

## Attachment C. Design Coordination

---

Date: October 6, 2023  
To: Project Connect DEIS  
Prepared by: Deron Lozano, Rachel Thomas  
Subject: 6(f) Meeting with Texas Parks and Wildlife Department (TPWD)

**Meeting details:**

Date: Monday, October 30, 2023

Time: 3:00 - 4:00 pm CT

Location: VIRTUAL

**Attendees:**

Austin Transit Partnership (ATP): Deron Lozano, Tom Underwood, John Barnes, Rachel Thomas

City of Austin (COA): Ricardo Soliz, Brianna Frey, Scott Grantham, Sravya Garladenne

TPWD: Amy Grossman

**Discussion:**

- ATP provided TPWD an update on the Project Connect NEPA timeline and upcoming major milestones.
- COA PARD and ATP received clarifications from TPWD on the 6F Conversion Timeline regarding "expected value" in Step #4 and #6. TPWD will share their Appraisal Statement of Work document.
- ATP received verbal confirmation from TPWD that multiple 6f replacement properties will be acceptable in the conversion process. TPWD will determine if two properties must abide by a combined conversion timeline, or separate timelines.
- ATP received clarification on what type of easements are permissible for the TPWD conversion process, and TPWED retains authority to review and approve proposals.
- TPWD will share 300 Riverside's site with NPA for preliminary feedback. The group discussed options for expanding the parkland dedication zone within the site and externally along the existing trail.
- TPWD will share more Waiver of Retroactivity information with ATP and the COA PARD.

**6/15/2023 3:05 PM TPWD Coordination /Project Connect**

Date: June 15, 2023

To: Project Connect DEIS

Prepared by: Brianna Frey

Subject: 6(f) Meeting with Texas Parks and Wildlife Department (TPWD)

**Meeting details:**

Date: Thursday, June 15, 2023

Time: 3:00 - 4:00 pm CT

Location: VIRTUAL

**Attendees:**

Austin Transit Partnership (ATP): Tom Underwood, John Barnes

City of Austin (COA): Ricardo Soliz, Brianna Frey, Sravya Garladenne, Jenn Golech

TPWD: Amy Grossman

**Agenda:**

- LRT Implementation Plan update
- 6F Conversion Schedule & Ongoing Coordination
- Upcoming Milestones
- Boathouse Appraisal

**Discussion:**

- ATP provided TPWD an update on the Project Connect NEPA timeline and upcoming major milestones.
- COA PARD and ATP received clarifications from TPWD on the 6F Conversion Timeline regarding the "delayed conversion timeline" option.
- ATP shared ongoing design efforts for the conversion site in anticipation of creating the Conversion Boundary Map.
- TPWD shared considerations for Replacement properties, including what to do if adding onto existing parkland.



PROJECT CONNECT MEETING NOTES	
<b>Project:</b>	Project Connect – Orange and Blue Lines
<b>Date:</b>	Wednesday, August 24, 2022
<b>Time/Location:</b>	2:00 PM CST/Microsoft Teams
<b>Distribution via email:</b>	<p><b>TPWD (Texas Parks and Wildlife Department)</b> Amy Grossman</p> <p><b>ATP (Austin Transit Partnership)</b> John Barnes Alex Gale Deron Lozano</p> <p><b>City of Austin</b> Sravya Garladenne Scott Grantham – PARD (Parks and Recreation Department) Ricardo Soliz - PARD</p>
<b>Summary of Meeting:</b> Meeting to discuss Light Rail status and Waller Beach and Auditorium Shores Next steps 6(f) Appraisal along with TPWD Conversion with Delayed Replacement correspondence	

### Meeting Notes:

1. Deron provided an overview of the current status of the light rail program; acknowledging as a result of recently received increased capital cost estimates ATP, in coordination with the City of Austin and CapMetro, is developing a workplan to develop an optimized light rail project that will be based on technical and community. An updated light rail project definition is anticipated spring 2023.
2. ATP expressed interest in continuing to advance the 6(f) conversion process given work completed to date.
3. **Conversion with Delayed Replacement** – as a follow up to correspondence received from TPWD (August 15, 2002, attached):
  - a. Amy noted that an advantage to proceeding now is once the appraisal is complete it takes the encumbrance off the lands covered by the State grant (Auditorium Shores).
  - b. Amy reiterated that ATP may not acquire replacement property prior to conversion; the delayed replacement process provides 1 year to find the replacement property.
4. The team informed Amy that a appraisal was conducted on Waller Beach and the Boathouse based an anticipated 58,544 sq. ft. direct use / conversion requirement. The impact area includes the recommended additional “island” south of the original impact area, with the refinement suggested at a meeting between TPWD, ATP, PMOR, City of Austin, and HNTB on June 29, 2022. Amy noted since NPS has not officially approved the delineated impact area that was appraised, for purposes of the conversion process they may request a revision to the areas showed as impacted, and subsequently surveyed and appraised.
5. John B. explained that ATP committed to advancing the appraisal of the Waller Beach Boathouse and the Waller Beach Park given the completion of the Blue Line design delineating the impact area,



advancing this step in the conversion process to address the proposed schedule, and given the additional time the appraisal process is currently taking.

6. Amy suggested that it is up to ATP whether they would like to continue to advance the 6(f) conversion process, acknowledging should the conversion area be modified or a new location be identified during the project definition phase, the process may need to restart.

#### **Summary of Action Items:**

- **Submit revised Waller Beach Park Section 6(f) impact map to TPWD for concurrence from NPS.**
- **Submit Orange Line design plan showing surface impacts and tunnel location at Auditorium Shores to TPWD.**
- **Submit draft easement language once approved by the City of Austin.**
- **Determine if we are going to continue the conversion process with the current footprint (58,544 sf)**

#### **Attachment: TPWD / ATP Email Correspondence**

From: Amy Grossman <Amy.Grossman@tpwd.texas.gov>  
Sent: Tuesday, August 16, 2022 1:19 PM  
To: Lozano, Deron; Ricardo.Soliz@austintexas.gov; Grantham, Scott  
Cc: Dan Reece; Barnes, John; Gale, Alex  
Subject: RE: Cap Metro Conversion at Lady Bird Lake

Hi Deron,

Yes, the draft easement document would be what is needed now to determine whether the subterranean portion will be a conversion or not.

The 1-year timeline would be starting from when the converted land's processes are approved (after the surveys and appraisals, etc) by TPWD and NPS.

If there are any plans to change the conversion area boundaries in size or location, I would recommend pausing the conversion process. If the boundary moves or grows in size during the conversion process, we will need to restart the whole process with new appraisals, surveys, etc. If the boundary shrinks but stays in the same location, I imagine we could proceed with what we have but the City would be replacing more than what it would technically owe. Please let me know how you'd like to proceed for this.

Thanks,  
Amy

Amy Grossman  
Local Park Grant Compliance Coordinator  
Texas Parks and Wildlife Department  
(512) 902-6039

From: Lozano, Deron <Deron.Lozano@atptx.org>  
Sent: Tuesday, August 16, 2022 12:46 PM  
To: Amy Grossman <Amy.Grossman@tpwd.texas.gov>; Ricardo.Soliz@austintexas.gov; Grantham, Scott <scott.grantham@austintexas.gov>  
Cc: Dan Reece <Dan.Reece@tpwd.texas.gov>; Barnes, John <John.Barnes@atptx.org>; Gale, Alex <Alex.Gale@atptx.org>  
Subject: RE: Cap Metro Conversion at Lady Bird Lake

ALERT: This email came from an external source. Do not open attachments or click on links in unknown or unexpected emails.



Thank you for sending this information and coordinating this approach with NPS. I'll work with the teams to send the final proposed conversion area maps. We have a couple of initial questions to your email (ATP's Real Estate Team is cc'd here):

- Regarding the 1-year timeframe, would this be adjusted should the 6(f) conversion area be refined? Given we are at 30% design, we'll have further opportunities to adjust the engineering plans as we find opportunities to reduce sensitive area impacts and we're curious about any schedule implications.
- Just to confirm, you are requesting the Draft Easement document we had previously discussed (as opposed to the engineering plan showing the subterranean design), correct?

Thank you Amy, Deron

Deron Lozano  
Director, Environmental and Project Development  
Austin Transit Partnership  
P: 602-463-9576  
W: [atptx.org](http://atptx.org)  
A: 301 Congress Ave., 10th Floor, Austin, TX 78701

This message contains confidential information and is intended only for the intended recipients. If you are not an intended recipient  
you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this  
e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as  
information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does  
not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.  
If  
verification is required please request a hard-copy version.

From: Amy Grossman <[Amy.Grossman@tpwd.texas.gov](mailto:Amy.Grossman@tpwd.texas.gov)>  
Sent: Monday, August 15, 2022 9:15 AM  
To: Lozano, Deron <[Deron.Lozano@atptx.org](mailto:Deron.Lozano@atptx.org)>; Ricardo.Soliz@austintexas.gov; Grantham, Scott <[scott.grantham@austintexas.gov](mailto:scott.grantham@austintexas.gov)>  
Cc: Dan Reece <[Dan.Reece@tpwd.texas.gov](mailto:Dan.Reece@tpwd.texas.gov)>  
Subject: Cap Metro Conversion at Lady Bird Lake

Hello folks,  
In a recent meeting with NPS, they recommended a **Conversion with Delayed Replacement**. What this means is that we can do the paperwork and processes for just the converted portion now and have NPS initially approve that. Then we can do the replacement portion to submit it for final approval within one year. The main things to note with this are that 1. This prioritizes the appraisals of the converted lands now so that you have a firm value to find replacement properties and 2. when you do find replacement properties, the appraisals must be evaluated for the same date as the converted appraisals. For example, if the converted properties are appraised on 12/1/22, and then on 03/01/23 replacement properties are identified, those properties would be appraised for their value on 12/1/22. Finally, 3. this would free up the converted land from the grant encumbrance much faster than doing the entire conversion process at one time.

You might notice I used properties, plural, as a reminder that there are two separate grants in this project, federal and state, and they will need to be replaced in two similar, but ultimately separate ways.



This would require separate properties. The properties could be adjoining to create one large park, but the parcels that they are using as replacements would need to be separated in some way to submit information to NPS. We can do the Conversion with Delayed Replacement for both the federal and state grants so that we are following the same process.

As soon as you are ready to send over the final proposed conversion areas (for both the Waller Boathouse area and the Auditorium Shores access building) as well as the Draft Easement for the subterranean use as it crosses both sides of the lake and reaches the access building, we can get an appraisal review meeting scheduled.

Please forward to appropriate team members and reach out with any questions.

Thanks,

Amy

Amy Grossman  
Local Park Grant Compliance Coordinator  
Texas Parks and Wildlife Department  
(512) 902-6039



PROJECT CONNECT MEETING NOTES	
<b>Project:</b>	Project Connect – Orange and Blue Lines
<b>Date:</b>	Thursday, April 14, 2022
<b>Time/Location:</b>	1:00 PM CST/Microsoft Teams
<b>Distribution via email:</b>	<p><b>TPWD (Texas Parks and Wildlife Department)</b> Amy Grossman</p> <p><b>ATP (Austin Transit Partnership)</b> John Barnes Alex Gale Alvin Livingstone Deron Lozano</p> <p><b>City of Austin</b> Sravya Garladenne Michael Gates Scott Grantham – PARD (Parks and Recreation Department) Ronald Olderog Ricardo Soliz - PARD</p> <p><b>HNTB</b> Shandrian Ugwuoke</p> <p><b>Paul Hornsby</b></p>
<b>Summary of Meeting:</b>	Meeting to discuss 6(f) Appraisal

## Meeting Notes:

### 1. Section 6(f) Land Conversion

- a. TPWD will work with National Parks Service (NPS) to confirm land warranting conversion in compliance with the 6(f) process.
- b. Properties under consideration that warrant NPS concurrence include:
  - i. Orange Line – Walnut Creek Park – Amy stated TPWD deem a conversion due to impacts at this park. ATP noted impacts to this park are beyond the limits of the Initial Investment area for Orange Line, resulting in a level of uncertainty of baseline conditions when this project proceeds at this location.
  - ii. Orange Line – Auditorium Shores – This may warrant a license agreement but TPWD not likely to require 6(f) conversion. Amy requested a design exhibit demonstrating the tunnel depth.
  - iii. Blue Line – Waller Beach – upon review of a map delineating temporary and direct use areas, Amy suggested NPS would deem the temporary use areas a direct use per Section 6(f) guidance. This is due to impacts likely to extend beyond the 6-month maximum allotted timeframe to consider an impact temporary. ATP and PARD



concurred, noting a revised map would be provided to TPWD modifying the temporary use areas to direct use.

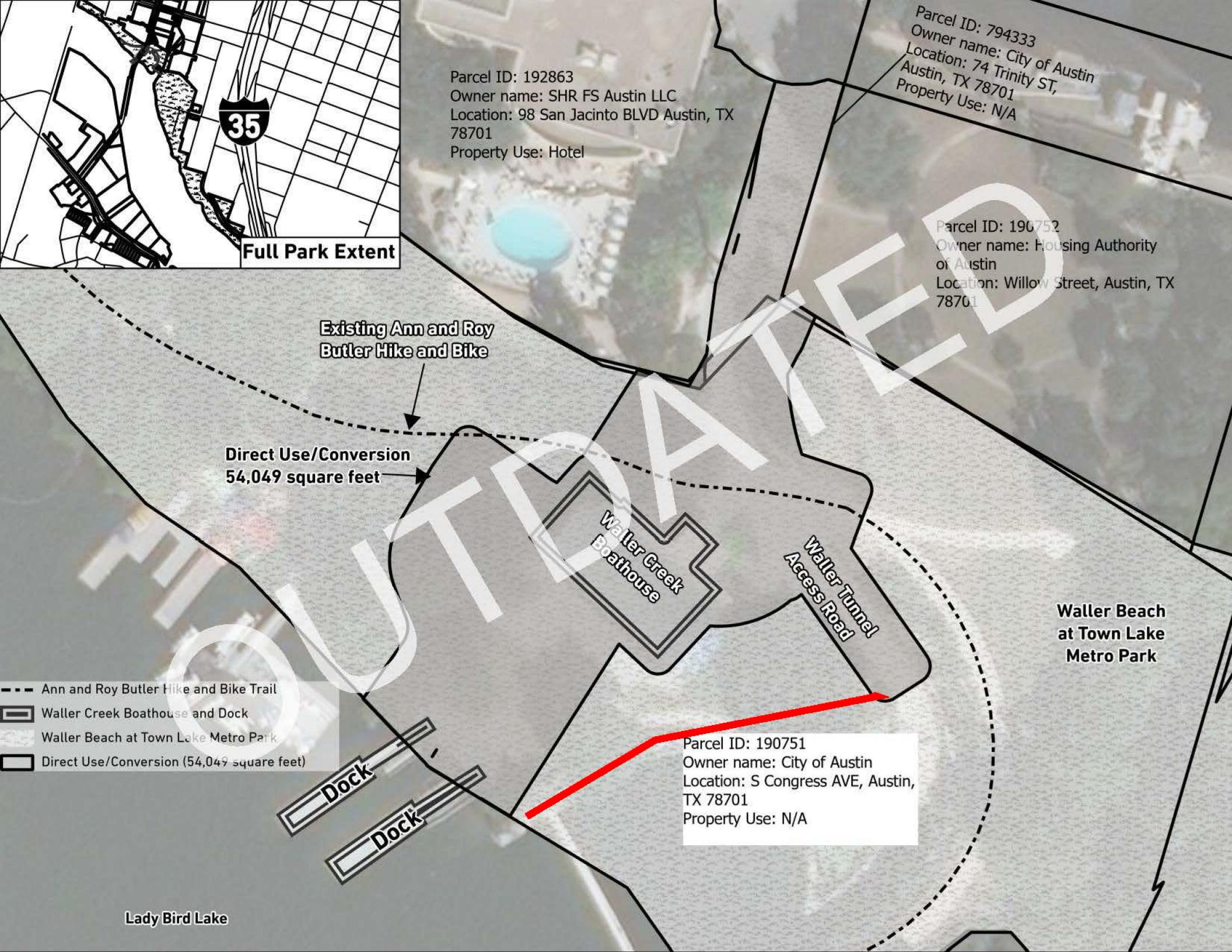
- c. Amy is going to check whether the TPWD grant process has the same 6-month timeframe applicable for “temporary uses” under 4(f).
- d. Should multiple 6(f) conversion sites be identified, TPWD recommended combining impacts into one replacement property conversion.
- e. Amy provided the following link to the LWCF Manual:  
<https://www.nps.gov/subjects/lwcf/upload/LWCF-FA-Manual-Vol-71-3-11-2021-final.pdf>

## 2. Replacement Property

- a. ATP, in coordination with COA, will need to find a replacement site equal to the price and utility of the appraisal estimate, not the area of impact.
- b. TPWD advised ATP / COA not pursue the replacement property under threat of condemnation, and further stated NPS would not endorse this practice. Mike G. noted the need to look for willing sellers rather than condemnation.
- c. TPWD advised completion of ESA phase 1 and survey on replacement property.
- d. TPWD suggested the process follow:
  - i. NPS to approve land to appraise (with concurrence from TPWD)
  - ii. Get official land value from appraisal
  - iii. Find replacement properties
  - iv. Propose replacement properties to TPWD
- e. Replacement property will likely be a Categorical Exclusion (CE) NEPA class of action. PARD authors the environmental document; TPWD applies for the CE.

## Summary of Action Items:

- **Submit revised Waller Beach Park Section 6(f) impact map to TPWD**
- **Submit Orange Line design plan showing tunnel location at Auditorium Shores to TPWD**
- **ATP / PARD review impacts at Walnut Beach Park**



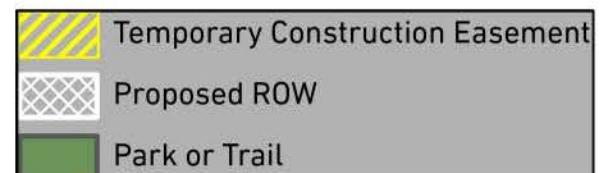


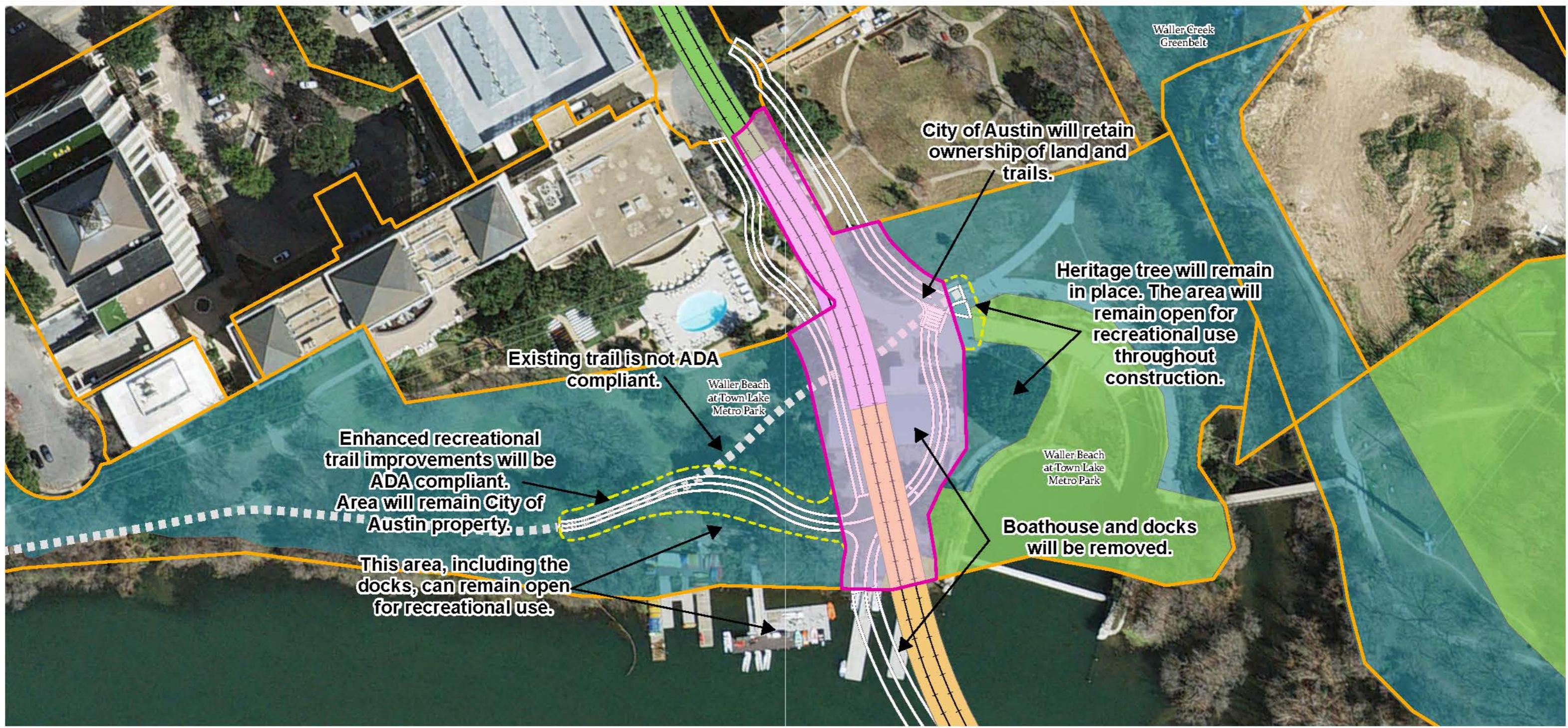
Total Park or Trail Size: 26.17 acres

Overall Area Impact: 58,544 square feet

Overall Percent Impact: 4.65%

Proposed ROW Impact: 58,544 square feet



**LEGEND**

Conversion Area

LRT Track

LRT Guideway

At Grade

Bridge

Transition

Trails

ADA parkland improvement area for future trail - proposed as non 6(f)

Existing Trail

Parcel

Parkland by Funding Type (Source: City of Austin PARD)

4(f) Property, Not Evaluated

6(f) Property, Not Evaluated

Proposed Conversion Area:  
approx. 45,371 square feet

Waller Beach at Town Lake Metro Park  
total acreage:  
approx. 28 acres

0 40 80 120 160 Feet

