



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: {{item.number}}

Agenda Date: November 30, 2023

In Control: City Council A Session

DEPARTMENT: Parks & Recreation Department

DEPARTMENT HEAD: Homer Garcia III

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Edwards Aquifer Protection Program Acquisition – Scenic Loop Property

SUMMARY:

An ordinance authorizing payment in the amount of \$3,113,190.62 from the San Antonio Municipal Facilities Corporation fund, included in the FY 2024 - FY 2029 Capital Improvement Program, to First American Title Insurance Company as escrow agent for fee simple acquisition, due diligence and closing costs on a 155.7-acre tract of land known as the Scenic Loop Property located in Bexar County, Texas and authorizing the conveyance of a conservation easement on the Scenic Loop Property to Compatible Lands Foundation.

This action also authorizes the execution of necessary documents to accomplish said acquisition.

BACKGROUND INFORMATION:

The purpose of the Edwards Aquifer Protection Program (EAPP) is to obtain property rights by fee simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer. This program was initiated in May 2000 when voters approved Proposition 3, a 1/8-cent sales tax venue up to \$45 million for the acquisition of lands over the Edwards Aquifer

for parks and watershed protection. Proposition 3 ran from 2000 through 2005 and was limited to Bexar County.

The 2005 Proposition 1 program was an extension of the initial voter-approved Edwards Aquifer protection endeavor and was extended by voters in 2010 and renewed again in 2015. Changes in state legislation allowed watershed protection activities to expand outside of Bexar County. In 2020, City Council approved a 10-year, \$100 million alternative funding program through the San Antonio Municipal Facilities Corporation which will issue debt for the Edwards Aquifer Protection Program to continue its mission of protecting recharge water quality and quantity over the Edwards Aquifer Recharge and Contributing Zones.

The proposed fee simple purchase of the Scenic Loop Property, which is located directly adjacent to the 453-acre Scenic Canyon Natural Area, is located over the Edwards Aquifer Contributing Zone and consists of 155.7 acres in Bexar County, Texas. Upon acquisition of the Scenic Loop Property, the Parks and Recreation Department will manage and maintain the property in its natural state as an extension of Scenic Canyon Natural Area. The EAPP, which is seeking to protect the Edwards Aquifer recharge quality and quantity benefits for the City of San Antonio, will leverage funding for this acquisition project through a partnership with the Department of Defense's Readiness and Environmental Protection Integration (REPI) Challenge program. Compatible Lands Foundation, a contracted REPI land trust, will hold a conservation easement on the Scenic Loop Property in consideration of a 50% funding match for this acquisition which will guarantee a perpetual protective buffer against future development and associated light intrusion for Joint Base San Antonio – Camp Bullis.

The Scenic Canyon Property was initially identified through use of the Scientific Evaluation Team's GIS Spatial Model and subsequent site visits identified favorable recharge potential on the property. The property drains to the confluence of Chiminea Creek and Helotes Creek and is located within the lower Culebra Creek watershed which contributes to the Medina River and San Antonio leading to significant recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide high water quantity and high water quality benefit for the City of San Antonio.

ISSUE:

This ordinance authorizes payment in the amount of \$3,113,190.62 to First American Title Insurance Company as escrow agent for fee simple acquisition, due diligence and closing costs on a 155.7-acre tract of land known as the Scenic Loop Property located in Bexar County, Texas. Acquisition cost for this easement is less than the appraised value of \$7,000,000.00, resulting in a significant bargain sale to the City and the Department of Defense.

Acquisition of this property is consistent with the policy for the Edwards Aquifer Protection Program and will increase the total protected lands under the City's aquifer protection program by 155.7 acres; the current protected acreage is 179,528 acres. The City Council-appointed Conservation Advisory Board has reviewed and recommended this acquisition.

ALTERNATIVES:

An alternative would be to defer this acquisition until a later date subject to the property owner's willingness to sell real estate interests and future market conditions. Additionally, other properties could be targeted for acquisition foregoing this conservation easement and losing the geological benefits and the protection of additional acreage within the lower Culebra Creek watershed in Bexar County as well as the opportunity to secure a desired buffer for Joint Base San Antonio – Camp Bullis.

FISCAL IMPACT:

This is a one-time expenditure in the amount of \$3,113,190.62 for fee simple acquisition and conveyance of a conservation on a 155.7-acre property located in Bexar County over the Edwards Aquifer Contributing Zone funded through the San Antonio Municipal Facilities Corporation included in the FY 2024 - FY 2029 Capital Improvement Program.

RECOMMENDATION:

Staff recommends approval of this fee simple acquisition of a 155.7-acre tract of land known as the Scenic Loop Property and conveyance of a perpetual conservation easement to Compatible Lands Foundation for a total of \$3,113,190.62 under the San Antonio Municipal Facilities Corporation fund.

The Contracts Disclosure Form required by the Ethics ordinance is attached.