

TEXAS PARKS AND WILDLIFE DEPARTMENT
TEXAS PARKS, RECREATION AND OPEN SPACE FUND

EXHIBIT
"A"

AMENDMENT TO PROJECT AGREEMENT

Project Amendment Number: 20-000029.1

Project Name: ROUND ROCK Behrens Ranch Park

* * *

THIS AMENDMENT to Project Agreement Number 20-000029 is hereby made and agreed upon by the State of Texas, acting through the Texas Parks and Wildlife Department and by the undersigned subdivision pursuant to the Texas Recreation and Parks Account Program.

The political subdivision (sponsor) and the State of Texas, in mutual consideration of the promises made herein and in the fund agreement of which this is an amendment, do promise as follows:

To **DELETE** by conversion the 18.414 acre McNeil Park from the project scope.

To **REPLACE** the converted site with the 226.03 acre site located along the north line of Sam Bass Road/FM 3406 and the west line of Creek Bend Blvd., Round Rock, Williamson County, Texas.

To **RENAME** the project and replacement site as Behrens Ranch Park.

In all other respects the fund agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. This amendment is effective upon execution by the Department.

TEXAS PARKS AND WILDLIFE DEPARTMENT

by 

Tim Hogsett, Director, Recreation Grants Branch
Name and Title

5-11-16
TPWD Approval Date

☒ SAM Date-Initials: n/a-05/04/2016-re

CITY OF ROUND ROCK

Political Subdivision (Sponsor)

by _____

Laurie Hadley, City Manager
Name and Title

TEXAS PARKS AND WILDLIFE DEPARTMENT
CERTIFICATE OF LAND DEDICATION FOR PARK USE

TEXAS LOCAL PARKS, RECREATION AND OPEN SPACE FUND

This is to certify that a permanent record shall be kept in the **CITY OF ROUND ROCK** public property records and be made available for public inspection to the effect that the property described in the scope of the Project Agreement, **Amendment 1**, for **ROUND ROCK Behrens Ranch Park, Project Number 20-000029**, and the dated project boundary map made part of that Agreement, has been acquired or developed with Texas Parks, Recreation and Open Space Fund assistance, and that it cannot be converted to other than public recreation use without the written approval of the Texas Parks and Wildlife Department.

CITY OF ROUND ROCK

Political Subdivision

By _____

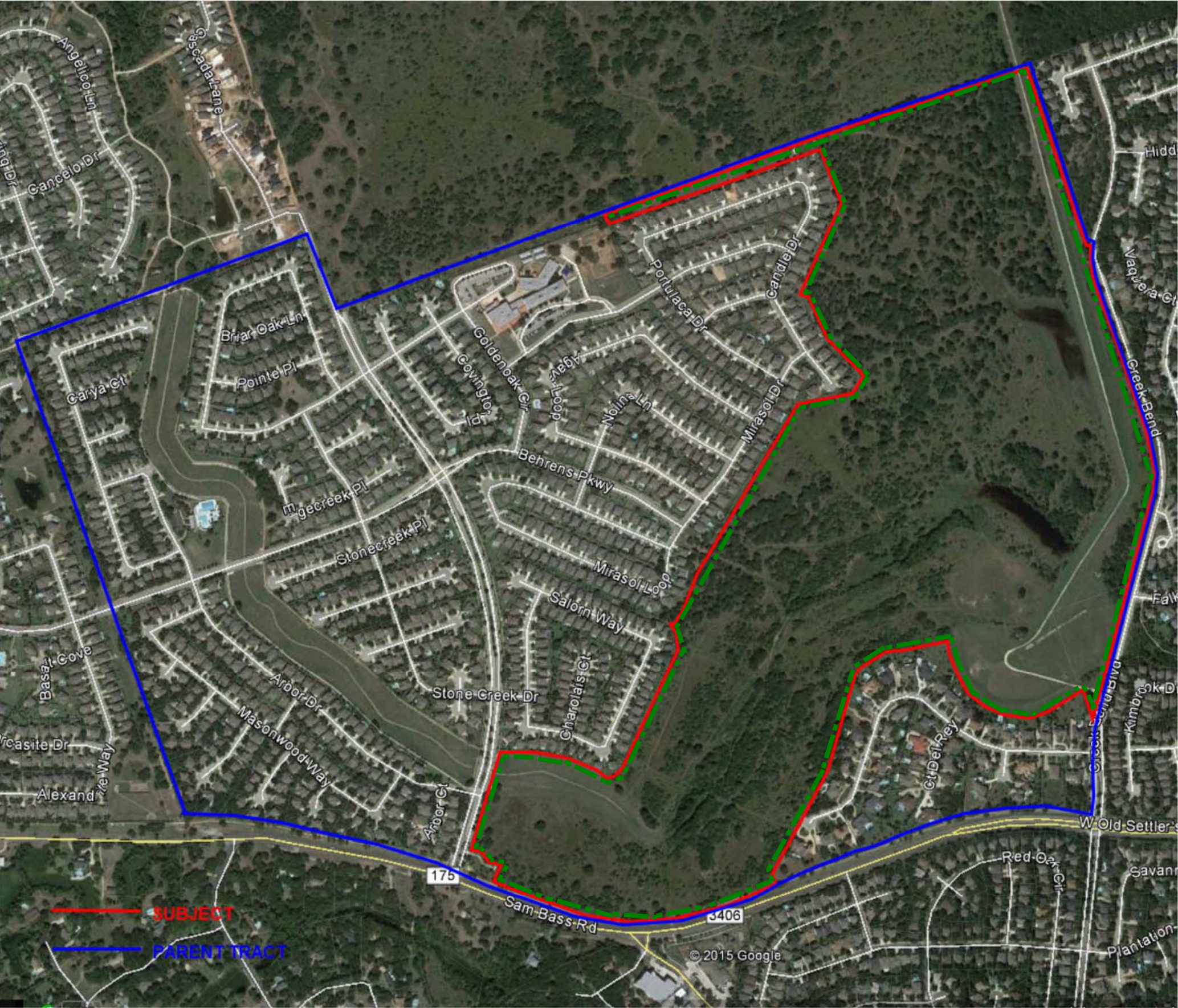
Signature

Laurie Hadley, City Manager

Name and Title

Date

Project Boundary Map
Round Rock Behrens Ranch Park
20-000029 (as amended)



**Texas Parks & Wildlife Department - Local Park Grants Program
OFFICIAL PROJECT BOUNDARY MAP**

This project has been funded through the TPWD Local Park Grants Program. Land identified on this official map is protected as parkland in perpetuity.

Project Name: ROUND ROCK Behrens Ranch Park
Project # 20-000029 Not in the Project: **X**
Acquisition Boundary: ————— Acres: 226.03
Project Boundary: - - - - - Total Acres: 226.03
Dedicated Open Space/Natural Area: # of Acres: 0
Overhead Lines: None, Disposition: None
Tim Hogsett, Director-Recreation Grants Branch:

Signature and Date
Laurie Hadley, City Manager:
Signature and Date

OFFICE MEMORANDUM

Date: April 11, 2016

COORDINATION — ROUTING

Div.	Name	Initial	Date
		<i>M</i>	5-11-16

To: Record
From: Ryan McGillicuddy
Subject: Round Rock Conversion
Re: Project Number 20-000029

Remarks:

Return To:

Inland Fisheries Division Resource Review Comments

Environmental Assessment for **Behrens Ranch Park**

The use of “adapted species” is referenced on page 1.

- All plant species should be native to the ecoregion in which the park is located.

The potential presence of a wetland fringe surrounding the ponds on page 2.

- Foot traffic should be directed away from any wetlands, and all trails and development should be set back from wetlands with a vegetated buffer.

Geologic Assessment for **Behrens Ranch Park**

The presence of a large number of karst features.

- Trails and development should be set back from karst features with a vegetated buffer and comply with local and state ordinances.

Environmental Assessment for **McNeil Park**

A significant portion of the property lies within the floodplain and contains waters of the U.S. (Chandler Branch and potential associated wetlands).

- Although the city would no longer own the property and would not be responsible for any proposed development, it should be conveyed that via our consultation process with the USACE 404 permitting program TPWD may not support development impacting waters of the U.S. by the new land owner.

OFFICE MEMORANDUM

Date: April 4, 2016

COORDINATION — ROUTING

Div.	Name	Initial	Date

To: Record
From: Jessica Schmerler
Subject: Round Rock Conversion
Re: Project Number 20-000029

Remarks:

Return To:

Wildlife Division Resource Review Comments

Behrens Ranch Park

Project Description

The City of Round Rock proposes to acquire approximately 236 acres of land for a metropolitan park in the northwest quadrant of Round Rock. The development of the park is proposed to be a passive park and will include over three (3) miles of paved and unpaved nature trails, playground(s), pavilion(s), and small parking facilities. The City will integrate the two seasonal ponds, potential wetlands area, and woodland areas into the park design to allow visitors to experience the natural beauty of the property. The majority of the park will be dedicated open space with very minimal development activities. Behrens Ranch Park is intended to be an experiential park allowing visitors to experience nature in a “developed” setting and within walking distance of the house. In addition, the parkland abuts Behrens Ranch Elementary School providing a great outdoor education setting for the students at the school who may not otherwise have the opportunity to experience such a large open space. The trail system planned for Behrens Ranch Park will connect to existing trail systems adjacent to the park and provide added non-motorized access to the property by connecting other neighborhoods.

Trail Construction

TPWD recommends constructing the proposed trails in a way that avoids adverse impacts to riparian, herbaceous, and woody vegetation to the greatest extent practicable. Retaining a wooded buffer adjacent to creeks, ponds, and wetlands with understory vegetation that is not cleared is important for protecting these features from erosion. When trails parallel a creek, pond, or wetland, TPWD recommends placing trails at a setback distance from banks and avoiding or minimizing placement within wooded riparian areas. TPWD recommends retaining native wooded vegetation to the extent feasible adjacent to water features. Please also refer to General Comments 1 through 6 (attached) regarding trail placement, storm water runoff, landscaping, revegetation, vegetation removal, soil erosion, and pond construction for the proposed project.

The information provided did not include details on trail construction and the whether any pedestrian bridges would be proposed to span waterways within the proposed park. Therefore, TPWD would like to provide the following pedestrian bridge recommendations to assist in project planning. TPWD recommends special precautions be taken to avoid disturbance to streams and to avoid placement of bridge pilings or riprap within the streams. It is also recommended that

pedestrian bridges be designed to completely span the waterway and be constructed to prevent temporary/permanent placement of fill into the stream. A potential permit may be needed if placing culverts or bridges across watercourses/wetlands. Please refer to Types of Permits and General Comments attached.

Vegetation Removal/Revegetation/Landscaping

The information provided did not include details on vegetation removal, including tree removal and plans for revegetation. Therefore, TPWD would like to provide the following recommendations to assist in project planning. TPWD recommends reducing the amount of vegetation proposed for clearing if at all possible and minimizing clearing of native vegetation, native trees, native shrubs, and riparian vegetation to the greatest extent practicable. TPWD recommends in-kind on-site replacement/restoration of the native vegetation wherever practicable. TPWD recommends that practices be implemented to prevent the establishment of invasive species and sustain existing native species, particularly during the early stages of revegetation. TPWD recommends referring to the Lady Bird Johnson Wildflower Center Native Plant Database (<http://www.wildflower.org/plants/>) for regionally adapted native species that would be appropriate for landscaping and revegetation. To minimize adverse effects, activities should be planned to preserve any mature trees, particularly acorn, nut or berry producing varieties. These types of vegetation are high value to wildlife as food and cover. TPWD generally recommends that trees greater than 12 inches in diameter at breast height (dbh) to be removed be replaced at a ratio of three trees for every one (3:1) lost to the extent practicable, either on-site or off-site. Trees less than 12 inches in dbh should be replaced at a 1:1 ratio. Replacement trees should be of equal or better wildlife quality than those removed and be regionally adapted native species. A three to five year maintenance plan that ensures an 85 percent survival rate should be developed for the replacement trees.

Landscaping for Monarch Butterflies

Significant declines in the population of migrating monarch butterflies (*Danaus plexippus*) have led to widespread concern about this species and the long-term persistence of the North American monarch migration. As part of an international conservation effort TPWD has developed a Texas Monarch and Native Pollinator Conservation Plan, and one of the broad categories of action in this plan is to augment larval feeding and adult nectaring opportunities. The plan can be found online at http://tpwd.texas.gov/publications/pwdpubs/media/pwd_rp_w7000_2070.pdf. For disturbed sites within the monarch migration corridor, TPWD recommends revegetation efforts include planting or seeding native milkweed (*Asclepias* spp.) and nectar plants as funding and seed availability allow. Where appropriate and sustainable, TPWD recommends landscaping plans incorporate monarch-friendly plants and/or butterfly gardens. Information about monarch biology, migration, and butterfly gardening can be found at <http://www.monarchwatch.org>.

Edwards Aquifer Recharge Zone

The proposed park is located within the Edwards Aquifer Recharge Zone. When developing this property, TPWD recommends ensuring that precipitation runoff, which could potentially carry pollutants, is intercepted and treated before reaching sensitive recharge features on and off the project site by installing storm water BMPs. TPWD recommends installing erosion and sediment control BMPs that would aide in construction stabilization. Erosion and sediment control measures include temporary or permanent seeding (with native plants), mulching, earth dikes, silt fences, sediment traps, and sediment basins. Examples of post-construction BMPs include vegetation systems (biofilters) such as grass filter strips and vegetated swales as well as retention basins capable of treating additional runoff. A WPAP for the proposed project may be required by the

TCEQ. Additional information on WPAP requirements can be found at <http://www.tceq.texas.gov/field/eapp/wpap.html> or by contacting the TCEQ at eapp@tceq.texas.gov.

Protected Species/Karst

TPWD notes that there are TXNDD* records for the following species within a 3-mile radius of Behrens Ranch Park:

Federally-listed Endangered

Bone cave harvestman (*Texella reyesi*) (twelve TXNDD records) –

Invertebrate Cave (three TXNDD records)

Rookery (one TXNDD record)

Federally-listed Threatened

Jollyville Plateau salamander (*Eurycea tonkawae*) (three TXNDD records) –, please note that there is also designated subsurface and surface critical habitat for this species located within the 3 mile radius and within the proposed park boundary

Rare species

Texas almond (*Prunus minutiflora*) (one TXNDD record)

Rare vegetation community

Vertisol Blackland Prairie Series (*Schizachyrium scoparium*-*Sorghastrum nutans*-*Andropogon gerardii*-*Bifora Americana* series) –

*The TXNDD is intended to assist users in avoiding harm to rare species or significant ecological features. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Absence of information in the database does not imply that a species is absent from that area. Although it is based on the best data available to TPWD regarding rare species, the data from the TXNDD do not provide a definitive statement as to the presence, absence or condition of special species, natural communities, or other significant features within your project area. These data are not inclusive and cannot be used as presence/absence data. They represent species that could potentially be in your project area. This information cannot be substituted for on-the-ground surveys. The TXNDD is updated continuously based on new, updated and undigitized records; therefore, TPWD recommends requesting the most recent TXNDD data on a regular basis. For questions regarding a record or to request the most recent data, please contact TexasNatural.DiversityDatabase@tpwd.texas.gov.



As previously mentioned, there are several records for the federally-listed Bone Cave harvestman as well as invertebrate caves within close proximity to the proposed park, with the closest record being less than a mile from the proposed park. The proposed project is located within Karst Zone 1. Karst Zone 1 is defined as areas known to contain endangered karst invertebrate species. The USFWS karst invertebrate survey protocols recommend on-the-ground surveys for projects located in Karst Zones 1 to determine if karst features containing endangered invertebrates are likely to occur. The USFWS Section 10(a)(1)(A) Karst Invertebrate Survey Requirements Survey Protocol may be found at

http://www.fws.gov/southwest/es/Documents/R2ES/Karst_Survey_Procedures_20150528.pdf.

Before development occurs on this property, TPWD recommends that a karst feature survey be performed in accordance with USFWS karst survey protocols to determine if endangered cave invertebrate species may be present and potentially impacted by the proposed project.

TPWD recommends that no work take place within 50 meters of a known cave. Maintaining native vegetation in areas containing karst features is important. Surface vegetation provides nutrients to the cave ecosystem directly through plant material being washed into the karst feature with water and indirectly by providing habitat and food for the animal communities that contribute nutrients to the karst ecosystem (such as cave crickets, small mammals, and other vertebrates). A healthy vegetative community also protects the karst environment from contaminants and may also help control the spread of exotic species such as red imported fire ants. Loss of the vegetation community could lead to nutrient depletion. Maintaining native surface vegetation in the vicinity of karst features can also help minimize temperature fluctuations, maintain moisture regimes, reduce potential for contamination, and reduce sedimentation from soil erosion.

As previously mentioned, and as shown in the map below, there is Jollyville Plateau salamander (JPS) subsurface critical habitat located within the proposed park boundary. This species is neotenic (does not transform into a terrestrial form). As neotenic salamanders, they retain external gills and inhabit aquatic habitats (springs, spring-runs, and wet caves) throughout their lives. The

JPS occurs in the Jollyville Plateau and Brushy Creek areas of the Edwards Plateau in Travis and Williamson Counties, Texas. TPWD recommends that that project area be surveyed for suitable habitat for the JPS (springs, spring-runs, and wet caves). If suitable habitat is present, TPWD recommends performing a salamander survey. If protected salamanders are present on-site and would be adversely impacted by the proposed project, then TPWD and the USFWS should be contacted for guidance on the protection of this species.

As previously mentioned, there is one TXNDD record for Texas almond located within the project area. This species is wide-ranging but scarce, found in a variety of grassland and shrubland situations, mostly on calcareous soils underlain by limestone but occasionally in sandier neutral soils underlain by granite. Texas almond is perennial and flowers February through May and sometimes October. TPWD recommends surveying the project area for Texas almond where suitable habitat may be present, prior to construction. The survey should be performed by a qualified biologist at the time of year when this species is most likely to be found, usually during the flowering period. If this species is present, plans should be made to avoid adverse impacts to the greatest extent possible. If plants are found in the path of construction, including the placement of staging areas and other project related sites, this office should be contacted for further coordination and possible salvage of plants and/or seeds for seed banking. Plants not in the direct path of construction should be protected by markers or fencing and by instructing construction crews to avoid any harm.

There is also a TXNDD record for the Vertisol Blackland Prairie Series (*Schizachyrium scoparium*-*Sorghastrum nutans*-*Andropogon gerardii*-*Bifora Americana* series) located within 3 miles of the project area. TPWD recommends surveying the project area for the Vertisol Blackland Prairie Series vegetation community. If this vegetation community is located within the project area, TPWD recommends avoiding impacts to it.

Please review the TPWD county list for Williamson County, as rare species in addition to those discussed above could be present, depending upon habitat availability. This list is available online at <http://tpwd.texas.gov/gis/rtest/>. The USFWS should be contacted for species occurrence data, guidance, permitting, survey protocols, and mitigation for federally-listed species. For the USFWS threatened and endangered species lists by county, please visit <http://www.fws.gov/endangered/>. Determining the actual presence of a species in a given area depends on many variables including daily and seasonal activity cycles, environmental activity cues, preferred habitat, transiency and population density (both wildlife and human). The absence of a species can be demonstrated only with great difficulty and then only with repeated negative observations, taking into account all the variable factors contributing to the lack of detectable presence. If encountered during construction, measures should be taken to avoid impacting all wildlife.

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TPWD MISSION: To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.