance, an off-leash status that was affirmed by the Parks and Recreation Board in 1994. Dogs were a part of Emma Long prior to the creation of the BCP and the inclusion of Emma Long into the BCP.

Even in the face of these events and documents, the BCP staff proposes a management plan that specifically claims authority to overrule a city ordinance and a management plan that revises the grandfathered uses on pre-existing parkland. While sufficiently objectionable on their own merits, BCP staff is pursuing this management strategy without providing a sound scientific basis, monitoring data, or referencing a successful precedent in another GCWA location that justifies a position so hostile to public access.

Proposal: This Hostility to Public Access is Unique to BCP.

The US Fish and Wildlife Service has no policy or position prohibiting dogs in the BCP. Indeed, the other major GCW habitat in the immediate region, the Balcones Wildlife Refuge, is managed by the USFWS which allows a range of human activities including hunting of both deer and game birds in the refuge.

Similarly, Fort Hood which successfully manages the largest breeding habitat of GCWAs provides another powerful example of the effectiveness of managing, rather than restricting access. The very successful program at Fort Hood relies on strategic management, with the USFWS asserting that it is Fort Hood's cowbird control program (that) is likely the single most important factor in the observed increases in the BCVI and GCWA populations at Fort

Hood." (USFWS 24)

Thus, rather than restricting access, the BCP staff would be of greater support to the warbler by focusing its strategic interventions on managing known threats, such as the cowbird, rather than restricting dogs and/or people.

Recommendations to the Coordinating Council:

1. Specifically support the PARD "Task Force approach to finding a workable resolution to Turkey Creek that respects the Council's "off leash" Ordinance, commitments to grandfathered uses in parks brought into the BCP, and works toward the sustainable management of the property.
2. Develop a policy statement that creates a presumption of public access and requires a process in which stakeholders and staff can begin to develop management plan revisions to strategically increase access.
3. Add specific language that requires changes to grandfathered tracts be driven explicitly by specific-tract data and documentation with the information collected, analyzed, and presented to the public.
4. That the Coordinating Committee (e.g., Mayor Winn and Travis County Commissioner Daugherty) affirm their exclusive responsibility and role in approving or disapproving proposed changes to pre-existing uses, rather than allowing these responsibilities to be assumed by BCP staff. Any changes should be accompanied by adequate time for public review and comment.
5. That BCP staff be directed to explore and implement the aggressive cowbird strategy used by the US Army at Fort Hood and its appropriate application to the BCP.

Comment #274 – March 1, 2006, 2006 11:57:15 AM CST

My name is xxxx xxxxx and I have been a resident of Austin (native Texan, moved from Houston) since 2000. I am a nature lover. I moved here specifically to enjoy the outdoors with my dogs. [If you've been to Houston, you know what I'm talking about.]

I write to plead with you to please revise the BCP Management Plan to allow off-leash dogs on Turkey Creek.

I have been hiking Turkey Creek with my dogs every just about every weekend for the past four years, and on vacation days, and holidays. The responsible dog owners who frequent Turkey Creek help maintain the trail and love it enough to ensure that it stays clean. I pick up trash. I move rocks around when the creek is high so that others less nimble than I will have an easier time crossing. There is no other place like it for responsible dog owners to hike with their dog. Walnut Creek has bikes (and poison ivy during the summer) and the bike riders don't always seem to appreciate a dog on the trail. All the other leash-free parks are small and you would basically just stand around with your dog and not be able to take an actual hike. I enjoy bird watching, nature, and seeing how happy my dogs are when they are not tied to a leash and can actually stretch their legs.

It appears that the local USFWS does not care if the dogs remain off-leash at Turkey Creek Trail.

It appears that when the land was secured for the BCP, pre-existing parkland in Emma Long Park on grandfathered tracts would be retained. Turkey Creek Trail was designated as an off-leash trail in the 1980s via City ordinance, and was affirmed by PARD in 1994.

It appears that when the City of Austin voters approved Proposition 10, one of the objectives laid out was to provide and retain the previous public access to the land.

I propose and recommend:

1. That signs be posted, or park officials be at the trail entrance (like they are Barton Creek Greenbelt) after heavy rains to dissuade people from hiking. 2. The users of Turkey Creek trail be educated to respect the trail. 3. Appoint a citizen's maintenance committee to assist in trail maintenance and clean up. I would gladly volunteer for this. 5. In light of the grandfathered status, remove the prohibition of dogs, and place the off-leash allowance, back in the Plan.

I am all in favor of protecting endangered species. I also would like to enjoy nature with my dogs (which are also a part of my family) outside of my backyard. I do not believe that my dogs are harming the endangered species in any way. Once the BCP becomes the 30,428 acres it is expected to become, will the 30 acres that Turkey Creek Trail entails really have that much of an impact. And I'd like to point out that there are other trails where dogs are not allowed at all such as Wild Basin and Hamilton Pool.

Why not make this a model to teach individuals to care for the nature you are preserving and allow them to enjoy it while they are on this earth?

I invite you to join me to at Turkey Creek some weekend [before you make your recommendation] and see what a wonderful sight it is for the happy dog owners and the happy dogs enjoying themselves.

Austin is known for its beautiful outdoors and diversity, allowing nature and humans to co-exist.

Please don't take Turkey Creek away from me and my leash-free dogs.

I sincerely thank you for considering my comments.

Comment #275 – March 1, 2006, 2006 12:56:30 PM CST

I run the Turkey Creek Trail several times a week with my dogs. It is currently one of the city's designated leash-free areas and it is the most unique one. It is the only leash-free area where my dogs and I can hike or run a trail of any length together. Since I started taking my dogs there just over a year ago, they are happier and healthier (and so am I).

The proposed legislation--to ban dogs completely from Turkey Creek is quite troubling for several reasons. Some have found that since the Turkey Creek Trail has been leash-free, the

warbler population has increased. It is believed that the dogs keep the warbler's natural predators at bay which helps them to survive and multiply. It would be a shame that because of the recent proposed legislation, the city's dogs would be relegated to a small fenced-in play area without room to hike and play in nature. The responsible dog owners that use Turkey Creek regularly would be sad to see the most unique leash-free area in Austin go because of some assertions that have no scientific validity.

Please keep Turkey Creek dog-friendly!

Comment #276 – March 1, 2006, 2006 2:52:57 PM CST

I have been an Austin resident for over 20 years and voted for Proposition 10 in the bond election in 1992. I consider myself a staunch environmentalist and supporter of environmental causes. I agree with the BCCP's assessment that the growing population and development rates in Travis and surrounding counties have had a negative impact on the environment and have contributed to the loss of habitat for many species. I am also an avid hiker and dog walker and use city and county parks (including the Turkey Creek Trail at Emma Long) almost every day. I consider the use of these parks essential to my peace of mind and emotional "survival" in the increasingly urban setting I have chosen for my home. Over time, I have observed my local trails become more and more crowded with more and more people competing for use of public lands in this area. The birds are not the only ones who are losing necessary habitat.

I am very concerned about increasing restrictions about park use proposed in the Land Management Revisions. I believe there is a shortage of public lands in Central Texas considering the number of people who locate here to engage in activities (hiking, boating, kayaking, off-road cycling, camping, rock climbing) that are a part of an active, outdoor lifestyle. I strongly believe in the preservation of endangered species, but I think that preservation must be carefully balanced with the needs of other land users. I believe (and financially support) every effort to acquire more preserve land. But I do not support increasing the restrictions of use of existing PUBLIC park lands.

Comment #277 – March 1, 2006, 2006 3:17:08 PM CST

My dog and I are frequent users of the Turkey Creek Trail. We're responsible: I pick up her poop and discourage her from roaming too far off trail. She's never eaten a bird. We both benefit greatly from having a stretch of trail where we can both get some exercise, explore nature, and just be free for a little while. The Turkey Creek nature trail is the ONLY legal leash-free hiking trail I am aware of within Travis County and surrounding areas. It's the only place where I can legally let my dog be a dog.

"So what?" you might ask. "Austin has several other leash free areas you could use." That is

true, but these tend to be small, enclosed play areas. Many animal trainers will tell you that these types of parks can actually foster aggressive behavior--the dogs feel they have to protect their "territory." A small yard isn't sufficient habitat for a healthy songbird or a healthy dog.

I am a 20 year resident of Austin and I voted for Proposition 10 way back when in 1992. I believe in preservation. But compared to many others communities that attract outdoorsy folks, I believe we have a shortage of public land in Central Texas. Therefore, I am in strong opposition to a Land Management Plan that, without any data or documentation, would eliminate leash-free access for me and my dog. I believe we need to find other ways of preserving endangered species without increasing restrictions on already crowded public lands.

Thanks for considering my comments as you prepare your recommendations.

Comment #278 – March 1, 2006, 2006 5:00 PM CST

Comments on BCP Land Management Plan D Draft Revision 2005

General Comments: (the page number is listed first, then the position in the file) In several areas the Management Plan addresses the monitoring efforts required to adequately protect the BCP species. The use of knowledgeable volunteers and non-profit groups to help with management is specifically addressed in, Tier IIA Karst Species Management, page 24 (27 of 39) where the groups that may be of help are enumerated. "The BCP Partners will regularly monitor the caves with permitted staff or volunteers and will supervise their efforts to assure protection for the listed species. Regular monitoring may be done by groups such as Texas Cave Management Association (TCMA) and University of Texas Speleological Society volunteers, Austin nature Center trained guides and others." This program of volunteer assistance could be of great benefit to the BCP and the species, and should receive management attention so that this program is effectively implemented. One widespread criticism of the operation of endangered species preserves is the emphases given to the protection of the endangered species, resulting in the neglect of the rest of the ecosystem that the endangered species need to survive. Unless the entire karst ecology is protected all the species will suffer. This species centered management is present throughout the document, as for example in Tier I Overview, page 4 (23 of 43) where salamanders are mentioned. The document notes: "None of the *Eurycea* salamanders are covered by the regional permit. Some preserve lands contain isolated habitat segments occupied by *Eurycea tonkawae*. Although these occupied areas are protected as part of the reserve system, protection of the species range in Travis County is not prescribed under the terms and conditions of the BCCP." One could at least note that the same measures that protect the endangered species protect the entire ecology; and all species, even those not prescribed, will greatly benefit.

Specific Comments:

Tier I Overview

Page 10 (15 of 43) The paragraph that starts with: Four species of *Eurycea*. In the sentence: Salamanders of the genus *Eurycea* are unique neotenic members of epigean communities: Comment: epigean should be epigean.

Page 15 (20 of 43) Bee Creek Cave Harvestman Known from Cave Y. Comment: Check with James Reddell regarding the presence of the Bee Creek Cave Harvestman in Cave Y. Your Table 1, page 7 (10 of 39) in Karst Species Management regarding the presence of the Bee Creek Cave harvestman in Cave Y notes "delete p Reddell 2004" Also the "Cave Locations in the BCP" map in the Karst Species Management indicates that Cave Y is an endangered species cave. This might need to be checked.

Page 11 (30 of 43) last paragraph: First sentence has two periods.

Tier IIA Karst Species Management

Top of page 2 (5 of 39) in the first sentence continued from page 1: The Four Points Cluster includes the area northwest of [the] intersection of FM 2222/RM 620 and the area northeast of this intersection. Comments: Northwest is somewhat misleading, the caves are not northwest of the intersection; the cluster is to the north, and east. The caves are east of 2222, and its extension Bullick Hollow Road, and in general north and east (but not west) of the intersection. Directions are confusing as RM 620 is considered an east-west highway, but in the vicinity of Four Points it trends NNE, and many caves are actually west of RM 620, but north of Four Points. I think "northwest" was copied from a consultants report, and was from a telephone interview. Best for the sentence to be revised to: "includes the area north and east of the intersection of RM 2222/RM 620".

Page 14 (17 of 39) "The effects of large amounts of scat can also be detrimental". Comment: "Detrimental amounts of scat have been observed in several caves, especially those near urban areas". This is an important observation and should be emphasized.

Page 26 (29 of 39) Research/Monitoring Groundwater and drip water samples should be collected to determine the impact of development on groundwater quality. Tests should be done for geochemical mineral parameters as well as tests for heavy metals, organic chemicals and other pollutants. And more under "Chemical Impacts" on page 27 (30 of 39) Comment: Will there be any chance of funding for water quality tests or is this just a wish list?

Tier III Barton Creek Greenbelt and Wilderness Preserve

Page 2 (4 of 13) The map of the Barton Creek Unit does not appear to include the H. E. Brodie tract. This tract is west of the Capital of Texas Highway (Ben White) and just south of Barton Creek. Is H.E. Brodie part of the Barton Creek Greenbelt?

Page 4 (6 of 13) Item b under: Protect Cave Y and Airman's Cave by the following means: b) Continue to utilize volunteer assistance of Texas Cave Management per signed memorandum

of understanding. Comments: The TCMA has a MOU with the COA Wildlands Conservation Department, but this might not apply to caves on parkland. We should negotiate a MOU specifically for the BCP to apply to all COA caves.

Page 6 (8 of 13) Section v: format problems-part of the text appears in the left margin.

Page 9 (11 of 13) 2.5 Specific Implementation Strategies: Airman's Cave and Cave Y will be monitored by them annually. Comment: Tier IIA 3.3.5 Access guidelines and Monitoring, Page 21 (24 of 39) notes that "Following baseline surveys at least two surveys a year should be conducted." Is an annual monitoring enough, or are two surveys required?

Tier III Travis Audubon Society Wildlife Sanctuary

Page 14 (17 of 46) Under 1.4.3.2 Land Management Plan- The Austin Simon Tract is reported as owned by the Parks and Wildlife Foundation. Comments: Under the Tier III Lime Creek Preserve section, Page 1 (3 of 10), it is noted that TPWF transferred the title to the City of Austin. The Audubon section should be updated.

Tier III Westcave Preserve Page ii (2 of 36) No table of contents.

Tier III Hamilton Pool Preserve

Page 2 (5 of 23) The map of the Hamilton Pool Preserve includes the Westcave Preserve; the preserves are separated on the map in Tier III Westcave Preserve, Page 3 (5 of 36)

Tier III Steiner Ranch Tract

Page 7 top (10 of 24) 1.2.1 Geology: Last sentence is unclear: "Horizontal displacement has been limited to generally less than one inch." Comment: Horizontal displacement of what? Fractures and joint systems? Fractures and joint systems do not usually have any horizontal displacement.

Tier III Ullrich Habitat Management Area

Page 2 (4 of 8) No location map

Comment #279 – March 1, 2006, 2006 7:08:06 PM CST

Our first hike along Turkey Creek was probably 9 years ago. The loop trail had not been completed--no one else was there and we almost got lost. We are all for protecting endangered species but cannot quite believe that the dogs on Turkey Creek are disturbing the birds.

Were birds nesting along TC in 1996? Have they moved in since? Have their numbers increased or declined?

Over the years since, we have seen an increase in users on the weekends but there are virtually no folks, whether with dogs or not, during the work-week. The summers are so hot that the trail is little-used. Given the conditions, the only times the trail is used with any frequency (& compared to Bull Creek, it is empty even on weekends) are Sat. & Sun. mornings in the spring & fall.

But it is absolutely our favorite dog-walk. The right length, the beauty, the friendly users & their dogs. We would miss it terribly. Bull Creek is much too crowded. We too used to hike with our dog (always on leash) on the north side of Bull Creek in the habitat but, of course, not since that was banned.

Please do not ban dogs from Turkey Creek. How about a compromise? Dogs on leash through the first part of the trail where the birds nest? Closing the trail during nesting?

We pay top dollars to live in NW Austin. This is one of the perks. How can you keep the motorcycle trails open & close the dog trails??

Please consider this issue carefully and give consideration to all.

Comment #280 – March 1, 2006, 2006 7:12:05 PM CST

I would really hate to see any restrictions being placed on any of the mountain biking and other similar types of recreation in the park areas. These parks should be available to as many people and activities as possible. Let's not let any stereotypical preconceptions cause the loss of visitors to any of these parks and let's even start publicizing the use of the parks more towards the variety of activities. Well thanks for the forum and I'll cut it short and to the point. Keep the parks open and available to all.

Comment #281 – March 1, 2006, 2006 8:52:26 PM CST

As a new resident of Texas with two (2) dogs who enjoy the many greenbelt areas, I would hate to see access to Turkey Creek by myself and my dogs denied to maintain a bird habitat. I am not sure how it was decided what types of noise and activity are the most disruptive to the birds but in my view it should be an all or nothing situation. Either all access should be denied to the Turkey Creek area in order to protect the birds or the access should remain as it is now. I am sure there are abusers of the park rules but to have a few ruin this access for all seems a bit extreme. Perhaps the area could be monitored more frequently to ensure the rules are followed and if necessary fines could be levied in order to discourage park violators. Thank you for your time.

Comment #282 – March 1, 2006, 2006 9:22:09 PM CST

I am an avid outdoorsman, and one of the main reasons I moved to Austin over a decade ago was to enjoy the many opportunities the area has for enjoying the outdoors. My main hobbies are mountain biking, hiking, bird watching, and swimming. I understand the BCP Land Management Plan is currently undergoing revisions and updates. I would like to see more access to some of the 30,000 acres of land that is currently not open to mountain biking and hiking. Specifically, the Forest Ridge area should be reconsidered as a valuable place for

people to enjoy better access to since it is so close to Austin proper. Please consider these groups in the future for access.

Comment #283 – March 1, 2006, 2006 9:28:07 PM CST

I enjoy the outdoors, especially mountain biking and hiking. I have been in Austin for about 12 years, and watched how our access to BCP lands have been either restricted or denied. I realize there are a growing number of people wanting access, but that is not a reason to restrict access, but more of a reason to open up more of the over 30000 acres that are part of the BCP land management. I am part of a mountain biking club that is more than willing to take on trail maintenance projects, and I know many other groups of mountain bikers that would do the same. Please, let us have more access! Thank you very much.

Comment #284 – March 1, 2006, 2006 9:28:28 PM CST

I would like to provide a different perspective on the issue of allowing dogs to roam freely on the Turkey Creek Nature Trail. Unlike most users, I have been hiking the immediate area since the late Seventies. The trail was built in the late Nineties, along with the parking lot and various signs. So, I had been coming to the creek and surrounding areas for twenty years, hiking on trails that were little more than deer trails, observing many rare species such as the warblers and vireos, as well as the white-throated subspecies of the black slimy salamander (when the trail was "bulldozed" in the late Nineties, many of the places I had seen this creature were cleared; a friend contacted a Parks and Wildlife employee, who said, since it was a subspecies, not a distinct species, it was not eligible for Endangered Species Act protection). Prior to the late Nineties, I saw few people in the area. I went hiking there about twenty times per year or more, and observed many changes, such as a huge boulder that came down in the "Large Fern Wall" area during the infamous Memorial Day Flood in the early Eighties. Park rangers assured me that the place would be left in a "natural" state. A new park manager changed those plans. I called her when I saw the first changes; she said that bird watchers were getting lost, so there was a need for a better trail. A more telling comment was that she liked walking her dogs along the creek. Getting to the point of my rant (finally), I have seen a dramatic drop in the number of animals in the creek area. Many times since the building of the new trail, I have observed dogs barking and snarling, leaving their "marks", etc. In addition, I've seen children using sticks to beat on every tree they pass while their parents beamed in admiration (future developers?). Most people think that noise can do no harm to "nature"; I feel that it's obviously harmful to animals, causing them to leave their natural habitat (near the only water) and suppressing reproduction. This goes for birds, mammals, reptiles, amphibians and fish, all of which I used to see in abundance here. If someone is interested in having me show them places where I have observed various fauna

(as well as unusual flora), please feel free to contact me, either by e-mail or at my home number, xxxxxx. I don't think you'll find anyone who knows this area as well as I do, and that includes knowledge of unspoiled hiking trails within a fifty-mile radius of Austin.

Comment #285 – March 1, 2006, 2006 9:35:10 PM CST

I would ask that additional land be reopened to mountain bike riders. Two locations in particular; 1. Forest Ridge and 2. St. Eds Park (Upper part)

Comment #286 – March 1, 2006, 2006 10:26:06 PM CST

I have read many of the comments by those who wish to open more preserve lands to mountain-biking. An argument I see again and again is that there is no scientific proof that mountain-biking harms wildlife. However, the lands were set aside specifically to protect the endangered wildlife and rare plant life. Therefore, activities that MIGHT cause harm should be restricted until there is solid evidence that they do no harm. The burden of proof should fall on the mountain-bike proponents, not the other way around.

Statements from mountain-bikers that they are doing no harm is not sufficient evidence. In particular, I would not accept a cyclist's statement that his/her activity does no harm to wildlife. From my experience, most of the people (cyclists and hikers alike) I've encountered on the Barton Creek Greenbelt wouldn't recognize an endangered songbird if it sang 5 feet over their heads. (A cyclist probably wouldn't hear it anyway ð moving too fast.) So how could they possibly know whether their activity is affecting that songbird?

Fast-moving mountain-bikers have nearly collided with me on more than one occasion. If a man standing nearly 6 feet tall is so hard to avoid, how can a cyclist expect to avoid wildlife that (with the exception of a deer) is considerably smaller?

From years of watching wildlife I've learned that animals will frequently tolerate slow movements and normal speech tones. But countless times I've seen a sudden movement or loud noise cause the same animal to flee. Mountain bikes often make loud noises as they rattle over rough terrain, and I rarely see a mountain biker moving slowly.

I myself have been startled by the sudden noise of a mountain-biker racing down a trail ð even when I've been several yards away on a different trail. To a songbird, that sudden rushing sound may well sound like a swooping hawk. If a bird is frequently dodging false "hawks", when does it have time to find food, defend a territory, find a mate, and raise young? Would it even bother to try? Will it miss a real hawk while dodging the sound-alikes? One does not see what one does not wish to see. I have heard a mountain biker state firmly that his sport does not erode trails -- as he was standing on an eroded trail.

I have seen trails 5 feet or more wide and badly rutted by mountain-bike tires -- especially where the riders try to avoid puddles (thereby making them wider), or apparently decide that

the route is not challenging enough where it is, and move it a few feet over. (So much for the myth of a bike trail being less than 2 feet wide.) This is accompanied by the trimming of any limbs or even entire trees that get in the way.

I have seen tree roots exposed by erosion along a draw where, a few feet away, stair steps would allow hikers to avoid doing such damage. (But since the bike trail is smoother from heavy use, hikers instead use it.)

I applaud the continued restriction of mountain-biking to limited areas of the BCP until rigorous scientific studies of interactions between endangered wildlife and mountain-bikers determines that this activity is not a threat. If these studies find that mountain-biking is in fact a threat, I hope that the Board will do the right thing and prohibit mountain-biking on all BCP land. It is, after all, a preserve, not a park.

And for those who insist that paying taxes gives them the right to bicycle on any public lands, I suggest they take their bicycles up to Fort Hood and ride them there.

Comment #287 – March 1, 2006, 2006 11:14:57 PM CST

I recently reviewed the BCP land management plan and wanted to address a couple issues.

One of the most enjoyable hobbies I have ever taken up is mountain biking. Not only has this sport provided an enjoyable time (I'm 40 years old and feel like a kid again) but it has given me a hobby that is a heart healthy pursuit.

With the degradation of our kid's health these days I do hope that we as a nation recognize that we need more enjoyable outlets for them to maintain a healthier heart and combat obesity and I can't think of anything better than mountain biking. My wife also enjoys the sport and we look forward to the day our 3 daughters are old enough to be introduced to it as well.

Not only does it provide for a healthier body but it is also a great way for families to do a fun activity together and enjoy nature. I hope more trails are opened to mtn. biking so that individuals and families alike can enjoy such a wonderful outdoor activity. I wanted to voice my opinion on this matter and do hope you allow mtn. biking on more trails wherever possible.

Comment #288 – March 1, 2006, 2006 11:58:32 PM CST

I am a 30 year resident of Austin with a long view of my community - its culture, its development and economy, and its politics. Austin's scenic beauty and natural resources are at the very core of our city's identity and character. Central Texas is also one of the fastest growing regions in the nation. Faced with the onslaught of development, the Balcones Canyonlands Preserve provides a vital anchor for preserving Austin's natural heritage.

Three years ago, I became involved in BCP land management practices when a group of my

trail running friends was told we could no longer run as a group on the Forest Ridge tract. I was immediately struck that preserve managers were discriminating against one class of pedestrian users, trail runners, as opposed to hikers. Thus began my in depth examination of BCP management practices. I am a CPA with a background in government management auditing. I majored in zoology for the first two years of my undergraduate education at Texas A&M University.

I disagree strongly with almost every provision of the revised management plan governing public access. The proposed management plan reveals a naked bias against trails on the Balcones Canyonlands Preserve. The management plan does not have a trails development plan.

Public access was clearly authorized in the 1992 City of Austin bonds that funded much of the City's portion of the BCP, as well as in the Environmental Impact Studies for the preserve plan that was finally selected, in the U.S. Fish and Wildlife Permit, and in the original management plan.

The revised management plan seeks to void all these documents through the bureaucratic hocus-pocus of redefining what is passive and active recreation. I disagree strongly with the proposed definitions for passive and active recreation.

2.0 RECREATION AND TRAILS "Active Recreation: Active recreation within natural areas is herein defined as follows: those activities requiring a vehicle or animal for transportation, such as bicycling, horseback-riding, and off-road vehicle-riding; exercise activities engaged in specifically for their aerobic and muscle-strengthening benefits, such as jogging, cross-country racing, and mountain-biking; faster-paced activities which can disturb fish and wildlife, such as swimming, jogging, racing and group sports; activities involving organized groups of greater than 10 people-unless guided by staff or other approved leader (see Section 3.1.1); noise-producing activities, such as music events and bird-watching-when birders use taped bird calls and other sounds to attract birds; resource extraction-when it is not an approved ecosystem management objective-such as sport-fishing and hunting, as well as collecting or harvesting of plants or plant parts, animals or animal parts, and mineral or fossils; and rock-climbing. More discussion regarding these activities is found in Sections 3.0 below. In an effort to address public need for these activities, it is suggested that land managers refer the public to non-BCP locations where these activities are allowed with the permission of those facilities. Managers may also want to consider posting these alternative recreational sites on their respective agency's website. Passive Recreation: Activities considered to be "passive" are nature viewing and contemplation, guided educational tours, and walking or hiking (see statement above regarding organized groups of people). A discussion of each activity is found in Section 3.0 below."

Management plan authors spend five times as much space describing prohibited activities

(active recreation) as compared to allowed activities (passive recreation). These definitions do not accord with any common or technical definition of passive and active recreation. They are a fiction created to achieve a desired outcome by preserve biologists; i.e., Public, stay out! You are too much trouble!

3.1.1 Walking/Jogging/Hiking "Unsupervised group access shall not be allowed within 100 meters of occupied songbird habitat during the breeding/nesting season, unless such access can be documented to show no apparent degradation to the welfare of the species of concern. Public access trails within non-park BCP units are reserved for walking and hiking access only (HCP)."

This provision discriminates against joggers and trail runners. Preserve biologists have not demonstrated how runners and joggers harm the protected species any differently than other pedestrian users.

2.2 Recreation in Grandfathered BCP Parkland "The BCP is made up both of previously existing park and purchased lands. Previously existing parkland are permitted by USFWS to continue providing current active and passive recreational uses at current levels. The tracts have been "grandfathered" from the more stringent requirements placed on other BCP lands. Construction of new trails is not grandfathered and must be approved by the BCP Secretary in accordance with BCCP Infrastructure Corridor Management Guidelines."

I disagree with this definition of "grandfathered" uses. All public rights were grandfathered. These public rights are not limited to the population that existed in the mid 1990's. The BCP cannot limit load on any of the grandfathered tracts.

2.0 RECREATION AND TRAILS "All trails in BCP properties must be part of an approved land management plan and be approved by the Coordinating Committee. New trails should only be considered by a land manager where closing or relocation of existing trails will improve protection of listed species or species of concern, or address a public need without any impact to protected species and their habitat. Land managers should seek approval for all new trails from the Coordinating Committee and address the new trails in an amended preserve land management plan. New trails or the rerouting or modification of existing trails must be designed to leave woodland canopies intact and minimize erosion. In golden-cheeked warbler habitat, new trails and modifications of existing trails should not fragment woodland interiors or allow intensive human use detrimental to increasing populations of this species."

The trail system and public access should be expanded and include each and every tract in the BCP. New trails should not be limited to the replacement of existing trails. Adequate preserve resources should be dedicated to trails and public access. Biological management is hoarding preserve resources and is not sharing the preserve with the public that paid for the preserve. The preserve system should hire a trails development manager as well as staff. The

preserve management plan should state specific goals for public access including miles of trails to be installed each year. The performance measurements for preserve managers should have a rating for public access and management, as well as biological management.

Limiting public access to the BCP during those months of the year that the species is not resident in Texas makes no sense. Furthermore, the federal Balcones Canyonlands National Wildlife Refuge restricts access for only 30 days, during nesting and early fledge. The BCP's access restrictions are five times as long as those of the federal government who the BCP constantly scapegoats as the reason for its restrictive management practices.

The BCP's management practices against access are so biased they present a threat to the very species the preserve was created to protect. The bias against access even extends to fire protection access. The BCP has not created fire access lanes in the tracts it manages. The BCP does not maintain fire protection access on preserve lands. During 2005 and extending into 2006, much of the BCP has been under a stage 4 alert for dry and extremely hazardous fire conditions. The failure to manage for fire access presents a danger to the endangered species, the preserve, and to adjacent residential development.

BCP management practices are inconsistent with management practices governing other endangered species in Austin: humans are allowed to swim with the endangered Barton Springs Salamander but are not allowed to hike and run with the endangered Golden Cheek Warbler. The salamander is concentrated in a very limited zone with a concentrated human interface. The Golden Cheek Warbler is diffuse in the environment and has a diffuse human interface. Seven months a year the Golden Cheek Warbler is not even present in Texas.

From personal experience and from surveying wilderness and nature preserve management practices throughout the nation, BCP management practices governing public access are among the very, very most restrictive in the nation. If one considers all wilderness and nature preserve acreage in the country, the BCP's management practices place it in the very most restrictive category, the last one-half of one percent.

BCP managers frequently scapegoat the U.S. Fish and Wildlife as the source of their restrictive management practices governing public access. If the U.S. Fish and Wildlife is responsible for the access restriction, require that BCP managers formally document policy guidance from Fish and Wildlife. The closures for pets on the Turkey Creek Trail in Emma Long demonstrate this subterfuge. BCP managers blamed Fish and Wildlife. When citizens took it upon themselves to ask Fish and Wildlife directly, Fish responded that they had no policy or prohibitions regarding pets on the BCP.

Ft. Hood, the second most active live artillery range in the nation has successfully recovered the GCW in the midst of war games, live ammunition, and constant off road vehicle intrusions into Warbler habitat. None-the-less, BCP managers claim they cannot recover the species in the face of the violent threats that bikes, dog walkers and trail running groups

present to the species.

All policies that restrict or close preserves to the public should be based on peer reviewed scientific studies, not the whims, emotions, and biases of current biological management. Preserve management practices should be based on demonstrated science.

Do not allow scientific management to shift the burden of proof on to the public. At the first public hearing in early November 2005, it was proposed that in order for the public to use a BCP tract they would have to form up as a group, and pay to conduct studies to prove that they, the public, did not harm the preserve or species.

I disagree with the City of Austin's decision to place the BCP under the authority of the Water and Waste Water Utility that also has responsibility for watershed protection. I have observed instances of failed water filtration features and water shed degradation on lands now closed to the public. The public is now shut off from seeing these scrummy creeks and water flows. I am concerned that BCP managers, because of the organizational conflicts, will not report watershed degradation. Water and waste water utilities are much more aligned with the interests of the development community than the trail using public or the environmental community.

After almost three years of looking at these issues, it is the considered opinion of this commentator that trail and access restrictions have far more to do with money and the allocation of preserve financial resources than it does with science. Currently, all resources are directed to biological management and the acquisition of additional preserve acreage. The BCP should share these natural resources with the public that funded most of the preserve.

The common interest, the public interest, the citizen interest, in these preserves is being grossly and unjustly underserved.

To close my comments, I would like to express my disappointment about how the public processes for the management plan revisions were conducted. Somehow, the public comment period was moved from the most active period of the year in terms of outdoor recreational trail use to exactly the worst time of the year, the winter ebb in outdoor activities. This certainly suppressed public involvement.

Furthermore, BCP staff posted not one notice of public hearing or public comment at any of the trail heads on BCP lands. It is my opinion that BCP staff sought to suppress the public's awareness and involvement in these processes.

There were exactly seven public speakers at the first public hearing.

An informal poll conducted February 27 D over 100 days into the process - of some two dozen hikers and dog walkers in the Barton Creek Wilderness Park found not one person that was aware of the BCP management plan revisions. Furthermore, not a person one even knew that the Barton Creek Wilderness Park was in the BCP. Few had even heard of the BCP.

The public comment period should be extended to include the next four months and BCP

staff should be required to post and maintain notices of public comment at all trailheads.

Comment #289 – March 1, 2006, 2006 11:59:03 PM CST

Defined Terms used in these Comments:

"Governing Bodies"--The City Council of the City of Austin and the Travis County Commissioners' Court

"BCP"-- Balcones Canyonlands Preserve

"HPC" the BCP draft Habitat Conservation Plan

"GCW" Golden-Cheeked Warbler

"FWS" The United States Fish and Wildlife Service

I.. If this HCP is approved as currently drafted, the BCP Staff will have effectively delegated to themselves the Governing Bodies' authority to make such major decisions as prohibiting or impairing "grandfathered" uses of BCP land. The BCP Staff have created a presumptuous and self-serving document. The Governing Bodies should modify the draft BCP HPC to ensure that they, and they alone, retain the authority to make decisions related to the BCP that affect the fundamental policy and administration of the BCP.

The BCP Staff evidently believes that by burying similarly arrogant language deep within the fine print of the existing BCP HCP, they managed to rescind an existing City Council Ordinance that was passed in 1992 which specifically authorized one of the "grandfathered" uses of public park land that was included in the BCP. Other parts of the BCP HCP, including the portions of the document where one would expect to find this type of provision such as the section entitled "Public Access," make no mention of any prohibition of the recognized grandfathered uses of this park land, and in fact, contain language that states that the grandfathered uses will be preserved and not affected by the inclusion of this public park land in the BCP.

I would hasten to add that it may not be fair to paint the entire BCP Staff as the source of this problem--other language included in the draft HCP appears consistent with earlier BCP documents such as the Environmental Impact Statement that is a part of the BCP Permit in describing the grandfathered uses and noting that the BCP does not limit those grandfathered uses. On the City of Austin Website there is a page entitled "Legal Authority for the Balcones Canyonlands Preserve." Although there is quite a bit of information on that Web

Page that really doesn't have to do with legal authority, it is worth noting that that an expert of a report entitled "BCCP Scientific Advisory Committee Recommendations Regarding Recreational Use of BCCP non-Grandfathered Preserves, November 1998" is included. (underline added for emphasis). The title of this report is consistent with its recommendation, which is also included on this Web Page: Based on the justifications described below, ! the Scientific Advisory Committee (SAC) recommends that all forms of recreational activity be curtailed and further prohibited on the non-grandfathered preserve sites during the golden-cheeked warbler (GCWA) and black-capped vireo (BCVI) nesting season until adequate studies can be completed to demonstrate that all or certain recreational activities do not result in detectable negative effects on the abundance and productivity of the target species of concern. (Underline added for emphasis). It appears that the Scientific Advisory Committee and whoever decided to put this excerpt from their report on this Web Page was familiar with the special status of grandfathered uses of the public park land.

There cannot be any reasonable mistake about what is grandfathered and what is not grandfathered. The public parks with grandfathered uses are not only specifically listed in the BCP documents, the U.S. Fish and Wildlife Service considered and reported on their various uses in determining whether or how much of this public park acreage with existing/grandfathered uses it would count towards the total amount needed under the Permit. The draft HCP is not only contrary to the fundamental BCP documents upon which the BCP was based, such as the BCP Permit and EIS, but also contrary to representations that were made to the public concerning the BCP.

The public was told that if the BCP would not impair certain specified existing uses of public park land if those park lands were included in the BCP. The BCP Staff has drafted a HCP with many provisions that acknowledge and respect those grandfathered uses. See Tier II A, Chapter VII "Public Access", Sections 1.2.1 "Grandfathered Uses" and 2.2, "Recreation in Grandfathered BCP Parkland", which state, in part, as follows:

1.2.1 "Grandfathered" Uses. The BCP includes tracts that were dedicated parkland or preserve land prior to the creation of the BCP that were brought into the Preserve as "grandfathered" tracts. These grandfathered units are allowed to continue public access at the levels as of adoption of the BCP (1996).

2.2 Recreation in Grandfathered BCP Parkland "The BCP is made up of both previously expositing park and purchased lands. Previously existing parkland are permitted by USFWS to continue providing current active and passive recreational uses at current levels. The tracts have been "grandfathered" from the more stringent requirements placed on other BCP lands.

Construction of new trails is not grandfathered and must be approved by the BCP Secretary in accordance with BCCP Infrastructure Corridor Management.

This Section then cites a table that appears later in Chapter VII, which includes Emma Long Park as a park with grandfathered uses. Turkey Creek is a small part of Emma Long Park. It is a small trail that follows Turkey Creek for approximately two and one-half miles. The total amount of land that this trail takes up is quite small. Even if all the land that this trail passes through is considered, the total amount is still quite small-it is a looping trail that doubles back with most of the distance resulting from double counting the distance of the trail (picture a lollypop-the trail goes from the start of the stick, around the edge of the candy and back down the stick.) As a general rule, people stick to the trail. The land is rugged, there are numerous creek crossings, the slopes are steep in most cases and vegetated with cedars with low-hanging limbs. The Turkey Creek trail is the only part of the City of Austin Park system that I am aware of where a dog owner can go to run with their dog off a leash. For owners of large dogs, having a place to exercise their dog is critical. It is bad for dogs to run on leashes in many cases because of the unnatural stride they must use.

Buried in the Part of Tier III, in the Section on Emma Long Park is the language that purports to ban the grandfathered use of Turkey Creek as an off-leash dog park. Although it appears insolent, the language related to Turkey Creek in tier III could be attributable to a misinformed BCP staff member. However, with this language, the BCP staff have managed to lose credibility for the BCP and alienate what would otherwise be a valuable constituency ally. The people who use Turkey Creek love the natural and unspoiled beauty of it.

The Governing Bodies should not delegate away their authority to make fundamental policy decisions regarding the administration of the BCP. The elected representatives of the Governing Bodies are the only ones who should be able to prohibit a use that was recognized as a grandfathered use of existing public park lands that were included in the BCP. The BCP Staff has created a draft HCP that gives them the authority to take unilateral actions regarding the uses of BCP lands in the future. In fact, the BCP Staff purports that the initial HPC that they drafted (dated ____) had the effect of _____ rescinding an existing City Council Ordinance, adopted in 1992, that authorized one of the grandfathered uses recognized by the BCP EIS and that is recognized elsewhere in the BCP HPC. The BCP Staff evidently decided that the appropriate place to make a fundamental and internally inconsistent policy decision was the "Tier III" discussion of the particular piece of parkland. In other words, they tried to bury this in the fine print of the document.

Based on the information that the BCP Staff has published them selves, there does not appear

to be any problem with a decline in the Golden-Cheeked Warbler nesting pairs counted in the area in question. Not surprisingly, there does not appear any on-point or credible scientific evidence that would support prohibiting this grandfather use.

The BCP Staff should not be given the authority to impair existing grandfathered uses of BCP land.

The Governing Bodies should direct the BCP Staff to modify the plan so that it is clear and unambiguous that the grandfathered uses of parkland that was included in the BCP are preserved.

Comment 290: January 29, 2004

Fencing with Nature

It all started with the fences, literally, then physically, separating people and endangered species. I experienced “awe and wonder”, as well as “disgust and anger” (Green 1) along the journey of my convictions about conservation, a point of view that has evolved over decades. Protecting species should not mean the total exclusion of humans from wildlife preserves, especially those who are trained to enter these lands. I believe mutual coexistence of species is the best possible solution in conservation efforts. That means conservation measures can be met while allowing a limited number of individuals to enter wildlife preserves. This is a quality of life solution that doesn’t have a negative impact on individuals, city residents as a whole or specific wildlife, such as birds.

Quality of Life

When it comes to conservation and ecology, I have stood firmly on the side of the fence that protects wild species and areas. I’ve lived 30+ years in Austin, a town that has long prided itself on its “quality of life”. That quality often refers to the beauty of the Texas Hill Country and the avid protection of wild areas. Ecology wars have had a long saga in Austin, where the balance of expansion and growth and controlled development to protect wild areas is in constant tension. The woods have become a battleground for control of West Austin’s scenic landscape of tree-covered limestone hills, steep canyons, and spring-fed waterways. About 15 years ago, quality of life and access to woodland areas compelled my husband and I to buy a parcel of land in one of Austin’s most rustic corridors, Old Spicewood Springs Road. The small block-long neighborhood where we bought property was surrounded by wilderness and was like living in the country in the city. There was even a horse farm at the end of the block, which evoked memories of my childhood, when I’d saddle up a horse and ride the

countryside. I felt as if I'd found the perfect home for my husband and two young sons. In particular, I wanted my sons to know the delights of roaming the woods, fishing in nearby creeks, and experiencing the freedom of the wilderness, as I had. I thought they would gain a valuable and different perspective from life in the city, where we all worked or attended school. Over the years, my sons and I have spent long spans of time roaming the neighboring woods, an area considered by some as the "Galapagos of Austin," with its rich biodiversity (Bull Creek Foundation 1). Further up the road there was a nature preserve, which was dedicated to wildlife from the 3M Corporation, in exchange for developing a large tract of land on RR 2222. Many days, I'd enjoy a robust hike down the street and up to the path that led into the neighboring woods. I walked for miles along the spring-fed streams and limestone escarpments. Every walk was a healthful and spiritual journey. I would _poke around_ very much as Kathleen Dean Moore described in *Winter Creek*, seeing sights that would astound me. In the spring, each week presented a new array of colorful species of flowers that carpeted the Balcones Canyonlands. Along the tumultuous waterways, I saw profuse wildlife and beauty. Our favorite place was the Frog Pond, aptly named by my sons for the croaking creatures that would plop into the clear water as we arrived. The Frog Pond became a sacred, scenic area where my sons swam and where I did yoga. It was formed by a stream running over a six-foot drop into a natural pond about four to six feet wide and two to five feet deep, depending on the rains. This little paradise also attracted insects, plants, birds, and other animals. It had a canopy of juniper, Spanish oak, and live oak trees. Beautyberry bushes, with their plump clumps of purple berries sprouting along the stems, surrounded the pond. The algae-covered sides of the limestone fall were laced with delicate bright green maiden's hair fern. During my walkabouts I often found new trails and, impressed with the sights, I began reading and learning about the things I discovered in the natural areas adjoining our block. I photographed or made journal entries of the flora and fauna in the area. The birds were especially intriguing to me and I became an avid bird enthusiast, packing a field guide in case I discovered a new species for my informal American Bird List. After consulting wildlife resources, I planned my yard as a bird sanctuary, leaving food, water and protection for the winged beauties that would alight in the pink crepe myrtle trees outside my bedroom windows. I counted up to 12 bird species at a time in the trees, each keeping their distance as they took turns at the feeder and birdbath. I spoiled the birds that visited my yard. In the summer, I'd freeze gallons of water and leave them to cool the birdbaths. In the winter, I'd heat rocks and place them in the water to warm it. I believe we have an affinity - the birds and I. They see me filling their feeders and allow me to get close, just a few feet away, to view them and to drink in every detail, from beak to tail and crown to foot. I often paused on my walk if I saw something interesting on the ground, getting on my hands and knees, with camera and macro lenses, trying to take a picture of a luminous green beetle as it scurried and

burrowed in the brown, damp decomposing leaves strewn on the floor of the woods. I had to be patient, waiting for him to emerge so I could get a good picture. While in this prone position, so near the carpet of the woods, I noticed some incredibly beautiful minute flowers. I delighted in photographing stunning flowers such as scarlet and canyon sage or blue-eyed grass (in 2003, some of these pictures were published in St. Edwards_ literary journal, the New Literati). I grew to love the neighboring wilderness, the oxygen-rich air, and the sparkling waterways. For more than a decade, this was my daily spiritual pilgrimage to another world and I thrived in its rich treasures. Beyond the personal satisfaction I took from the woods, I realized and appreciated the need to protect the land. As an environmentally-aware citizen and budding naturalist, I joined some of Austin's abundant environmental groups, and was once active with the Bull Creek Foundation (BCF), which is dedicated to _promoting a harmonious balance between nature, recreation, and sustainable economic development within the 32 square mile Bull Creek watershed_ (1). The Foundation works to protect the area's unique and fragile resources. I spent many hours as a volunteer for this group, cleaning up woodland areas and serving as a citizen advocate for sustainable living. Three times, the BCF rallied neighborhood groups when inappropriate growth threatened the area. We appealed to the City Council to stop high-density apartments that were planned for a tract at the Eastern end of Spicewood Springs Road. Bull Creek, which is an important source of water that empties into Town Lake, wind! s through that proposed development tract. I'll never forget when my son Max was six years old. I was planning to make another visit to the city council chambers when he told me he had to come too. "Mom, do they know about the fish, the birds, and the horses we have here? Please let me come." I agreed and he began working on a "Save Bull Creek" poster decorated with frogs, fish, birds, horses, and bugs. We were model Austin environmentalists. Diminishing Quality of Life But as the years progressed, and events unfolded, I became less sure about my footing, and how firmly I stood on the environmentalists' side of the fence. I've been edging nearer to the middle ground, and at times I considered straddling the figurative fence. There are a number of reasons for this shift in my perspective. At first, it was only a minor inconvenience when we had to take pictures of our land to document that there were no cedar brakes on it. In 1992, we had to ask permission from the U.S. Fish and Wildlife Service before we could build on a property that was platted for residential housing in 1950. We were irritated about this because our realtor assured us there were no environmental restrictions on the property before we bought the land. But we submitted our federal paperwork and waited in trepidation for permission to build the home we had carefully planned. We were granted permission after an uncomfortably long wait. Over the years, the Balcones Canyonlands Conservation Plan (BCCP) became more and more involved in our area, buying up tracts of land of agitated property-owners. Then they requested that no horses were to go on the neighboring lands that

were previously private. Next, cyclists were forbidden to ride in the woods, often to great objection and resistance. At Bull Creek Foundation meetings, hikers were urged to take a class for access to the preserve areas. My old stomping grounds were bought for the Balcones Canyonlands Preserve (BCP) and were designated for limited public access. The City of Austin's Balcones Canyonlands Preserve web site notes, "the Forest Ridge and Jester tracts within the Bull Creek Preserve are open to foot traffic only . . . During the golden-cheeked warbler breeding season, all pedestrian users are required to have an access permit" (City of Austin 1). So, to continue my hikes, which are trails in the Forest Ridge and Jester tracts, I signed up for the class. We learned about the 30,428 acres of endangered species habitat known as the Balcones Canyonlands Preserve. We were warned about the fragile ecosystem of the area (I knew that from viewing it on my hands and knees for years). Near the end of class, I asked about access to the preserve areas in my neighborhood, where I've been walking and taking pictures for more than a decade. The instructor shocked me when she said I was "selfish" for wanting to go on that land. I left the class, permit in hand, stunned and offended. Worst of all, I was denied permission to hike in the areas I have grown to know and love over the years. I understand their objections to full access because of the need to preserve endangered species such as the golden-cheeked warbler and the black-capped vireo, as well as six karst invertebrates, all of which are found only in this area. I know access has to be carefully considered for these lands that preserve and facilitate the recovery of several species. But they have gone over the top, and I disagree with them. I don't think that trained persons who are respectful of wildlife would do harm if given access to the area. They have alienated me; once one of their staunchest supporters.

Poor Quality of Life

And then the fences went up. Not just an ordinary fence, the BCP entrenched a 7-foot chain link fence, topped with a barbed wire grid. My brother, a construction engineer, said the fencing was designed for military use in concentration camps or bases. Miles of this gaudy aluminum fence surrounded our neighboring hills. The pathways I walked, which were legal egress areas for our neighborhood, were shut off with gates and locked with heavy bolts. The impact of these fences was a blow to my moral, spiritual, and emotional well-being and changed my perspective about nature preserves, conservation, and people. I'm no longer on the side of the fence that fully supports all environmental policies, a place I stood decades ago. As an environmentalist who's has been humiliated and lied to, on some issues, I am about to hang uncomfortably on the anti-environment side of the fence a place I don't want to go. They have gone too far. The policy interpretations of those in charge of these lands have angered and disgusted me. I stopped supporting environmental groups to which I have previously donated money. Or have I gone too far with my expectations? I have thought

about this a lot. I won't cause damage or interfere with species as I hike around. I don't think I am selfish. That only became an issue after the fences went up. I feel strongly that conservation means mutual and peaceful coexistence among species. I did some research to see if the fences were, perhaps, as offensive to the endangered birds (as measured in terms of bird population fluctuations) as they were to their human neighbors. I asked the city for bird data in my area for the past three years. Within a week, they emailed me a document entitled, "City of Austin 2003 Golden-cheeked Warbler and Black-capped Vireo Monitoring Program". I reviewed six years of territory data on the bird populations in my area. The number of full bird territories ranged from seven to 11 in that six years, yet there were peaks of 11 territories both before and after the fences were installed. In another category, the number of full and edge territories, 17 was the maximum number of territories in 1999, before the fences went up. If you include half of the birds counted on the edge of the territories, the greatest number was 14 in 1999, again before the fencing. In reality, some of the bird populations decreased from their highest numbers! in 1999. I was curious when, a year later, BCP management went to considerable expense to paint the fences black. I asked William Conrad, division manager for wildland conservation, who manages the land for the City of Austin, why the fences were painted. He said a neighbor (he wouldn't say who), thought they would be more attractive. I doubt that is the reason, particularly because they have been so unaccommodating to the neighbors. I think the shiny, bright aluminum fences repelled birds; based on a later conversation I had with Mr. Conrad, I learned that the endangered birds are expanding their territories outside of the fenced preserve areas. Furthermore, the 2003 data on bird surveys shows one nest in the 100-acre Forest Ridge Tract (one other nest is just outside the territory), the area where I have walked about. I don't think limited walking would upset nesting on this 100-acre tract. As a matter of fact, the closest encounter I have ever had with a golden-cheeked warbler occurred one evening while I walked with my dog Coco along the outside of the fence. The rare bird was directly above us, high in the canopy of a live oak tree. The small, active bird chirped away as we quietly listened and observed from our vantage point below. The sun set as we looked on, admiring the bird with the yellow face and black eye line, crown, throat, and breast. I mean no harm to this endangered bird, which nests only in the oak and cedar woodlands of the Hill Country west of Austin. He knew we were there, and a cherished moment of peaceful coexistence with an endangered bird, a human, and dog took place. That seems like the best world possible, in my opinion.

In retrospect, I've tried to temper my anger and be reasonable and understanding and stay away from the woods. But I don't believe a single trained individual, with the required permit, would have a negative impact on the bird population in my neighborhood. That is an opinion shared by Bull Creek Foundation president Skip Cameron, who stated in a recent

email, "We do not agree with the Bull Creek Preserve access rules and permitting requirements". This is from the president of a group that has been an avid supporter of area conservation efforts. I have many objections to and concerns about the power struggle to control the land. There is a backlash to severe rules on species protection. This has led to cedar clearing on many ranches in the Hill Country. My uncle, who lives in Burnet, sheepishly told me about a group of ranchers who captured an endangered bird and roasted it in front of the Burnet County Courthouse, challenging the government's authority to invade the rights of property owners. Harsh policies also alienate supporters of conservation efforts. With President Bush's attitude toward the environment, it seems that we need more public relations and support than ever before for conservation. Alienating those among us who have been avid supporters is bad policy. A negative impact of the fence is that it keeps more deer confined to that area, according to a city monitor. The deer are defoliating much of the flora in the preserve area, leaving behind only what they won't eat. This leaves other species of plants endangered and the area much poorer in its variety of wild plants. Other governmental entities, such as Texas Parks and Wildlife, are working to promote increased access to public land for outdoor recreation. They are encouraging nature tourism on many tracts of Wildlife Management Areas throughout Texas. They note on their web site, "One characteristic of Texans is that we have an extraordinary sense of place . . . Texas is a place where adventure is literally at our fingertips because it is as accessible as it is vast . . . We firmly believe that nature tourism is an exciting economic opportunity for our state. Equally important, it is by its very definition an affirmation of our determination to protect, to enjoy and to share a marvelous place of unique resources and lasting values" (Texas Parks and Wildlife 1).

In retrospect, the City of Austin does not play by the rules it has made. I learned firsthand that even if you earn a Bull Creek Preserve access permit, you don't necessarily gain access beyond the fences (How many more acres could have been bought instead of the expense of fencing off nature?). In my neighborhood, the path that is left has been reduced to about a mile, before the final gate closes off contact with the beauty of my neighboring hills that I had come to know and appreciate. I know other paths and could easily enter the beaconing woods again. But I want to enter legally, and I hold the City of Austin accountable to abide by its rules and play fair. I have the Bull Creek Preserve permit open the gates. At this point, it is a matter of principle. After reading many books and articles about walking and nature, I gained the understanding that the two were harmonious and advantageous. I wonder what Annie Dillard, Pulitzer-prize-winning author of *Pilgrim at Tinker Creek*, would think if concentration camp fencing shut off her walk areas. I bet she would be upset. As would Thoreau, who said in *A Forest of Voices*, "Life consists with wilderness and the same soil is good for men and for trees". The fence was the tipping point for me. It has become a tangible symbol of dismissing humans from nature and denying possibilities for peaceful coexistence.

The opposite of urban sprawl, I have conservation sprawl in my neighborhood, and that has consequences for my neighbors in an unsightly fence and adverse feelings about the way they were treated. As Dwight D. Eisenhower once said, "You cannot change people's hearts merely by changing the law" (Freeman 76). I believe in peaceful, mutual coexistence among species. That means access and the right to intermingle with nature. I experienced what happens when species naturally intermingle. My own encounter with the golden-cheeked warbler was sweet and memorable because an endangered animal chose my company for a precious bit of time. I wish people could see with the perspective of a bird, flying far above the land and over long distances, trivializing boundaries of fences by flying easily over them. We need to mend the fences with supporters and non-supporters alike to foster a policy of coexistence and harmony with nature. Walking about my neighborhood should not be an aberrant behavior. A world of peaceful coexistence and humans and animals (and more importantly, among human races) is a more balanced approach.

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Additional Comments in separate documents:

Comment 291 – Literature Review of Trails on the GCW – Gary Rochelle

Literature Review on Effects of Recreational Trails on Golden-Cheeked Warblers

By Gary T. Rochelle

gtr@che.utexas.edu

2/7/06

Introduction

In the BCP Draft Management plan, the most comprehensive statement about detrimental effects of human disturbance is given in TierIIA-7_GCWA_Management_v.8, section 2.2:

“Finally, recent literature as well as observations by BCP biologists, has documented the detrimental effects of human disturbance on the foraging and nesting behavior of GCWAs (Sparkman 1996; Pekins 2002; Abbruzzese 2003; Graber and Dearborn in prep.) Studies of other songbirds also indicate that the presence of humans may have a detrimental impact on GCWA behavior, causing flushing, reducing singing rates, nest abandonment, lower nestling survival rates and displacement of birds from foraging areas (Tremblay and Ellison 1979; Burger 1981; Kaiser and Fritzell 1984; Westmoreland and Best 1985; Gutzwiller et al. 1994; Sparkman 1996; Marzluff 1997; Jordan 2000).”

This report is a comprehensive review of what this cited literature and additional literature has to say. It proposes a revised statement for the Management plan to more accurately reflect what we know about the impact of human disturbance, especially as it relates to the possible use of the Preserve by hikers, hikers with dogs, and mountain bikers.

Revised Summary Statement

Monitoring of golden-cheeked warblers (GCW) by the City of Austin (Abbruzzese and Koehler, 2002, 2003; Becker and Koehler, 2004) in the BCP, by the Fort Hood Project (Pekins, 2002; Stake, 2000; Peak, 2003) in the Belton Lake Outdoor Recreation Area, and by Travis County at in the BCP (TNR, 2001; TNR, 2003; TNR, 2004) demonstrates that normal warbler densities can coexist with moderate and heavy use of trails by hikers, hikers with dogs, and bikers. Even though scientific studies have suggested detrimental effects of such

disturbance, none of these anticipated mechanisms appear to have had a measurable effect on the GCW population density.

Scientific studies have addressed a number of mechanisms for detrimental effects of human disturbance on the survival of songbirds. Fragmentation by roads or natural penetrations of forest canopy as small as 10 m removes habitat by causing edge effects that encourage predators (Rich et al., 1994; Horne, 2001; Coldren, 1998; Engels, 1995). Smaller trails or systematic human intrusion may also be accompanied by increased population of predator birds (Miller et al., 1998; Hickman, 1980; Gutzwiller et al., 2002) or reduced predation by mammals (Miller et al., 1998?). However, the most important predator of GCW nests may be snakes (Stake, 2001). Flushing of birds as small as the GCW will require an approach distance less than 10 m and may interfere with foraging and nesting (Fernandez-Juric et al., 2001; Gutzwiller et al., 1998b; Fernandez-Juric et al., 2004; Burger, 1981; Burger et al., 1995). Direct intrusion on nesting sites reduces nestling survival rates (Tremblay and Ellison, 1979; Westmoreland and Best, 1985), but nests of GCW are hard to find (“females and juveniles are often difficult to detect,” Abbruzzese and Koehler, 2002) or disturb. Other studies of human disturbance occasionally have measured statistically significant effects of human intrusion, but were generally inconclusive and did not make the ultimate connection to population density (Sparkman, 1996; Gutzwiller et al., 1994, 1997, 1998a, 1999; Riffell et al., 1996).

Monitoring Results in the BCP

Monitoring of golden-cheeked warblers by the City of Austin (Abbruzzese and Koehler, 2002, 2003; Becker and Koehler, 2004, 2005) and by Travis County (TNR, 2001; TNR, 2003; TNR, 2004; TNR, 2005) in the BCP provides strong evidence that normal warbler densities can coexist with heavy use of trails by hikers, hikers with dogs, and bikers. A high density was observed at Emma Long with heavy use of a trail by hikers with dogs. A high density of birds was observed at St. Edwards Park in the corner with moderate, general use of trails. High density was observed along the creek trail (hikers only) at Hamilton Pool. A high density was observed at Forest Ridge with and without mountain bikers. The low density of birds on the trails at Barton Creek and Forest Ridge is probably a result of the habitat conditions rather than the use of the trails. In all cases except Barton Creek and Hamilton Pool, bird territories appear to span the trails, suggesting that the trails do not cause fragmentation.

In 2005 (Abbruzzese and Koehler), the average male GCW density in the City of Austin studies was 34/100 hectares in six study plots. “In general, higher warbler densities were found in larger tracts of full-canopied, mature woodland such as the Ivanhoe, Forest Ridge, and St. Edwards/ 3M plots.”

The study site at Emma Long confirms that warblers can coexist with heavy use of trails by hikers with dogs (See Figure 1). This is a prime plot with one of the greatest GCW densities (1999-2005: 41,46,50,41,41,45 males/100 ha) (Becker and Koehler, 2005). Several bird territories appear to span the trail. The trail is fully canopied with a compacted width of 6 to 8 feet. It is heavily used by hikers with dogs, because dogs are allowed off leash. Bikes are not allowed and are regulated by only a sign; there is no evidence of abuse of this regulation (Rochelle, 2005).

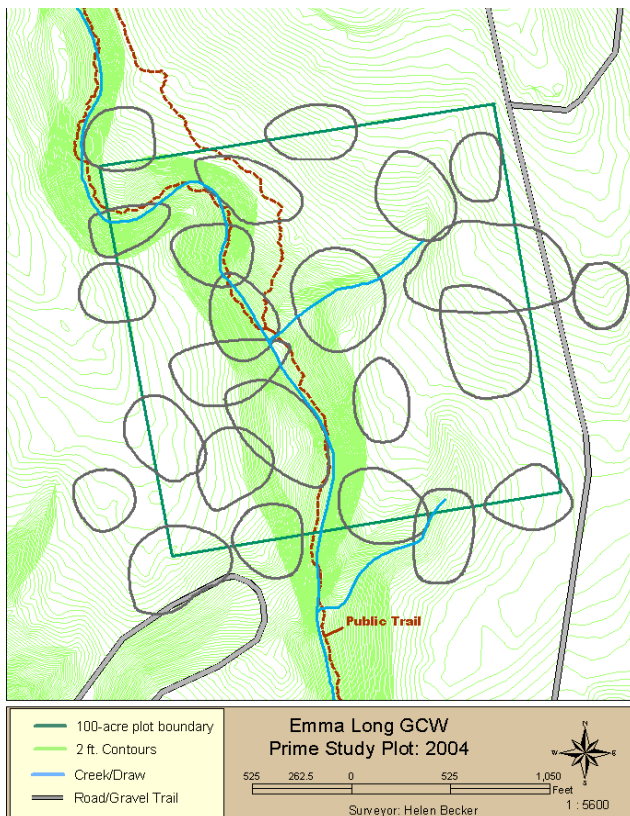


Figure 1. BCW territories in the Emma Long study site, Becker and Koehler (2004).

The study site at St. Edwards/3M provides strong evidence that warblers can coexist with moderate use of trails (see Figure 2). About one fifth of the site is in St. Edwards Park with heavy use of one primary trail and moderate use of several secondary trails by hikers, hikers with dogs, and mountain bikers. The density of GCW on this north corner of the site is as high as that on any other portion of the site (Abbruzzese and Koehler, 2002; 2003; Becker

and Koehler, 2004). Bird territories appear to span all of the trails. A major triple power line runs down the middle of this site outside of the public park, so the average density (32 males/100 ha) is less than that at the best sites (45, 51) but about equal to the average density of the six study plots (34) (Becker and Koehler, 2005).



Figure 2. BCW territories in the Study Plot at St. Edwards, Becker and Koehler (2004)

Results from the study site at Forest Ridge appear to show that there is no effect of mountain biking and hiking on GCW density. Figure 3 shows the average trend of all six study sites and the trend for Forest Ridge (Becker and Koehler, 2005). They have practically the same slope in time. In the first three seasons (1998-2000) there was heavy use of the Forest Ridge area by mountain bikers. After 2000 the bikers were excluded, leaving a moderately used hiking trail with light use during nesting season. There was no step change or general increase in GCW associated with the exclusion of the bikers. The GCW density at Forest Ridge continues to be greater than the 6-site average even with continuing moderate use of the hiking trail. In two or three cases individual bird territories appear to lie across the trail (Abbruzzese and Koehler, 2002, 2003; Becker and Koehler, 2004, 2005).

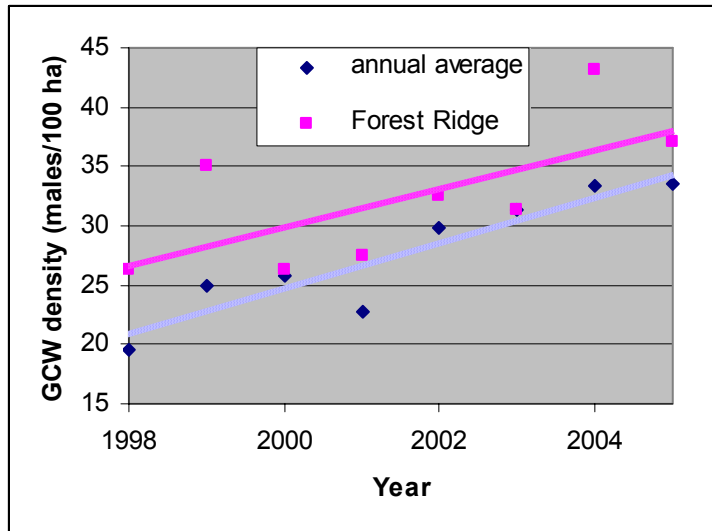


Figure 3. Annual Trends in GCW density, COA studies, Becker and Koehler (2005)

In the study sites at Barton Creek, the GCW generally do not occupy the trails, but probably because the specific habitat is less desirable. Barton Creek has a low density of 17 males/100 ha, but that site spans the creek, which provides two major edges, in addition to the heavily used greenbelt trail, so no conclusions about trail impact could be appropriate.

“Several potential nest predators were observed in survey areas including...jays and ...grackles, Texas rat snake, and fire ants. ...These predators thrive in urban ..habitat ..and their numbers are likely unnaturally higher that they would be in less disturbed settings.” (Abbruzzese and Koehler, 2002, 2003). Therefore, the general availability of urban habitat and edge effects will probably have an effect on the sustainability of the warbler. However, this does not appear to constitute a specific effect of trails or other recreation impacts, but rather the general urbanization of the habitat area.

Monitoring of GCW in the 100 acre study site at Hamilton Pool by Travis County has consistently found 5 males along the moderately-used creek trail between the Pool and the River (TNR, 2001; TNR, 2003; TNR, 2004). Although the overall GCW density of the Hamilton Pool site is low because of unsuitable habitat, the density along the creek trail is as high as any study site in the BCP. The trail is limited to hikers only, no pets or bikes.

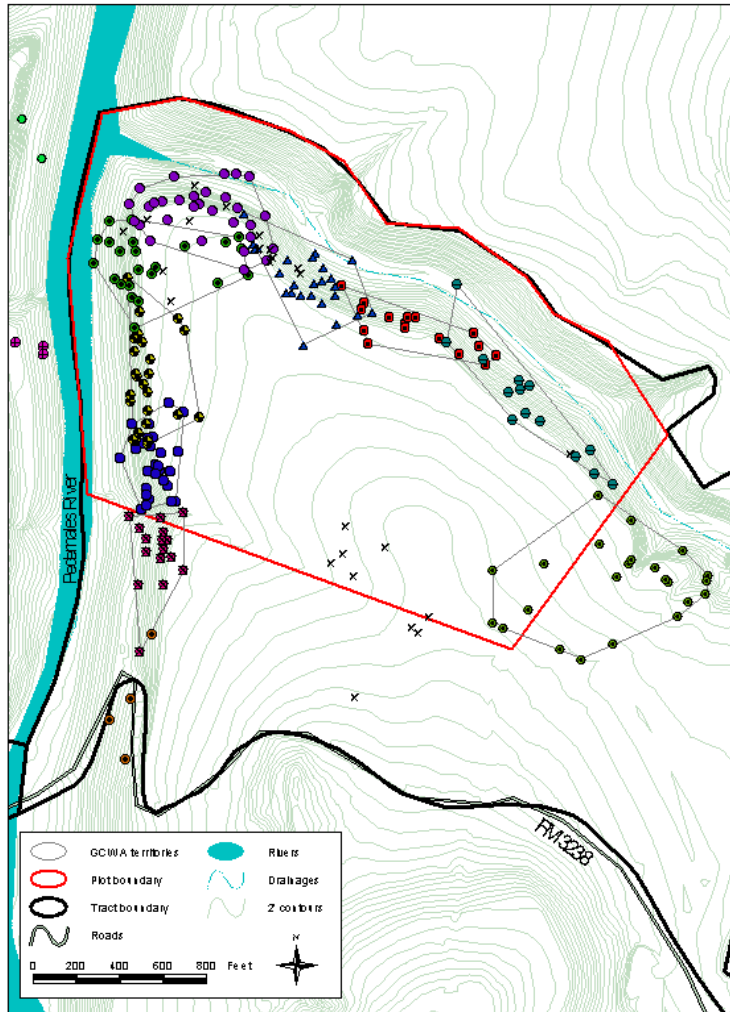


Figure 4. BCW territories at Hamilton Pool (TNR, 2004)

Territory mapping measured a GCW density of 21 males/100 ha at the new Canyon Vista Preserve (229 acres) (TNR, 2005). The prime uplands of this preserve is fragmented by several legacy ranch roads and by several long legacy clearings; therefore this somewhat lower density is not unexpected. Before this Preserve was acquired in 2004 and in 2005, it was lightly used by hikers, hikers with dogs, and bikers on an extensive network of lightly used trails. Most of the BCW territories span these existing trails. The observed territory count is a median value of tracts and study sites measured by Travis County, so it is otherwise inconclusive on the effects of trail use.

Monitoring Results at Fort Hood

Demographic studies of the GCW in Fort Hood at the Belton Lake Outdoor Recreation Area (BLORA) have established that moderate use (3-12 bikers/day) of trails by mountain bikers has no easily measurable effect on GCW density (Pekins, 2002; Stake, 2000; Peak, 2003)

Pekins (2002) reported demographic data on golden-cheeked warblers at 4 study sites Fort Hood including one site at the Belton Lake Outdoor Recreation Area (BLORA). He reported that “between July 2001 and July 2002, an average of 6 riders/day used BLORA. In 2002, mountain biking did not negatively impact warblers on Fort Hood.” Statistical comparison of the four sites “indicated no difference in warbler pairing success, reproductive success, age structure, return rate, and warbler productivity” The territory density in BLORU was 0.22 males/ha, compared to the overall average for all for sites of 0.25 males/ha.

A earlier study at BLORU (Stake, 2000) concluded that “the increase in warbler detections in 1999 indicates that mountain biking has had little effect on warblers after one year at BLORA.”

A later study at BLORA (Peak, 2003) “failed to detect a difference in abundance or demography of the golden-cheeked warbler between BLORA mountain bike park and study area 13B.” She recommended further research employing multiple control and treatment study areas...” Peak reports that the number of daily bike trail users in the 213-ha study area for FY 1999-2002 was 982, 4246, 1098, and 1179, respectively.

Vireo Study at Hill Country State Natural Area

Sparkman (1996) studied the effects of human disturbance on singing of Black-capped Vireos along low, moderate, and high usage trails in the Hill Country State Natural Area. Sparkman concluded that “no evidence from this study directly implicates human intrusion as a factor affecting Black-capped Vireo distribution...” “Vireos established territories near Trail 7 [the most heavily used trail] in 1993.”

She found that “there was no significant difference in the mean duration of each vocalization or in the mean total duration of all vocalizations when disturbance was present or absent.” She found that “there was no significant difference in the mean total number of vocalizations when disturbance was present in experimental groups. However, when disturbance was absent in all groups, there was a significant difference.” The mean number in the control group was 1.8 before 1400 h, compared to 1.556 at a highly used trail with a disturbance. In a separate analysis of vireo distribution,

With this lean evidence of an effect of human disturbance, Sparkman still concluded that “This study provides some evidence that male Black-capped Vireo singing behavior is disrupted by the presence of humans near territories.” She further speculated that “they may be less capable of attracting a mate and/or maintaining their territory as a result of diminished song rate.” She recommended that trail 7 be closed in the area of vireo territories. At one point she was bold enough to say that “as warned by U.S. Fish and Wildlife Service, vireo behavior appears to be altered by humans near territories.”

Sparkman did not establish a significant negative effect of human disturbance on the black-capped vireo. If anything, the Sparkman reference has established that actively used trails at the Hill Country State Natural Area have no measurable negative effect on the black-capped vireo.

Bird density and distribution near trails

Two references suggest that predator species (blue jays) and cowbirds may be more prevalent near trails (Hickman, 1990; Miller et al., 1998). Miller et al. (1998) found that specialist species were less abundant near a heavily used trail.

Hickman (1990) measured the density of songbirds near and away from trails in an Illinois forest preserve. None of the area-sensitive species such as the yellow-throated vireo were repulsed by the trails. However there were more blue jays and cowbirds in the vicinity of the trails. “These species are recognized as generalists that thrive in edge habitats or second-growth habitats.” “The vegetational disruption caused by the trails totals 2 to 3 m wide and therefore affects the understory but not the canopy.”

Miller et al. (1998) investigated the influence of recreational trails on breeding bird communities in forest ecosystems near Boulder, CO. “Generalist species were more abundant near trails, whereas specialist species were less common. The bird density (no./100m x 50m) for the robin decreased from 0.23 at the trail to 0.1 at 50 m from the trail. The frequency of specialist species increased with distance from the trail: solitary vireo (0.03 to 0.1 at 100 m). There was a significant but small effect of the trail on nest survival. The probability of a nest surviving one day was 0.965 for the control, but increased from 0.96 at the trail to 0.98 at 200 m from the trail. In this case the trails were heavily used with a width of 1.17 ± 0.2 m. This work suggests that trails could have an effect on the bird distribution as far as 100 m from the trail in this forest ecosystem.

The same author (Miller and Hobbs, 2000) studied the effects of trails on predation rates with artificial nests in a lowland riparian area in Colorado. They report a tendency for predation rates to increase with distance from trails, although the average predation rate was 94% so a difference would be hard to detect. They did observe that the primary predators near trails were the birds, with an increase in the frequency of predation by mammals away from the trails. The author warns that “rather than relying on simplistic assumptions about the compatibility of recreation and wildlife, it is important to consider how individual species respond to the habitat alteration and human activity.

Studies of fragmentation

Several studies have shown corridors as narrow as 16 m constitute edges and that BCW prefer and survive better at distances at least 100 m from such edges. These studies do not suggest that narrow trails constitute edges and should be considered as fragmentation in the same sense.

In a study of three sizes of corridors, 8 m, 16 m, and 24 m wide, Rich et al. (1994) found that the relative abundances of neotropical migrants (warblers, etc.) were reduced significantly along 16 and 23 m corridors, but not 8 m corridors. The relative abundances of avian nest predators was not significantly greater along these corridors. However, there were 5 to 20% more cowbirds at the corridors, especially with mowed grass.

Horne (2000) mapped 13 GCW territories for each of three different corridor widths at Fort Hood. With the narrow corridors (5-12 m), 11 of the 13 territories spanned the corridor. No territories spanned the 39-64 m corridor and only 3 spanned the medium corridor (16-32 m). Therefore he concluded that “openings as narrow as 10-20 m may result in loss of breeding habitat.”

Engels (1995) showed that BCW and blue jays do not coexist. His work supports the hypothesis that urbanization supports blue jays at the edges that drive out the BCW.

Coldren (1998) showed that BCW reproductive success was greatest in territories farther than 100 m from an edge. “Insect availability may best explain many of the patterns observed while nest predation and brood parasitism appear to exert less influence on warbler distribution and reproductive success.”

Predation

Stake (2001) monitored predation with video at 31 BCW nests at Fort Hood, primarily in BLORA. Nineteen nests (61.3%) were successful, fledging ≥ 1 young. Texas rat snakes depredated 3 of 8 nests (37.5% and made 5 of 12 predator visits to nests. Other predators included crows (2), cowbird(1), scrub-jay(1), fox squirrel, and fire ants(1). These are very limited results, but they suggest that snakes may be the most important predator type. Therefore increases in predator bird populations may not be significant as a major factor in predation.

Fink (1996) studied predation with artificial nests simulating GCW nests in Travis County. He placed nests 10 m and 100 m from significant edges, but found no significant correlation of predation frequency with distance from the edge. His census of predator birds in the study areas showed a predominance of scrub jays.

Direct Intrusion with Flushing

Fernandez-Juric et al. (2001) found that the horizontal alert distance varied from 12 to 18 m with the size of the bird, from house sparrows to Magpies. Gutzwiller et al. (1998b) measured approach distance of 9 m for the yellow-rumped warbler. Fernandez-Juric et al. (2004) showed that the horizontal alert distance decrease with increasing vertical distance. Therefore, actual disturbance of GCW will probably require a typical horizontal alert distance closer than 10 m.

Burger prepared a number of studies that showed that shorebirds stay away from people on beaches. Burger (1981) quantified that shorebirds were present 42% of the time when people were present but 72% of the time when people were absent. Burger (1986) showed that “only 30% of the [shore] birds remained relatively undisturbed by the presence of people”; others flew but returned to land nearby or flew away completely.

Burger et al. (1995) reports and reviews several studies that “indicate a variety of ways in which people can affect birds, and suggest that, with careful forethought and planning, both can exist without undue disturbance.” “Ecotourists can view heronies from the edge (50 -100 m away) with few effects, but entering colonies can cause death and destruction..” “Piping Plovers are more alert when there are more people on the beaches.” Gulls and shorebirds will stay 60 to 120 m away from a watch-point when bird-watchers are present, but 23 to 42 m when they are absent.

It is not clear how Burger's work is directly applicable to the GCW, except that a continuous stream of people through a nesting area may be an unacceptable disturbance. For the classes of birds in Burger's work, clear sight distances of 60 to 120 m in open beach environments seem adequate to minimize bird disturbance.

Kaiser and Fritzell (1984) showed that the use of rivers by herons declined on the main river when canoes and boats were present. This is not especially relevant to impacts from use of trails.

Direct Intrusion on Nests

Tremblay and Ellison (1979) showed that visits of investigators to "...heron...colonies just before or during laying provoked abandonment and predation of eggs. These investigations required that "all nests, eggs, and young were marked."

Westmoreland and Best (1985) showed that flushing Mourning Doves from their nest decreases nesting success from 50% to 37%.

Therefore, any recreation in the BCP should avoid direct disturbance of nests or flushing of parents from nests.

Gutzwiller Study in Wyoming

Gutzwiller et al. (1994) studied the effect of human intrusion in three consecutive years on 30 1.0-ha sites in the Snowy Mountains of Wyoming. Over a 10-week period the human disturbance consisted of 1-hour constant walking across the small site once or twice per week. The investigators then conducted a periodic independent census of song occurrence and consistency on each site for a number of species. Of 111 statistical comparisons to determine the effects of human intrusions, 99 showed no significant effects, 2 showed an increase of about 30%, and 10 showed a decrease of 25 to 50%.

The authors concluded that "the singing behavior of some species was altered by low levels of intrusion." They also "caution[ed] that additional experiments must be conducted to determine whether there is an actual causal link between intrusion-induced changes in singing behavior and lower reproductive success." They also showed that relatively more continuous levels of disturbance habituated the birds and resulted in no effects on the singing frequency.

Gutzwiller prepared five other papers on related topics from the Snowy Mountains and another study using the same methods in Wyoming (1989-1993). Riffell et al. (1996) measured the bird species richness and abundance and concluded that there were no cumulative effects of human intrusion. “For most comparisons,” Gutzwiller et al. (1997) “did not detect a significant difference in the seasonal timing of singing activity between control and intruded sites.” Gutzwiller et al. (1998a) concluded that human intrusion did not alter the vertical distributions of breeding season birds. Gutzwiller and Anderson (1999) reported that human intrusion reduced species abundance in only three instances with 10 species over five years.

Finally, in the same study Gutzwiller et al. (2002) showed that the occurrence of gray jays was increased by 13 to 29% on the intruded sites after four years. Since gray jays are nest predators, it is possible that this is a significant negative effect of human intrusion. However the authors “caution that additional work is necessary to assess whether attraction of gray jays actually leads to increased nest predation.”

Gutzwiller looked hard for significant effects of human intrusion and found nothing significant other than a mild increase in the population of predator birds.

Other literature reviews

Marzluff (1997) provides a review of the literature on effects of recreation on songbirds. He concludes that “the effects of hiking...are unlikely to be cumulative in ponderosa pine forests except where visitor densities are high...as in Grand Canyon...”

Jordan (2000) provides another review on the ecological impact of trails. A number of references are given on the effects of hiking and mountain bikes on trail trampling and erosion. She cites another review by Bennett and Zuelke (1999). In a discussion of habitat fragmentation she cites two important additional references (Miller et al., 1998; Hickman, 1990; Rich et al., 1994)

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Comment 292 – Response to Rochelle Literature Review – Chuck Sexton.

Effects of Recreational Trails on Golden-cheeked Warblers: A response to Prof. Gary T. Rochelle

Chuck Sexton, Ph.D.
Austin, Texas

On 7 February 2006, Professor Gary T. Rochelle (Univ. of Texas) circulated a paper entitled “Literature Review on Effects of Recreational Trails on Golden-cheeked Warblers”. I have been asked by various Balcones Canyonlands Preserves (BCP) staff and other individuals to offer comments on that paper. I presently work for the U.S. Fish & Wildlife Service as the Wildlife Biologist at Balcones Canyonlands National Wildlife Refuge. (I am not in the regulatory side of USFWS which will review and approve any BCP Management Plan changes.) I have previously served on the Biological Advisory Team for the Balcones Canyonlands Conservation Plan, the Scientific Advisory Committee for the BCP, and the Golden-cheeked Warbler (GCWA) Recovery Team. A substantial part of my doctoral research in the Austin area focused on the impacts of human activities and their built environment on the Golden-cheeked Warbler (Sexton 1987). The comments below constitute my personal professional opinions and do not necessarily reflect those of the USFWS or any other entity.

Professor Rochelle's paper purports to be a "comprehensive review" of existing data and published literature, leading him to propose a revision of the BCP Management Plan which "more accurately reflect[s] what we know about the impact of human disturbance...." He offers a "Revised Summary Statement" which suggests that "normal warbler densities can coexist with moderate and heavy use of trails by hikers, hikers with dogs, and bikers."

Simply put, the data and literature he reviewed do not support his conclusion and, if anything, continue to point to the sensitivity of the GCWA to human disturbance. While Prof. Rochelle has done an admirable job collecting together some of the existing field data from the Austin area and the published literature on the topic, his review suffers from a lack of perspective on a wider array of data and observations on the warbler. Moreover, I notice a tendency in his discussions and conclusions, to use a worn cliché, to view all results with "rose-colored glasses". In many instances he emphasizes only the positive portions of selected studies which, in fact, showed some negative effects of recreation on the warbler or other songbirds, or he is dismissive of stated negative results, and in one case or two actually appears to have come to a different conclusion than the study/data actually demonstrate. I review some of these miscues below.

Several critical aspects are absent from Rochelle's perspective on the literature he reviews:

(1) Virtually everything we have learned about the GCWA over the past 40 years clearly indicates or strongly suggests that, compared to the array of other native songbirds in our area, the Golden-cheeked Warbler is a species on the more sensitive end of a disturbance-tolerance spectrum (Pulich 1976; Sexton 1987, 1991; USFWS 1992; Engels and Sexton 1994, Engels 1995, Moses 1996, Coldren 1998, etc.; see Sexton et al. 1995 or Sexton et al. 2000 for more titles). My own dissertation work indicated that the Golden-cheeked Warbler "is the most abundant bird in native juniper-oak woodlands which is completely eliminated by urbanization" (Sexton 1987). While a complex array of factors beyond just recreational impacts are at work when urbanization increases, this nonetheless provides testimony to the shyness of the species. This entire research history, taken *en masse*, suggests that when reviewing data from other locations on other suites of species, we can expect that GCWA behavior will likely correspond to the more sensitive species in other studies, and we should predict—where analogous studies are lacking on the GCWA—that we may conservatively extrapolate the more negative outcomes of those other studies to the expected behavior of the GCWA.

For example, some of the best field work outside of Central Texas on this issue is by Gutzwiller and his associates in Wyoming (see Rochelle's review for titles). Rochelle

presents some of their conclusions such as: (a) “10 [of 111 statistical comparisons to determine the effects of human disturbance] showed a decrease of 25 to 50%”, (b) “the singing behavior of some species was altered by low levels of intrusion”, (c) “for *most* [my emphasis added] comparisons, [they] did not detect a significant difference...between control and intruded sites, (d) “human intrusion reduced species abundance in only three instances with 10 species over five years, and (e) “jay [abundance] was increased by 13% to 29% on the intruded sites after four years” (jays being recognized as probably deleterious to small songbird populations [Wilcove 1985; Sexton 1987; Engels and Sexton 1994]). While Gutzwiller’s results might be used hypothetically in a court of law to demonstrate “a preponderance of evidence” that *most* species are not impacted by human intrusion *most* of the time, that is not the test we must apply when evaluating the potential for impacts on the endangered Golden-cheeked Warbler in its Austin setting. Rochelle’s conclusion that “Gutzwiller looked hard for significant effects of human intrusion and found *nothing significant* [emphasis added] other than a mild increase in the population of predator birds” is a naïve misrepresentation of the full array of data presented by Gutzwiller and his associates. My own reading of Gutzwiller’s data suggests that, *if* comparable studies were available on the GCWA in Austin, the warbler would be among those species and instances which in fact were negatively impacted by human intrusion.

In just one more instance—and there were many in his review—of not recognizing the disparity of Golden-cheek behavior in contrast to those species presented in other studies, Prof. Rochelle reviewed “direct intrusion with flushing” as described in two studies, one in an urban park in Europe and the other focusing on the Yellow-rumped Warbler in Wyoming. Rochelle concluded from these that “actual disturbance of GCW will probably require a typical horizontal alert distance closer than 10 m.” Yet the study by Fernandez-Juric et al. (2001) focused on a suite of the most adaptable, generalist urban species one could encounter in a European city and Gutzwiller’s results for the Yellow-rumped Warbler were in a forest setting probably 2 to 20 times as tall as typical GCWA habitat. We could repeat these same types of studies in Eastwoods Park next to the University of Texas campus or measure the response of, say, Pine Warblers in a tall East Texas forest, but we would learn nothing useful about the Golden-cheeked Warbler in its 15 to 40-ft tall woodlands.

I can offer just two observations—two data points—from my personal experience: In about 1988 on the Barton Creek Greenbelt above Loop 360, I was watching a male Golden-cheeked Warbler sing on territory about 30 feet above the hike-and-bike trail in late afternoon. Two mountain bikers came along the trail at a modest pace, chatting back and forth to one another as they passed the location. The warbler immediately departed and relocated about 50 to 80 yards east and upslope of the trail. Was there cause-and-effect? I can’t say. Was it the presence of the people, their bikes, or their conversation? I don’t know.

In my own field work with the warbler, I have no problem approaching a singing warbler slowly on foot to within 5 to 10 yards, but if I am in plain view of the warbler and moving at a rapid walking pace, a singing warbler *will flush* off of a song perch before I get within 20 to 30 yards. In such instances, I modified the behavior of that warbler momentarily. Did I negatively impact the warbler? I can't say from these limited observations. And that gets to a second major flaw of Rochelle's review:

(2) Territorial locations and settling densities of male GCWAs must be viewed with great caution when trying to assess cause and effects of any study variable (Peak 2005). When trying to interpret the mounting array of density data on the several BCP study sites, Rochelle takes pains to explain away lower densities for an array of reasons other than human use and point out high densities where public use is also present. This is, for the most part, a futile exercise. For the entire modern era of field work on the GCWA, researchers have had—and continue to have—difficulty explaining observed densities of warblers even in the face of hard quantitative data on such evident and measurable variables as habitat composition and structure which are *known* to affect warbler ecology and behavioral choices (see for example, Anders et al. 2000, Dearborn and Sanchez 2001). Using qualitative terms such as “high use” or trying to quantify recreational impacts by gross measures such as visitor use-days will not measure the biologically relevant aspects of these activities (USGS 1995). A proper study of potential impacts of recreational activity on a songbird needs to take a songbird-oriented view of the world. Is there sufficient data on how close warblers might be approached before a flight response is elicited in a variety of settings? How about the size and speed of an approaching object (dog, man, or bike)? How does behavior vary with the relative angle of approach or relative elevations of a bird and an approaching object. Do warblers react similarly or differently to bipeds vs. dogs? Do shiny things (like a bike) affect their flight behavior? I *know* that we don't have answers to such nuances of these complex human activities and avian responses.

(3) Ecologists agree that the most important warbler variables--really the only ones that count in the present discussions--are productivity and survivorship (USFWS 1992, 1996; Alldredge et al. 2002). Few of the studies reviewed by Rochelle—and essentially none of the BCP data—have directly monitored or measured these latter aspects satisfactorily. Warbler males may settle on territories over a trail but if females are shier or if males near human disturbance are less successful at acquiring mates, then the density of territories has missed the impact. If warblers pair up fine, but males are less able to defend the territory from rivals because they are more frequently startled off of song perches and the result is that they lose a territory or can't keep a mate, or can't find time to forage, then the density of territories will

miss this. Most obviously—and the most difficult to measure due to the intensity of field effort required—if warbler pairs in/around human use are not successful or are relatively less successful than pairs away from human intrusion, then that’s the hard data we need to be looking for. The biological concern is that habitat patches impacted subtly by human intrusion may act as “population sinks” (Erz 1966, Pulliam and Danielson 1991) where birds show up and go through the motion but are not reproductively contributing to the survival of the species—and that’s a bad thing.

Rochelle is particularly selective in his review of the small handful of studies which have tried to approach this question. His dismissal and even misrepresentation of Sparkman’s careful conclusions at the Hill Country State Natural Area do a great disservice to one of the more detailed looks at this topic in the Texas Hill Country. Sparkman observed some negative interactions of Black-capped Vireo singing behavior and human intrusion but was very cautious in stating that her data did not establish a mathematically significant negative effect. Rochelle extended this to the unwarranted statement that she found “no measurable negative effect” on Black-capped Vireos. In fact, Sparkman’s results are a red flag that there may be negative impacts of human intrusion, albeit on a songbird (the BCVI) in a distinctly different habitat and with different habits.

Recent studies conducted at Fort Hood are beginning to get at some of the important parameters of warbler nesting ecology that might be affected by mountain biking (see titles in Rochelle’s review). While acknowledging that density effects are not easily quantified in the face of mountain biking activity, the various years of the Fort Hood studies did not demonstrate any “obvious” (Stake 2001) or quantifiable negative effects on important demographic parameters such as pairing success, reproductive success, and so forth. That’s the good news. The bad news is that the avian data are apparently still compared against gross measures of usage such as average daily totals of trail users. The ridership in the one “impact” area is admittedly very low (averaging 6 riders per day on the 21 miles of trails within the 430+ acre study area; Pekins 2002). Further, the Fort Hood Annual Reports do not present any direct observations or even a vague portrait of the interactions of birds and the biking activity. Negative impacts may be happening at a local level which are being swamped out by the quantitative results summed across the large study area. The Fort Hood studies compare 2 to 4 areas which differ substantially in location, size, structure, military activity patterns, and adjacent land uses (Stake 2000a, b, 2001, Pekins 2002, etc.). However, no useful quantitative data on the habitat distribution, structure, quality or other aspects of the various study areas that may affect the demographic results are incorporated into their comparisons. In other words, we can’t say from the Fort Hood reports *why* they did not observe differences of the variables between the study sites. Mountain biking may be irrelevant to the birds, or other factors—not measured or reported—could be masking actual

impacts. Finally, the Fort Hood studies routinely acknowledge the as-yet undetermined potential for long-term impacts on the warbler through modification of warbler behavior and habitat degradation (Stake 2000b, 2001, Pekins 2002).

(4) When viewed on a landscape or regional scale, the sum total of the lands under management for these rare species is miniscule when compared to the breadth of the human-dominated environment and all other open lands. Although the Balcones Canyonlands Preserves are hugely and understandably attractive to recreationists, simply put, recreational opportunities exist elsewhere and additions to outdoor recreation space *can and should* be located elsewhere, while the habitat requirements constrain the distribution of the Golden-cheeked Warbler and the other rare biota to these remnant and beleaguered habitat patches.

(5) Finally, while I am very supportive of recreational space initiatives for dog owners (myself included) and mountain bikers, as is often repeated, the BCCP is dedicated—and legally permitted under the Endangered Species Act—to the conservation and protection the populations of the Golden-cheeked Warbler and other rare Austin species. The Balcones Canyonlands Preserves—and we as a community—have an obligation to ensure that we *do no harm* to the populations of these species and must err on the conservative side when evaluating potential impacts or interpreting limited field data. Professor Rochelle’s review seems overly eager to err on the side of dismissing the negative biological data that are out there, claiming that a lack of demonstrable or statistically significant results is the same as no effect, and lumping a wide array of public uses into one big innocuous bundle of bird-friendly activities.

I very much appreciate Professor Rochelle’s efforts to help crystallize the discussion of these important issues and to offer everyone an introduction to the relevant field data and literature.

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Comment 293 – Date - 3/8/06

1. The Draft Management Plan should be modified to recognize, in words and practice, that after endangered species are protected, the BCP has the intent and obligation to satisfy the need for passive public recreation.

A. Proposition No. 10 provided bonds for the “public purpose of ...providing open space for passive public use.” The BCP has been created with mostly public funds. Its operating cost is supported directly and indirectly with public funds. Federal and local funds have purchased much of the land. All of the land has been removed from the tax base, resulting in an on-going major burden on the taxpayer. The mitigation cost of private developers is incorporated into our homes and businesses. Therefore the public should have the right to maximum access subject to the legal obligation to preserve the golden-cheeked warbler and other endangered species. The public also has the right to choose the extent to which we wish to conserve the habitat in addition to protecting the endangered species.

B. There is need for land for passive public use west of MOPAC to enhance our quality of life. The available open space for passive recreation is getting crowded. We started with few people and 100% undeveloped land and have ended up with 50% developed land with people and 50% locked up in the BCP.

C. The Plan states “public access MAY be allowed when and where these activities do not threaten the welfare of the endangered species or cause degradation of soil, vegetation, or water resources.” In the plans for specific tracts managed by public entities this should be changed to “SHALL be allowed” and the many facets of the plan that reflect the passive “MAY” should be changed to reflect the can-do attitude of “SHALL”.

D. The degradation statement should be restated to read “nor cause significant degradation of soil,...” The statement as written can lead to a global absolutist prohibition of access, since any access will produce some small impact on soil, etc.

E. Tier I states that “The primary goal of the BCP is to implement conservation measures to protect, maintain and enhance populations of the listed species and species of concern.” Tier I also states that the ‘system goals and priorities are achieved by implementing practices that... create appropriate public access.” The rest of the plan should pay more than lip service to this statement. It should provide concrete plans with timetables, access points, trails, maps, etc for public access.

F. It should be clearly stated that the BCP is not intended to be solely a “nature preserve” for the complete protection of all species and the habitat in its native, undisturbed state. Such an objective may be appropriate for portions of the BCP, but the majority of the BCP should be managed as a “nature park” for the enjoyment of the public when that does not conflict with the preservation of the listed endangered species.

G. The USFWS does not require that we maintain the BCP as a nature preserve with protection of all wildlife. Nor does the USFWS require that we keep the preserve in an untouched, unused, unenjoyed natural state. We can and should dedicate some portions of the preserve as classic wildlife refuge and as untouched wilderness. However, we should also take the majority of the preserve and permit public enjoyment of the wilderness to the greatest extent possible without any measurable impact on the endangered species, primarily the BCW.

H. Passive use should be redefined to include activities and periods that pose no measurable risk to the golden-cheeked warbler. In the non-nesting season hikers, hikers with dogs, and mountain bikers should be considered to be passive users. According to my evaluation of the science, in the nesting season, hikers, hikers with dogs, and mountain bikers should be considered to be passive users. Passive use is not “contemplation and nature viewing”. Delete that phrase wherever it occurs. It serves no functional purpose.

I. If a large portion of the BCP is dedicated for public access, it will be easier to keep the public out of these sites where it really matters. These nature park users (hiker, hikers with dogs, mountain bikers) prefer lightly-used, single-track trails in habitat with little other evidence of human intrusion. There will be continuing pressure by these users to get away

from crowded trails that do not meet these criteria. These users will support this objective and other objectives of the BCP with volunteer time, votes, and other resources. These users will favor preservation of diverse habitats and sensitive areas, such as riparian zones, but for public enjoyment with an appropriate level of public access. If more acreage is dedicated to public access in nature parks, the level of use will be dispersed over greater area, with greater user satisfaction and less impact on the preserve. Public/private partnerships will provide the resources to manage this strategy.

J. Tier IIA-12 promises maps of trails in Tier III. They seem to be missing for many of the tracts with trails.

K. The Management Plan should include an activity to define less than 50% of the BCP that can be managed as a nature preserve. This fraction should include habitat diversity and any sensitive areas required to maintain endangered species other than the GCW.

L. These recommendations require a major policy decision that can only be made by the Coordinating Committee and will require major revisions of the Management Plan. The Draft Management Plan is written as a management plan for nature preserves with no significant public access. The overview and other sections pay lip service to public access and wilderness recreation, but the current plan is a nature preserve with a few half-hearted compromises.

2. The plan should be modified to present and reflect responsible science for the effects of trail use on GCW in the nesting season.

A. The management plan talks about the importance of science in establishing the basis for public access without adverse impacts on the GCW.

TierIIA-7_GCWA_Management, section 2.2 provides an inadequate statement of such science as it specifically relates to the impact of hikers, dogs, and bikers. My comprehensive review of the science (2/7/06) suggests that there may be no significant effects of trail use on the GCW.

The plan makes no attempt to present or analyze available data on GCW population as it relates to the possible impacts of trail use. Eight years of BCP monitoring data in sites that have trail use offer substantial evidence that moderate use of trails by hikers, dogs, and bikers will have no measurable effect on the GCW population.

Therefore, TierIIA-7_GCWA_Management, section 2.2 should be revised as follows:

“Monitoring of golden-cheeked warblers (GCW) by the City of Austin (Abbruzzese and Koehler, 2002, 2003; Becker and Koehler, 2004) in the BCP, by the Fort Hood Project (Pekins, 2002; Stake, 2000; Peak, 2003) in the Belton Lake Outdoor Recreation Area, and by Travis County at in the BCP (TNR, 2001; TNR, 2003; TNR, 2004) demonstrates that normal warbler densities can coexist with moderate and heavy use of trails by hikers, hikers with dogs, and bikers. Even though scientific studies have suggested detrimental effects of such disturbance, none of these anticipated mechanisms appear to have had a measurable effect on the GCW population density.

Scientific studies have addressed a number of mechanisms for detrimental effects of human disturbance on the survival of songbirds. Fragmentation by roads or natural penetrations of forest canopy as small as 10 m removes habitat by causing edge effects that encourage predators (Rich et al., 1994; Horne, 2001; Coldren, 1998; Engels, 1995). Smaller trails or systematic human intrusion may also be accompanied by increased population of predator birds (Miller et al., 1998; Hickman, 1980; Gutzwiller et al., 2002) or reduced predation by mammals (Miller et al., 1998). However, the most important predator of GCW nests may be snakes (Stake, 2001). Flushing of birds as small as the GCW will require an approach distance less than 10 m and may interfere with foraging and nesting (Fernandez-Juric et al., 2001; Gutzwiller et al., 1998b; Fernandez-Juric et al., 2004; Burger, 1981; Burger et al., 1995). Direct intrusion on nesting sites reduces nestling survival rates (Tremblay and Ellison, 1979; Westmoreland and Best, 1985), but nests of GCW are hard to find (“females and juveniles are often difficult to detect,” Abbruzzese and Koehler, 2002) or disturb. Other studies of human disturbance occasionally have measured statistically significant effects of human intrusion, but were generally inconclusive and did not make the ultimate connection to population density (Sparkman, 1996; Gutzwiller et al., 1994, 1997, 1998a, 1999; Riffell et al., 1996).”

B. TierIIA-12_PublicAccess 3.1.1 and other references to the “100 meters” should be revised to allow use of trails through BCW territories, rather than “within 100 meters of occupied songbird habitat during the breeding/nesting season.” There is no substantiated basis for this limitation.

C. There should be no more delay of public access waiting on research studies. Under the best set of circumstances this science is difficult and inconclusive. We have eight years of monitoring data and should continue to collect quality data on GCW population and territory density. I see no other criteria that we can use for measuring our success or failure. The plan

should develop a specific on-going methodology for evaluating the monitoring data, especially as it relates to defining the impact of public use.

D. At the very least we should have a schedule and a process for an unbiased critical review of the science and monitoring data. (Tier IIa-7, 4.1). The Plan should include a timely process for evaluating the science of restricting public access in the nesting season. The process should reach a consensus on the state of the science and develop quantitative recommendations for the limits on trail use by hikers, hikers with dogs, and mountain bikers required to protect the warbler during the nesting season. The process must include scientists who are biased toward conservation and toward public access. We need a balanced, peer reviewed scientific result.

E. Scientific Advisory Committee

The plan should be modified to include on the Scientific Advisory Committee an appropriate citizen representative to represent public access interests in recommendations based on science. My reading of the scientific literature has shown that biological scientists are heavily biased to conservation and cannot be expected produce an unbiased critical evaluation of the scientific issues (Tier IIB plan administration 4.2.1).

F. Observations of females, nest, and fledgling groups have produced no useful data and should be terminated. (Tier IIa-7, 4.1).

G. Tier III presentations should include more specific discussion of the 100-acre monitoring sites. It would be to include the location of those sites on the maps. It would be helpful to present monitoring results including the detailed territory maps. It would be helpful to develop conclusions from the monitoring results.

3. The Plan should be modified to present and reflect responsible science for impacts of trail use during the non-nesting season.

A. TierIIA-12 PublicAccess 9.0 presents an inadequate statement on other impacts of trail use. These other impacts are especially important in defining any limits of off-season use. The primary impact of trails on vegetation and water quality are directly related to the compaction resulting from the trails. The Plan should specifically state the acceptable levels of such impact. I propose that 2% compaction of preserve area will produce a level of impact that leaves it a wilderness area with no significant impact on the GCW or water quality. There should be no limits on off season use as long as this requirement is satisfied.

B. In the Canyon Vista tract, the perimeter fencing with 8 foot of vegetation damage represents 1% of the preserve. There an additional 1% of compaction in legacy ranch roads. It seems reasonable that the public could use sustainable trails with up to 2% compaction, especially if public access comes with volunteers to revegetate other compacted areas for the tract

C. The plan should also recognize the state-of-the-art of trail design and maintenance. The plan should identify acceptable standards for hiking and biking trails.

4. The Plan should provide for public/private coalitions to implement public access. It should include specific proposals for demonstrating public/private coalitions to implement public access at Canyon Vista and Emma Long.

A. The BCP does not have the resources to build and manage the trails and access points for public access. The user communities have the resources and can provide responsible management.

B. The Canyon Vista tract is newly acquired property managed by the County. It has an existing network of suitable trails for use by hikers, hikers with dogs, and bikers. It has no sensitive environmental features or endangered species other than the golden-cheeked warbler. It should not be maintained as a nature preserve, but rather as open space for protection of the warbler and the passive enjoyment of the public.

C. Emma Long Park is a grandfathered tract managed by the City. It has 1000+ acres of mostly unused land that should be suitable for a new network of multiuser trails. This City Park should be used for the enjoyment of the public as long as the warbler is protected. It should not be maintained as a nature preserve.

D. The Turkey Creek Trail does not need to be closed to protect the warbler, because the warbler is alive and well along the trail. However, it may be appropriate to replace the Turkey Creek Trail with a larger sustainable network of multi-user trails including full-season use by hikers with off leash dogs. Issues of overuse on trails such as Turkey Creek could be eliminated by opening more trails in the BCP.

E. Tier IIA public access 8.0 Public Access approval Process

“Applications receiving favorable recommendations from the Scientific Advisory Committee, Permit Holder Staff as well USFWS concurrence may be approved by the Coordinating Committee.” This should be reworded to reflect appropriate levels for approval. Neither the staff nor the Scientific Advisory Committee should be given veto power, although their opinion will nevertheless carry heavy weight. It may be that the Permit Holder (if other than the City or County) should also approve also the application. I assume it makes sense that the USFWS will insist on approval authority and may have the final say. It is especially inappropriate to give the SAC authority, since as an advisory group it has authority for nothing else.

F. The public access approval process should be modified to provide for coalitions built with full staff participation. The staff should participate in the development of coalition proposals.

G. The BCP should assume responsibility for arranging and legalizing access and access points for any coalition proposals.

5. Tier IIA-12, 3.1.12 “Pets” should be deleted or substantially modified.

Dogs under control should be permitted anywhere with hikers in the off-season. If science demonstrates a problem with dogs in the nesting season, their presence may be restricted. But such science should be substantiated, not just postulated.

The outright prohibition of pets (read “dogs”) is consistent with managing the BCP as a nature preserve. However, the primary objective of endangered species protection does not require prohibition of dogs.

6. Eliminate Prohibition of bicycling

A. There is little or no basis for off season prohibition of bicycling (Tier IIA-12,3.1.4). The mountain biking community has demonstrated that it can manage sustainable trail use without significant degradation of soil, vegetation, or water resources.

B. Any prohibition of these activities based on the GCW should be addressed with science and monitoring data that suggest that these will have direct impact, even in the nesting season. The available monitoring data from BLORA, St. Edwards, and Forest Ridge suggest that there is no impact of mountain biking on the GCW.

C. It is easy to prohibit biking because it might seem inappropriate in a nature preserve. The BCP should not be managed as a nature preserve. It should be managed as a nature park with protection for the endangered species, but with maximum public access.

7. Non-nesting season Access, TierIIA-12 PublicAccess

A. Proposition No. 10 provided bonds for the public purpose of ...providing open space for passive public use.” In 1999, the Scientific Advisory Committee suggested that BCCP preserve lands can be available for public recreational opportunities during the non-nesting season for the GCWA and BCVI (September 1 to March 1, 2006) without adversely affecting these species as long as those recreational activities do not result in any significant land or vegetational modifications .”

Everyone has agreed that off-season access with passive uses is acceptable. The question should not be whether such access should occur but how and when and what exactly are passive uses.

There should an additional section of TierIIA-12 that specifically addresses off-season access. The plan should provide guidelines that can be used for efficient approval of access projects by public/private coalitions. The process for approving off-season access proposal should be simpler. It should not require USFWS approval. The burden of proof for disapproval should be on the staff not the public.

- 1) Define access points with access easements or public road access. If currently available access is inadequate, then a plan should be put in place to obtain access.
- 2) Address parking at access points.
- 3) Identify and if necessary recruit citizen coalitions to maintain and police trails.
- 4) Define quantitative limits of trail corridors, trail compaction and erosion limits.
- 5) The standards should require the use of existing routes but provide specific, reasonable standards for new trails. The plan should recognize that current standards for single-track trail corridors pose no risk to the GCW when they are unoccupied in the off-season. A flat prohibition of new trails through GCW habitat is not an acceptable option.
- 6) Start the dialogue of acceptable passive uses. Off-season trail use should be independent of user type. The primary impacts of compaction and erosion are quantifiable. Use is use, just limit it when it causes too much wear.
 - a) Hikers are acceptable.

- b) Hikers with dogs have no additional effects on compaction or other ecological features that impact the GCW.
- c) Bikers have no additional off-season effects that cannot be quantified as trail compaction and erosion, just like hikers
- 6) This generic plan should be demonstrated with an immediate hard schedule for implementation at Emma Long and Canyon Vista.

Each Tier III plan should address the status of off-season access to include all of the generic issues and other specific issues including:

- 1) Identify site specific ecological sensitivities, such as salamander sites and other endangered species that must be protected.
- 2) Identify existing ranch roads or social trails that would make acceptable routes for sustainable trails. Identify other routes that would be appropriate for new trails.
- 3) Develop a schedule to open for off-season access.

Non-nesting season should be consistently defined as July 1 – March 1, 2006 throughout (or nesting season as March 1, 2006 – June 30). This seems to be the accepted interval for construction limits and such.

I propose adding this specific language to TierIIa-12 as a separate section.

“10.0 Public Access in the non-nesting Season

Proposition No. 10 provided bonds for the public purpose of ...providing open space for passive public use..” In 1999, the Scientific Advisory Committee suggested that BCCP preserve lands can be available for public recreational opportunities during the non-nesting season for the GCWA and BCVI ... without adversely affecting these species as long as those recreational activities do not result in any significant land or vegetational modifications.” Therefore this section defines guidelines and two demonstration sites to provide public access to the BCP during the non-nesting season.

The primary objective of these guidelines is to protect secondary target species of concern that will be present during the non-nesting season and insure that there will not be significant degradation of soil, vegetation, or water resources in the eco-system

10.1 Definitions

For purposes of these guidelines the non-nesting season will be defined as July 1- March 1, 2006

10.2 Allowed Activities

In the absence of the primary target species of the golden-cheeked warbler and black-capped vireo, additional activities will be permitted in the non-nesting season in areas that do not need to be preserved for other species of concern. Some or all of these permitted activities may be excluded from sensitive, untouched areas selected to preserve not only endangered species but also the specific ecology in its natural undisturbed state.

10.2.1 Walking/Jogging/Hiking

Unsupervised pedestrians will be allowed in songbird habitat during the non-nesting season on approved trails in both park and non-park BCP units.

10.2.2 Bicycling

This activity will be permitted during the non-nesting season on in park and non-park BCP units on sustainable trails approved and maintained for mountain biking.

10.2.3 Pets

Pets accompanied by owners will be permitted during the non-nesting season. Pets must not be allowed to molest wildlife, disturb vegetation, or disturb other visitors.

10.3 Public/Private Coalitions

Because of the limited resources of the BCP managers, public/private coalitions must be established to implement public access. The BCP managers should solicit and encourage the establishment of coalitions that include:

- BCP Preserve Managers to require accountability

- Neighbors to provide responsible parking and access

- Businesses and other sources of financial support

- Legal entity for money management

- Responsible, trained volunteers for trails

- Trail steward organization for patrolling and reporting

One of the private organizations will assume the lead in developing a detailed proposal with the concurrence of the coalition members. The proposal will be reviewed by the citizen's advisory committee and the science advisory committee and approved by the Permit Holder and the Coordinating Committee.

10.4 Trails

10.4.1 Access Points

The BCP land manager should identify legal access points. The coalition will define safe access points with acceptable parking. Neighborhood groups should be consulted to minimize conflicts resulting from parking abuse. When legal access and parking sites are not available, the BCP manager should seek to acquire easements or property to facilitate public access with the financial support of the coalition.

10.4.2 Routes

The coalition will define sustainable trail routes that provide a varied trail experience for different trail user groups and maximize the use of existing corridors including social trails and ranch roads. The coalition will engage trail design professionals to identify possible trail corridors. The trail designers will consult with BCP biologists regarding proposed trail alignment to minimize impact on occupied habitat. When new trails are constructed through occupied habitat, they should be single-track corridors with minimum tread width that have no impact on the canopy.

10.4.3 Construction and maintenance

Sustainable trails will be constructed and maintained to accepted, proven standards. The coalition will include a trail building organization with a proven record in sustainable trail construction. The coalition will enlist local trail users and other volunteers to assist in trail construction. These volunteers will be educated about the BCP mission and trained in sustainable trail building. Maintenance of trails will be supervised by a trained trail steward provided by the user organization.

10.4.4 Trail use control

The coalition should define means to control the use of the trail, in the event that high use of the trails results in unacceptable impact on soil, vegetation, or water resources. Acceptable means could include restrictions on time of use, locks on the gates, restrictions on type of use, registration requirements, education requirements, and user fees or other appropriate methods.

10.5 Education

The coalition will include specific components of education in the proposal for public access. Such components could include interpretive signs and field and/or classroom training of users.

10.6 Accountability and enforcement

The coalition will develop and post rules to protect the birds and the nature experience.

The trail steward will coordinate periodic trail patrols by volunteers to enforce the rules by peer pressure and responsible reporting. The trail steward will coordinate trash removal by user and volunteers. The trail steward will submit periodic reports on trail use and conditions. The frequency of trail patrols and reports will depend of the level of trail use.

In consultation with the coalition, the BCP manager will define quantitative measures of the impact of trail use on soil, vegetation, or water resources. These metrics will be evaluated and reported annually by the coalition. The total area of trail tread should be limited to less than 2% of the tract area.

If acceptable reports are not submitted or there are negative metrics on the impact of trail use, the Coordinating Committee may choose to modify or eliminate public access.

10.7 Preserve Enhancements

The coalition will seek opportunities to enhance the preserve by volunteer cooperation in efforts such as re-vegetation.

10.7 Demonstration Tracts

The procedures and guidelines for access during the non-nesting season will be demonstrated at two test tracts. If appropriate, these demonstrations will be extended to access during the nesting season.

10.7.1 Emma Long

(Text as developed by others)

10.7.2 Canyon Vista

(Proposal submitted separately)

10.8 Tier III Plans

Tier III Management plans will include a status report of the preparations for public access during the non-nesting season for each tract. A schedule will be given to implement such public access including the following activities:

- 1) Define access points with access easements or public road access. If currently available access is inadequate, then a plan should be put in place to obtain access.
- 2) Address parking at access points.
- 3) Identify and recruit citizen partners to compose a coalition.
- 4) Identify site specific ecological sensitivities, such as salamander sites and other endangered species that must be protected.
- 4) Identify existing ranch roads or social trails that would make acceptable routes for sustainable trails. Identify other routes that would be appropriate for new trails.
- 5) Give A target date to open for access in the non-nesting season.

8. Tier III, Greater Public Access for Forest Ridge

In the spirit of Tier I – overview, sect. 6.2....” If monitoring... of.. strategies on a given preserve tract ...are demonstrated to be effective, public uses...may be increased,” the trail through Forest Ridge should be opened progressively to greater access. Monitoring data has demonstrated that there is no problem with the current strategy; the GCW at Forest Ridge has been steadily increasing. There are territories spanning the trail.

We should sequentially add off-season use by hikers with dogs and by bikers. We should eliminate the exclusionary requirement of education for in-season use. If this all works well, the trail should be opened to all users in the nesting season. Citizen groups should be solicited to manage the responsible use of this trail.

The existing trail through this tract is mostly away from the prime habitat. It is a good opportunity to demonstrate responsible trail use with little risk to the GCW.

14. Extended Trail in Bull Creek Macrosite

In the spirit of Tier I – overview, sect. 6.2, the trail through Forest Ridge should be extended into The Upper Bull Creek Macrosite. There is the potential for a really long and nice trail connecting 360 and 620 or terminating at the end of Lampasas Trail. There is continuous, unbroken BCP holding from 360 to almost 620. A single trail spanning this full distance would offer a really challenging public experience.

At the very least such a trail should be considered for hiking in the non-nesting season. However, the science would easily support hikers with dogs and bikers in the non-nesting

season. And in the long run, in the spirit of Tier I – overview, sect. 6.2 it should be possible to provide comprehensive public access to this extended trail with no impact on the GCWA.

Comment 294 - Mar 10, 2006, at 9:11 AM

Please let these comments show that I am for increased public access to BCCP Land. I am a member of the mountain biking community and feel that the Audubon society and others are trying to keep a stranglehold over these lands without adequately assessing the impact of mountain biking on the endangered species found in these areas. I am aware that a study has been performed assessing the impact of mountain biking on the golden cheeked warbler in the Fort Hood area at mountain bike trails near Belton Lake (BLORA). The study determined that no discernible effect was noted on the birds or their habitat. In the struggle to keep Austin fit and healthy, mountain biking is an extremely valuable tool in this battle. The access to more land for mountain biking in these areas would be added incentive for more people to maintain active lifestyles.

Restricting mountain biking to a small number of areas becomes a double edged sword. These accessible trails become overridden and overused with this sort of restricted access. Then, in the future when these trails are assessed by some environmental group as to the effect of mountain biking on them - the trails will reflect a false negative effect and potentially the public would be restricted access to these trails as well, or even worse they would be closed. Allowing access to more BCCP land would spread the usage over more areas, thus none of the trails would be overridden.

Another argument I've heard against allowing mountain biking on some already existing trails, ie. Forest Ridge is the speed difference between mountain bikers and hikers, with hikers not knowing the bikers were coming and the speed difference alarming the hikers by feeling they were not able to get out of the way in time. In places in California, they have imposed a requirement for all mountain bikers to wear bells as to forewarn the hikers of the bikers presence. This compromise has proven successful in the areas where it was implemented. The same requirement could be put in place on BCCP lands.