

SEQUENCE OF EVENTS OVER 45 YEARS OF THE
EMMA LONG MOTORCYCLE PARK
AUSTIN, TEXAS

STAKEHOLDERS LABOR TO CREATE, MAINTAIN,
AND TO KEEP THE TREASURED AREA OPEN FOR ITS INTENDED USE



EMMA LONG MOTORCYCLE PARK, AUSTIN TEXAS

Dear Honorable Mayor Adler and Members of the City Council:

In support of the stakeholders of the Emma Long Motorcycle Park, we respectfully request your aid in ensuring that the stakeholders receive an unbiased and fair hearing in the defense of their continuing right to use the park.

These stakeholders include off-road motorcyclists, mountain bikers and trials riders who have demonstrated their commitment to the community and to the park through 45 years of volunteer labor to create, maintain, and to keep the treasured area open for its intended use.

For years, the BCP management has mounted an unfair and capricious campaign designed to exclude stakeholders from motorcycle areas. Given that the BCP's own dispute resolution procedures are slanted against the stakeholders of the Emma Long Motorcycle Park, we ask that you help the stakeholders find a more objective way to defend their rights.

The BCP management has, for example, attempted to justify closing motorcycle trails by citing reasons, which, if enforced generally, would require the closing of approximately 89% of the Barton Creek Green Belt, 99% of Turkey Creek Trails, and 100% of Bull Creek Trails. The BCP should not be allowed to selectively wage a campaign against a particular group of citizens.

After more than two years of ever-changing false allegations against the stakeholders, it has become evident that the BCP management is not acting on the basis of facts, but rather on a desire to unfairly target one recreational group among many.

The Emma Long Motorcycle Park was 26 years old when the BCP was created. At that time, its stakeholders' received a grandfathered right to continue to use the park. This grandfather status was again confirmed by the BCCP Board, in its Policy Statement of Nov. 28, 2007.

The stakeholders created the Emma Long Motorcycle Park before the BCP was formed and have been key maintainers of it for 45 years. During this time, multiple studies have shown no harm to the Golden-Cheeked Warbler population. The volunteers' dedication to preserving the park, as well as its recreational use, makes it a quintessential Austin institution.

Emma Long Park is owned by the City of Austin and is co-managed by the BCP. Please give the stakeholders equal time in front of an impartial panel to allow them to have their case decided in a fair manner, on the basis of facts, rather than on narrow prejudice.

Thank you

SEQUENCE OF EVENTS OVER 45 YEARS OF THE EMMA LONG MOTORCYCLE PARK AUSTIN, TEXAS

STAKEHOLDERS LABOR TO CREATE, MAINTAIN,
AND TO KEEP THE TREASURED AREA OPEN FOR ITS INTENDED USE

"Celebrate 25 years of user/Park Dept. cooperative agreement involving operation and maintenance of Emma Long Metropolitan Park recreational motorcycle trails. Cooperation between trail users and the Austin Parks and Recreation Department has developed one of the premier motorcycle trails in Central Texas".

Celebration event news release, PARD 11/14/1996

Special thanks to the Austin Parks and Recreation Department staff.

Over the years some of our clubs have remained, and some clubs have evolved; the Park staff have also changed, though the great tradition of friendly cooperation remained.

You may download a PDF of this report with imbedded links which make it very easy to manage. Download at: www.felmp.org

Contacts for this report:

Kent Browning
cxagent@gmail.com
(512) 288-6523

Tomás Pantin
KeepParkOpen@gmail.com
512 474 9968

Useful email addresses:

City Mayor and Councilmembers at large: <https://www.austintexas.gov/email/all-council-members>

Mayor Adler: steve.adler@austintexas.gov

Councilmember Gallo (the park is in her district): sheri.gallo@austintexas.gov

Austin American Statement: letters@statesman.com

Austin American Statement: aphillips@statesman.com

Austin American Statement: dhiott@statesman.com

SUMMARY: SEQUENCE OF EVENTS OVER 45 YEARS OF THE
EMMA LONG MOTORCYCLE PARK, AUSTIN TEXAS

Off-road motorcycles used several undeveloped areas in Austin including an old gravel pit located by the Colorado River at the Montopolis Bridge. The use of this gravel pit ended when owner Capital Aggregates needed the pit for backfill.

FACTS

There is only one public motorcycle park in the City. We use only 0.0650% of all the Austin parkland. After 45 years of riding at the Park, the Golden-cheeked Warbler population is above average. The Park's three use groups are Dirt Motorcycles, Mountain Bikes, and Trials Motorcycles. **page 10 ▶**

LATE 60'S

1970

Ken Miller, from Kapital Katz Club, asked the City to designate a tract at old "City Park" as a motorcycle area. The use of the tract was granted with the condition that it would be for public use and the volunteers would do all the work. The City had no funds for the creation of the park. **page 12 ▶**

1971

The Motorcycle Park opened to the public. Parks staff encouraged riders to use the dry Connors Creek as a trail. The creek's dry rock bed was very sustainable and would reduce the need for creation of more trails. **page 15 ▶**

04/09/1983

National Observed Trials Championship was hosted at the Austin Motorcycle Park. Only the best parks host "Nationals". **page 17 ▶**

06/18/1984

City Park was renamed Emma Long Metropolitan Park in honor Mrs. Emma Long, Austin's first female mayor pro tem. As a Councilmember, Mrs. Long reactivated the then empty Parks and Recreation Board, introduced civil rights ordinances in Austin, and served as an advisor for the United Nations. Through the years 2000~2003 Mrs. Long donated \$1,500 towards the motorcycle park for a federal grant matching fund. **page 19 ▶**

1986

Park user **Cliff Turner** approached the City for permission to do maintenance at The Motorcycle Park. Cliff was nominated Volunteer Trails Coordinator and became one of the greatest assets to the park for a span of 16 years. He was responsible for a great number of the park trails, recorded park history, and numerous maps.

SUMMARY: SEQUENCE OF EVENTS OVER 45 YEARS OF THE EMMA LONG MOTORCYCLE PARK, AUSTIN TEXAS

By 1994 it was agreed by City Council that some Austin parks would be integrated in to the BCP system. For this concession to be approved it was required that the existing recreational use of established parks assigned to the BCP continue unchanged. (Grandfathered-in) page 23 ▶

City of Austin, Travis County and the LCRA agreed to jointly apply with USFWS for the creation of the Balcones Canyonlands Preserve (BCP). The three parties sign the "Interlocal Agreement"

Austin Parks and Recreation hosted a celebration at the park to commemorate 25 years of the cooperative agreement with volunteers on the operation and maintenance of The Motorcycle Park.

City & state officials as well as TV news stations attended the event. PARD presented the heads of the volunteer riding groups commemorative plaques of recognition. "Cooperation between trail users and the Austin Parks and Recreation Department has developed one of the premier motorcycle trails in Central Texas." **page 30 ▶**

1993

1994

1995A

08/03/1995

05/02/1996

11/17/1996

1999A

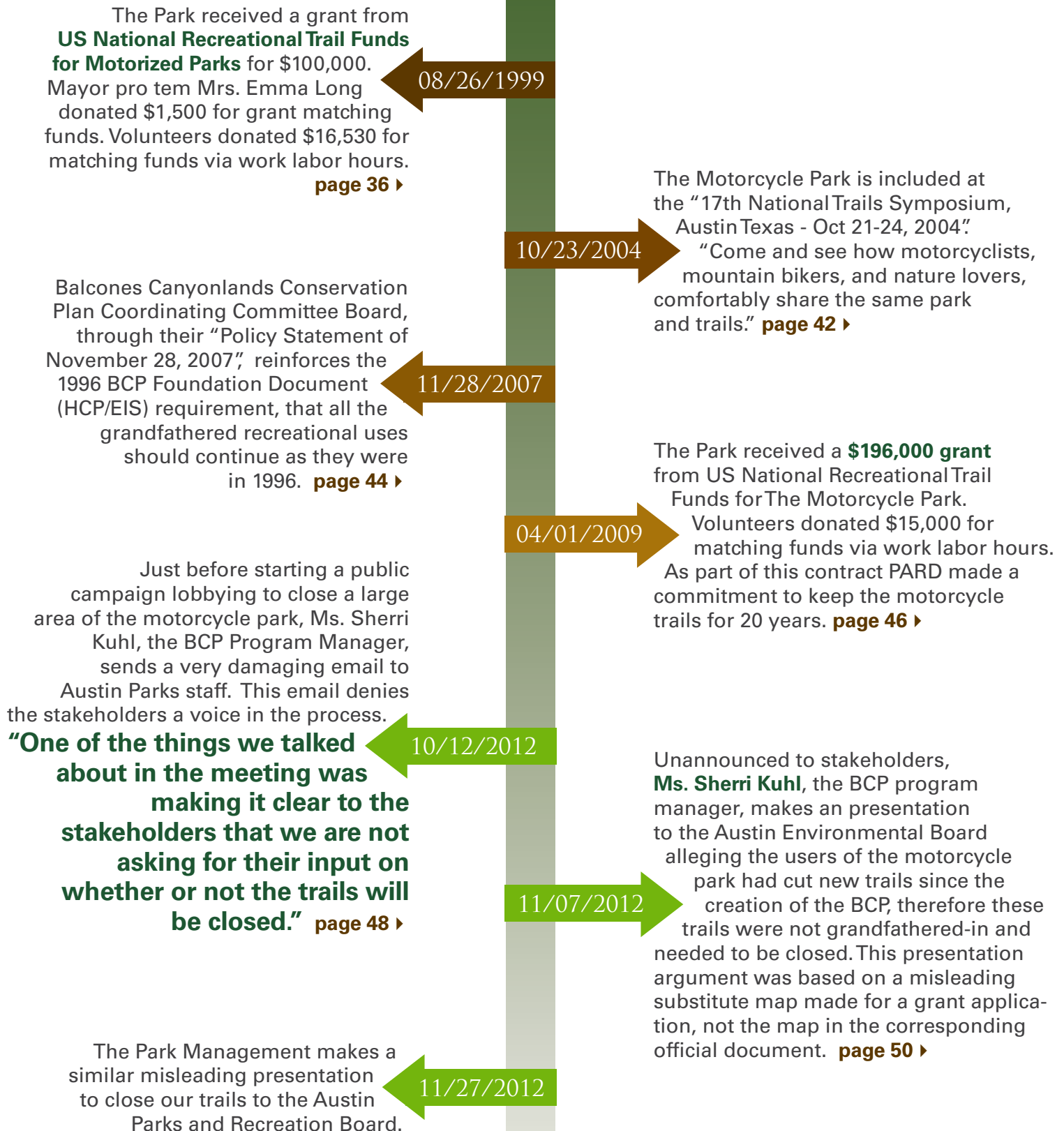
Susan Blackledge became Park Manager. Susan, whose home was at the park, was a great force in developing and organizing the entire area. Ms. Blackledge envisioned and traced the Turkey Creek Trail, which was much needed for hikers and their dogs. Susan was very supportive of The Motorcycle Park, and she, along with other City officials insisted that motorcycles should stay after integration with the Balcones Canyonlands Preserve. The State and the City were very proud of the uniqueness of The Motorcycle Park, the only one in Texas with such integration, and insisted that the use of motorcycles should be grandfathered. The message was very clear: **It is a motorcycle park.**

Ms. Blackledge, the Park Manager, opened The Motorcycle Park to the "new" mountain bicycles. She felt they were safe to ride with the motorcycles.

USFWS granted the 10(a) Permit and the BCP was created. The "Habitat Conservation Plan and Final Environmental Impact Statement" (HCP/EIS) became the BCP founding document. **page 26 ▶**

USFWS approved the first version of the Land Management Plan volumes (LMP).

SUMMARY: SEQUENCE OF EVENTS OVER 45 YEARS OF THE EMMA LONG MOTORCYCLE PARK, AUSTIN TEXAS



SUMMARY: SEQUENCE OF EVENTS OVER 45 YEARS OF THE EMMA LONG MOTORCYCLE PARK, AUSTIN TEXAS

Cliff Turner delivered a letter to BCP Program Manager Sherri Kuhl. In this letter, he includes the history of The Motorcycle Park. Mr. Turner explains why some of the existing trails and "Trials Sections" were not included in his maps. PARD

had agreed to leave the most difficult areas off the map to deter inexperienced riders from accessing those trails. Mr. Turner also elaborates on the PARD decision to create an EMS access system. **page 53 ▶**

7/17/2013

Stakeholders make a presentation to Ms. Sherri Kuhl (BCP), Lisa O'Donnell (BCP) and Shawn Cooper (PARD) based on an 1994 aerial photograph of the park that clearly showed that today's trails existed before the BCP was created, therefore, are grandfathered-in. **page 56 ▶**

09/25/2013

Stakeholders sent a series of emails to Ms. Kuhl requesting a decision by the BCP Secretary, Mr. Conrad, about grandfathered trails. On Sep 25, 2013, at the end of our demonstration, we were promised a resolution. Ms. Kuhl dodged our requests. To the date of this report, three years after alleging in public that we were riding non-grandfathered trails, BCP management refuses to visit the subject.

FALL 2013

Austin Parks landscape architect questions the merits of closing riding areas. **"Since it is mostly a dry creek there will be little if any recovery of understory so what is the gain in removing it?"**

02/27/2014

Just want to know if this battle that has been going on for over a year and a half would truly improve the habitat that has always had a pretty high level of disturbance in this area." **page 61 ▶**

BCP Management continued to refuse to meet about grandfathered trails and started to allege that the motorcycle use harms the Golden-cheeked Warbler population.

The pattern of ever-changing false allegations against the stakeholders became evident. The

BCP management was not acting on the basis of facts, but rather on a discriminatory desire to target one recreational group among many.

SPRING 2014

Stakeholder **Tomás Pantin** sends a formal letter to the BCP Secretary, Mr. William Conrad, affirming that the Motorcycle Park is not part of the BCP system. Mr. Pantin's case is supported by the text in the BCP founding document (HCP/EIS) page 3-100, where the text excludes the Motorcycle Park from the Preserve. **page 64 ▶**

06/17/2014

SUMMARY: SEQUENCE OF EVENTS OVER 45 YEARS OF THE EMMA LONG MOTORCYCLE PARK, AUSTIN TEXAS

Mr. Conrad, through misleading testimony obstructs stakeholders request to meet with Acting County Commissioner Todd. **page 74 ▶**

06/26/2014

About the geology of The Motorcycle Park:

The whole area at the park is over limestone bedrock and the limestone is expressed right to the surface in most areas. Bare limestone rock or cedar thatch alone does not promote soil formation or plant growth. The creek bare rock retains very little water and there's not much soil there to contain water either. Steep, rocky creek beds have such high water velocity in heavy rains that any soils are scoured out and carried downhill. The result is they will never have much soil even in the creek bed. **page 81 ▶**

08/08/2014

Using BCP's own data, stakeholders proved that after 45 years of riding at The Motorcycle Park, the Golden-cheeked Warbler population is above average when compared with similar BCP Tracts. Mr. Kent Browning's report: "Audit Report for the City of Austin 2012 Golden-cheeked Warbler Monitoring Program on the Balcones Canyonlands Preserve," was first delivered to the BCCP Citizens Advisory Committee, and later distributed via email. **page 87 ▶**

08/13/2014

Mr. Conrad, the BCP Secretary, refuses to give up using Mr. Turner's maps to justify closing grandfathered trails. Mr. Cliff Turner sends a second letter about his 1990s maps. This time the letter was directed to Ms. Jennings (Austin Legal Department) and Mr. Conrad. Mr. Turner writes: "These maps were never intended to represent all the exiting trails at the Emma Long Motorcycle Park, nor I have I authorized their use in any legal document." Next, Mr. Conrad tries to persuade Austin Legal, to validate his use. **page 107 ▶**

08/29/2014

Stakeholder Tomás Pantin invites Mr. Conrad to resolve their difference of opinion about the Motorcycle Park being included/excluded from the BCP through neutral mediation. Mr. Conrad refuses mediation. **page 76 ▶**

06/30/2014

Second and last meeting with BCP Management before park closures. In this meeting, it was announced that a large area and numerous trails would be closed. Mr. Conrad refused to entertain other expert opinions or any kind of mediation.... **"you're going to have to take our opinion for fact".** **page 85 ▶**

08/12/2014

One more time Mr. Conrad obstructs a very important opportunity to defend our case. Mr. Conrad persuades Ms. Hensley, the Austin Parks and Recreation Department's Director to overlook the proper step of a briefing to the Austin Parks and Recreational Board. A case so contested by stakeholders, should have become an "agenda item" before closing such large area of the park. **page 105 ▶**

08/28/2014

SUMMARY: SEQUENCE OF EVENTS OVER 45 YEARS OF THE EMMA LONG MOTORCYCLE PARK, AUSTIN TEXAS

Stakeholders attended a meeting with Sherri Kuhl (BCP), Lisa O'Donnell (BPC) and Alberto Perez (PARD) at The Motorcycle Park. The objective was to gain use of an old existing trail, to allow a much needed North-South trail. Ms. Kuhl insisted that we had to request a permit under the Trails Master Plan. The Trails Master Plan Program was created to open new trails, but the trail proposed already existed. Ms. Kuhl would not agree.

09/01/2014

A large riding area of the Park is closed-off only 17 days after meeting with BCP management on these closures. Although Mr. Conrad closed 21 trails and a large number of riding areas, Mr. Conrad insisted three times at the BCCP Coordinating Committee public hearing that he had closed only one trail (06/26/2015). **Misleading testimonies like this one, have plagued our dealings with BCP management. page 114 ▶**

02/20/15

The BCCP Coordinating Committee Board directed the BCP Management to develop a report on their actions regarding the Emma Long Motorcycle Park. Included is Ms. Kuhl's memo and the stakeholders and comments on her statements. The stakeholders included evidence to back up their position. **page 118 ▶**

6/26/2015

Stakeholders Kent Browning, Tomas Pantin, Travis Pantin and Richard Viktorin spoke under citizen's communications to the Balcones Canyonlands Conservation Plan Coordinating Committee. The speakers objected to BCP Management actions, misleading allegations, and obstructing stakeholder's attempts to prove their case. Speakers requested equal time in front of impartial panel.

07/17/15

The BCP management attempts to justify closing motorcycle-riding areas by citing erosion. If such a standard were to be enforced, 89% of the Barton Creek Green Belt, and 99% of Turkey Creek, and 100 % of Bull Creek Trails would also have to be closed.

07/27/2015

An article was printed in The Austin American Statesman about stakeholders objections to the BCP Management closing of large motorcycle riding areas. page 126 ▶

SUMMER 2015

The BCP should not be allowed to selectively apply ever-changing allegations to effectively wage a discriminatory campaign against a particular group of citizens. page 131 ▶

- There is only **one public motorcycle park** in the City.
- We use only **0.0650%** of all the Austin parkland.
- We use only **5.3471%** of our dedicated Park.
- Since 1999 we have received **\$296,000** in Federal grants specific for Motorized Parks.
- For the year 2014 PARD used about **20 person-hours** total to up-keep our trails, mainly supervision, with volunteers doing the rest.
- The **volunteer hours** investment on creating the Park over 45 years would have a value of \$307,853 in today's dollars.
- Using BCP's own data verifies that after 45 years of riding at The Motorcycle Park, the Golden-cheeked Warbler population is above average when compared with City of Austin BCP Tracts.

Three sports at the park:

Dirt Bikes

Off-road motorcycles (or dirt bikes). Emma Long provides over 6 miles of tight single track riding that is a mix of winding dirt trails and rocky ledges (which proves a more difficult "technical" riding experience). Emma Long is the only location available of off-road riding within an hour's drive of Austin.



Mountain Bikes

Single-track mountain biking trails are a mix of smooth flowing segments, and technical rocky sections. Single track riding can be quite challenging from a technical standpoint. Emma Long is the most challenging trail in Austin.



Trials Motorcycles

Trials motorcycles are distinctive as they are extremely lightweight, lack seating (they are designed to be ridden standing up). "Observed Trials" is ridden very slowly over obstacles and tight turns. It is not about speed, but rather precision and equilibrium. Emma Long is the best Trials Park in Central Texas. Trials riders practice on established riding areas throughout the Park called "Trials Sections".



LATE 60'S:

Off-road motorcycles used several undeveloped areas in Austin including an old gravel pit located by the Colorado River at the Montopolis Bridge. The use of this gravel pit ended when owner Capital Aggregates needed the pit for backfill.

1970:

Ken Miller, from Kapital Katz Club, asked the City to designate a tract at old “City Park” as a motorcycle area. The use of the tract was granted with the condition that it would be for public use and the volunteers would do all the work. The City had no funds for the creation of the park. The following 1996 memo is from Cliff Turner, the Trails Volunteer Coordinator, to Susan Blackledge, the Park Manager, about the history of the park and its volunteers.



CLIFFORD JOHN TURNER

4301 HANK AVENUE, AUSTIN, TEXAS 78745 - (512) 444-6623

November 5th, 1996

FOR: SUSAN

Jim Hallbrook,

Here are bits of history & goals of the Motorcycle Trails at Emma Long Metropolitan Park.

- There are two types of Motorcycling riding served by these Motorcycle Trails:
 - The first is known as TRIALS (Note the spelling and pronunciation "Try-Is") which involves riding extremely lightweight motorcycles over natural obstacles without touching the ground with any part of the rider's body, especially the feet, while being scored by Judges.
 - The second is TRAIL RIDING (Note the spelling and pronunciation "Tray-Is") which involves riding the natural trails and enjoying the beauty of Central Texas woodland.
- In 1970, Ken Miller, president of the Kapital Katz Motorcycle Club, successfully proposed to the Austin Parks Department the setting aside this section of parkland for the above uses.
- Ken Miller with Club members spent much of 1970 marking and clearing these trails.
- These trails became open for Public use in 1971.
- The Central Texas TRIALS Association have maintained the TRIALS Sections continuously since early in 1972. They have created and maintained some of the best TRIALS Sections in Texas.
- The River City Enduro Club helped maintained the TRAILS from the middle '70s to middle '80s.
- Austin Motor Sport Association, have maintained the Trails since the middle '80s.
- In 1992, Club member Cliff Turner met with the Parks Department and accepted the role of Trail Coordinator, with a mandate to lengthen the Main Loop so that every rider will do fewer laps and thus wear the trail less.
- Starting in 1992, under the supervision of Cliff:
 - Thus far the Main Loop has been lengthened from 3.2 miles to 6.1.
 - In 1994, a Beginners Loop was added with none of the sometimes intimidating limestone ledges which are quite common on the Main Loop.
 - 2 Starflight helicopter landing zones and 8 E.M.S. entry points have been designated around the area's perimeter to facilitate rescue.
 - A detailed computer generated map has been created and is available free-of-charge at the main sign at the parking area.
- The original sign with the Riding Rules had listed Bicycling as an activity prohibited on these trails, which reflected the lack of any bicycle of the time being capable of being ridden over the numerous obstacles on these trails. In the Spring of 1995, the Rules were changed to accommodate the modern Mountain Bike and these trails are now listed among the most challenging in Central Texas.

Feel free to call me at any time with questions or suggestions.

Cliff Turner

Clifford J. Turner
Trail Coordinator
Emma Long Metro. Park
Work: 327-8444
Home: 444-6623



CLIFFORD JOHN TURNER

4301 HANK AVENUE, AUSTIN, TEXAS 78745 - (512) 444-6623

November 5th, 1996

Susan,

Here is the list of the four clubs which have been responsible for the Motorcycle Trails over the past 25 years.

- Kapital Katz Motorcycle club whose members under leadership of their President Ken Miller spent most of 1970 cutting the original trail for the 1971 opening.
- Central Texas Trials Association, who maintained the Trials Sections since 1972
- River City Enduro Club, who maintained the Trails from the middle '70s to middle '80s.
- Austin Motor Sport Association, who have maintained the Trails since the middle '80s.

Please be sure that the spelling differences between "Trials" & "Trails" is noted.

Cliff

1971:

The Motorcycle Park opened to the public. Parks staff encouraged riders to use the dry Connors Creek as a trail. The creek's dry rock bed was very sustainable and would reduce the need for creation of more trails. The following newsletter is from a Houston rider's club, planning a trip to Austin for a tour the new park. (1971)

TRAIL RIDERS OF HOUSTON NEWSLETTER
SEPTEMBER 1971

THE AUGUST 29TH SOUTH TEXAS TRIALS ASSOCIATION TRIALS WERE SPECTACULAR IN EVERY RESPECT. IT SEEMED LIKE THERE WERE MORE SCORERS THAN RIDERS, WHICH IS ONE OF THE OUTSTANDING BENEFITS OF COMPETING IN THESE TRIALS. NO PROBLEMS SHOULD EXIST IN THE SCORING DEPARTMENT ANYMORE. I BELIEVE STTA SHOULD START CHARGING THE SPECTATORS ALSO SINCE THEY MORE THAN GOT THEIR MONEYS WORTH WATCHING MARK TOLLIVER PERFORM. THIS YOUNG, SILENT, AGILE, PERFECTIONIST OF A RIDER PUT ON A DISPLAY OF TALENT THAT FEW HAVE EVER SEEN. HOW DO YOU GET THIS

THE AUSTIN TRIP ON OCTOBER 2ND & 3RD WILL OFFER A DIFFERENT TYPE OF TERRAIN FOR US TO RIDE. THE AUSTIN CITY PARK OFF HIGHWAY 2222 HAS REST ROOMS AND WASHING FACILITIES. THE PARK GATES ARE LOCKED AT 11 P.M. EVERY NIGHT AND ARE OPENED AT 6 A.M. IN THE MORNING. FOR THOSE OF YOU WHO GO FRIDAY NIGHT, THERE WILL BE AN ORGANIZED RIDE SATURDAY MORNING AND PROBABLY ANOTHER SATURDAY AFTERNOON. THIS RIDE WILL BE IN PRETTY ROUGH COUNTRY, SO GEAR DOWN AS LOW AS POSSIBLE. IT IS NOT RECOMMENDED FOR BEGINNERS. THERE IS OTHER RIDING AVAILABLE NEAR THE PARK. ALL BIKES MUST HAVE MUFFLERS. THE KAPITOL KATS WILL TAKE ON THE CHORE OF SHOWING US AROUND ANOTHER PART OF THE HILL COUNTRY ON SUNDAY AND IT WILL BE DIVIDED INTO MORNING AND AFTERNOON RIDING. IF YOU PLAN TO GO, PLEASE CONTACT ME SO THE PEOPLE IN AUSTIN CAN HAVE ENOUGH GUIDES AVAILABLE. JACK BALLARD 621-5368

<u>SAFARI</u> 3		<u>ADULT</u> 10	
1ST JAMES BRUER	23	1ST MARK TOLLIVER	10
2ND TOM ANDERSON	27	2ND RAY GOODELL	19
3RD JACK BALLARD	33	3RD GARY MENARD	24
		4TH MIKE DEVENPORT	27
<u>JUNIOR</u> 5		5TH MIKE LAND	28
1ST MATT MYERS	2	6TH ED REECE	36
2ND GREGG STANFORD	26		
3RD KEVIN SCHWANTZ	31	<u>NOVICE</u> 24	
4TH WARD STANFORD	32	1ST LEON WALTMAN	2
5TH DAVID MAYFIELD	39	2ND DUANE DEBAKEY	8
		3RD PAUL KIZER	14
<u>WOMEN</u> 3		4TH MARION LIRETTE	16
1ST SARAH GOODELL	20	5TH DONALD CULAK	17
2ND ANN REECE	25	6TH WAYNE HOOKER	21
3RD AUDREY DEVENPORT	27		

THE NORTH TEXAS TRIALS ASSOCIATION WILL HOLD A TRIALS IN DALLAS ON SEPTEMBER 19TH. FOR MORE INFORMATION, PLEASE CONTACT ONE OF THE STTA MEMBERS.

STTA WILL HOLD THEIR NEXT TRIALS ON OCTOBER 10TH, SO MARK IT ON YOUR CALENDAR. FLYERS WILL BE SENT TO PARTICIPATING RIDERS ONLY.

THE RED LAMINATED PLASTIC NAME BADGES ARE AVAILABLE AGAIN FOR .75 FOR THOSE WHO WANT THEM. COME TO A MEETING AND SEE SONNY SUKASCH TO PLACE YOUR ORDER. CASH IN ADVANCE ONLY.

LYNN BARBER PROMISES PLENTY OF EXCITEMENT AT THE UP-COMING FIELD MEET ON SEPTEMBER 19TH. FIELD MEETS ARE A FUN THING FOR THE WHOLE FAMILY, SO PLAN ON GOING. YOUR TRIALS CLASSIFICATION WILL PREVAIL AT THIS EVENT.

JE

04-09-1983:

National Observed Trials Championship was hosted at the Austin Motorcycle Park. Only the best parks host “Nationals”. Read the following poster for supporting material.

ARMADILLO NATIONALS



OBSERVED TRIAL CHAMPIONSHIP ROUND ONE

APRIL 9, 1983/ AUSTIN, TEXAS



ADMISSION: 4.00 AT GATE
CHILDREN UNDER 12 FREE 3.00 AT DEALERS
NO TRAIL RIDING BY SPECTATORS



TRIALS START AT 9:30 AM

PROMOTED BY CENTRAL TEXAS TRIALS ASSOCIATION

06-18-1984:

City Park was renamed Emma Long Metropolitan Park in honor Mrs. Emma Long, Austin's first female mayor pro tem. Through the years 2000 – 2003 Mrs. Long donated \$1,500 towards the Motorcycle Park for a federal grant-matching fund. As a Councilmember (1948~1959, 1963~1969), Mrs. Long introduced civil rights ordinances, reactivated the then empty Parks and Recreation Board, and promoted the creation of many parks. Mrs. Long in 1967 was the U.S. representative to the World Population Commission in Geneva at the request of President Johnson. Emma Jackson Long, "Miss Emma", 1912-2011.



Mrs. Emma Long



1986:

Park user Cliff Turner approached the City for permission to do maintenance at The Motorcycle Park. Cliff was nominated Volunteer Trails Coordinator and became one of the greatest assets to the park for a span of 16 years. He was responsible for a great number of the park trails, recorded park history, and numerous maps.

1993:

Susan Blackledge became Park Manager. Susan, whose home was at the park, was a great force in developing and organizing the entire area. Ms. Blackledge envisioned and traced the Turkey Creek Trail, which was much needed for hikers and their dogs. Susan was very supportive of The Motorcycle Park, and she, along with other City officials insisted that motorcycles should stay after integration with the Balcones Canyonlands Preserve. The State and the City were very proud of the uniqueness of The Motorcycle Park, the only one in Texas with such integration, and insisted that the use of motorcycles should be grandfathered. The message was very clear: It is a motorcycle park.

1994:

By 1994 it was agreed by City Council that some Austin parks would be integrated in to the BCP system. For this concession to be approved it was required that the existing recreational use of established parks assigned to the BCP continue unchanged. Now BCP Managing Staff is trying to negate that obligation. Ironically, without the grandfathered recreational uses remaining unchanged, the agreement is off, and BCP should give back 3,210 acres of all the preexisting recreational parks donated to the preserve. The BCCP was declared dead twice, once in 1991 and the second time was in November 1993. MANY compromises were required to make the BCCP acceptable to enough people to allow it to exist. Specifically, two of those compromises were that existing public parks be placed into the BCP. The second was that public recreational use on existing public parks placed into the preserve would continue unchanged.

1995A:

Ms. Blackledge, the Park Manager, opened The Motorcycle Park to the “new” mountain bicycles. She felt they were safe to ride with the motorcycles.

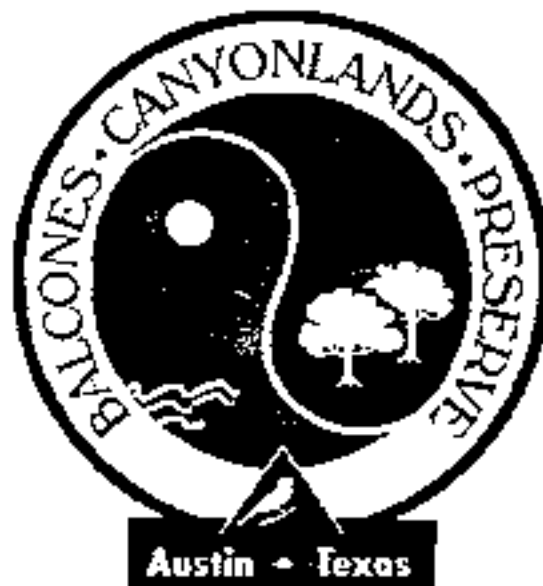
08-03-1995:

City of Austin, Travis County and the LCRA agreed to jointly apply with USFWS for the creation of the Balcones Canyonlands Preserve (BCP). The three parties sign the “Interlocal Agreement”.

05-02-1996:

USFWS grants the 10(a) Permit and the BCP is created. The "Habitat Conservation Plan and Final Environmental Impact Statement" (HCP/EIS) becomes the BCP founding document. Read the following pages for a sample of the "founding document". The entire "Habitat Conservation Plan and Final Environmental Impact Statement" (HCP/EIS) document is too large so is included on a separate Volume.

HABITAT CONSERVATION PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT



City of Austin & Travis County, Texas

March 1996



**Final Environmental Impact Statement/
Habitat Conservation Plan
for Proposed Issuance of a Permit to Allow Incidental Take
of the Golden-cheeked Warbler, Black-capped Vireo,
and Six Karst Invertebrates in Travis County, Texas**

Lead Agency: U.S. Department of the Interior
Fish and Wildlife Service

Responsible Official: Nancy M. Kaufman, Regional Director
U.S. Department of the Interior
Fish and Wildlife Service
P.O. Box 1306
Albuquerque, New Mexico 87103

Legal Authority: Endangered Species Act of 1973, as amended,
section 10(a), as implemented by 50 CFR 17.22(b)(1)

Prepared By: Regional Environmental Consultants (RECON)
7460 Mission Valley Road
San Diego, California 92108

and

U.S. Department of Interior
Fish and Wildlife Service
Joe Johnston, Biologist, Ecological Services
10711 Burnet Road, Suite 200
Austin, Texas 78758

Abstract: The City of Austin and Travis County (applicants) have applied for a permit from the Fish and Wildlife Service to allow incidental take of the following federally-listed endangered species: black-capped vireo (*Vireo atricapillus*), golden-cheeked warbler (*Dendroica chrysoparia*), Tooth Cave pseudoscorpion (*Tartarocreagris texana*), Tooth Cave spider (*Neoleptoneta myopica*), Tooth Cave ground beetle (*Rhadine persphone*), Kretschmar Cave mold beetle (*Texamauraps reddelli*), Bone Cave harvestman (*Texella reyesi*), and Bee Creek Cave harvestman (*Texella reddelli*) under section 10(a)(1)(B) of the Endangered Species Act. The activity sought to be authorized is the direct and indirect incidental take of federally-listed species that would result from grading, clearing, or other earth-moving activities necessary for residential, commercial, or industrial construction and infrastructure projects as well as the indirect impacts, such as noise, predation, and harassment, that results from the occupancy of these structures

within the permit portions of Travis County, Texas. The nonfederally-listed species of concern included within this plan would be protected and thus implementation of the plan may preclude the need for listing. If a species of concern is listed and the proposed actions in this plan have been implemented, then no further mitigation would be required of the plan participants.

The proposed permit will allow approved incidental take outside of proposed preserve lands within the proposed permit boundaries. In general, this area includes all of the lands within Travis County, except the following: the mapped preserve area; that portion of Balcones Canyonlands National Wildlife Refuge (BCNWR) that falls within Travis County; and, areas within the city limits and planning jurisdictions of municipalities not participating in the Balcones Canyonlands Conservation Plan (BCCP). The permit period is 30 years. Potential development for this time period is estimated to affect between 30,000 and 60,000 acres within the permit area. Of the approximately 2,000 acres of known occupied black-capped vireo habitat located within Travis County, 933 acres will be preserved within the BCCP preserve area or the BCNWR and up to 10 individuals will be subject to incidental take in the permit area through the loss of approximately 1,000 acres of habitat. For the golden-cheeked warbler, as identified by satellite imagery, approximately 44,968 acres in Travis County have the canopy closure and species distribution to be warbler habitat. As much as 26,753 acres (74 percent) of this potential warbler habitat is located within the permit area and may be subject to alteration and the incidental take of the warblers residing therein. This potential warbler habitat could support from 1,605 to 3,210 pairs of warblers (15-30 pairs/250 acres). Of the 45,368 acres of potential karst invertebrate habitat occurring in the permit area, approximately 38,349 acres will be unprotected by the proposed BCCP. Of the 39 federally-listed karst invertebrate localities currently known in the permit area, 35 will be protected by the BCCP and/or other action.

To minimize and mitigate the impacts of take, the applicants propose to conserve a minimum of 30,428 acres of black-capped vireo and golden-cheeked warbler habitat in a preserve system; provide for the ongoing maintenance, patrol, and biological management of the conserved habitat; and, conduct biological monitoring and research activities in support of the BCCP. A Participation Certificate fee would be used to fund implementation of the habitat conservation plan. Alternatives considered include continuance of development without a regional permit (no action), issuance of the permit with the submitted BCCP (30,428-acre preserve), and issuance of the permit with the submitted BCCP with an additional 5,000 acres added to the preserve system.

11-17-1996:

Austin Parks and Recreation hosted a celebration at the park to commemorate 25 years of the cooperative agreement with volunteers on the operation and maintenance of The Motorcycle Park. City & state officials as well as TV news stations attended the event. PARD presented the heads of the volunteer riding groups commemorative plaques of recognition.

“Cooperation between trail users and the Austin Parks and Recreation Department has developed one of the premier motorcycle trails in Central Texas.”

Read following pages for support material.



The City of Austin
Parks and Recreation Department
extends its appreciation
for the outstanding contribution
of

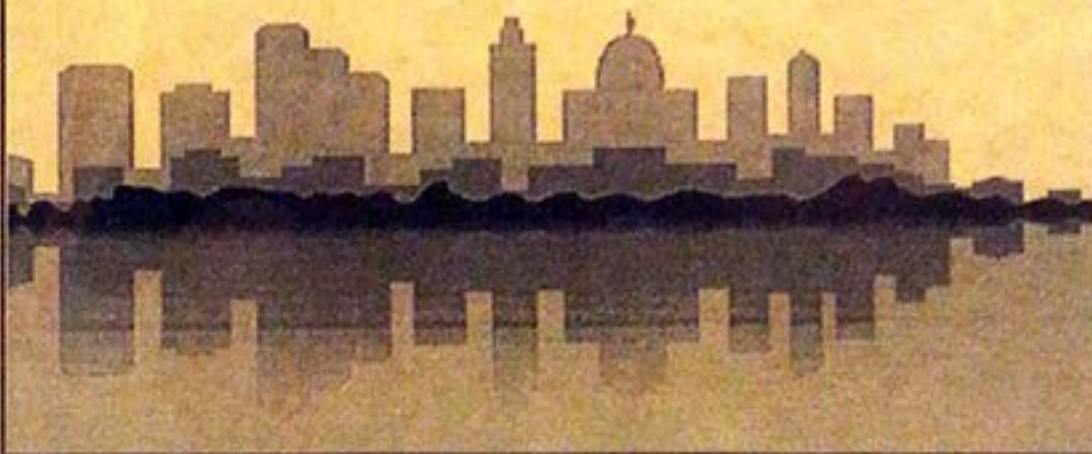
CENTRAL TEXAS TRIALS ASSOCIATION
25TH ANNIVERSARY OF VOLUNTEER SERVICE
TO THE EMMA LONG MOTORCYCLE PARK

Jesus M. Olivares

Jesus M. Olivares
Director, Austin Parks and Recreation

11/17/96

Date





11/14/96

FOR IMMEDIATE RELEASE

Dirt Bikes Rev-Up For 25th Year At Emma Long Park

Who: Dirt bike riders, Austin Parks and Recreation

What: Celebrate 25 years of user/Park Dept. cooperative agreement involving operation and maintenance of Emma Long Park



Where: Emma Long Metropolitan Park, 1600 City Park Rd. (south off 2222 west of Loop 360)

When: Sunday, November 17, 1996 beginning at 9:00 a.m.

Why: To recognize the partnership which has resulted one of the premier motorcycle trails in Central Texas

How: Dirt bike riding exhibitions and trail rides and tours

Celebrate 25 years of user/Park Dept. cooperative agreement involving operation and maintenance of Emma Long Metropolitan Park recreational motorcycle trails.

Cooperation between trail users and the Austin Parks and Recreation Department has developed one of the premier motorcycle trails in Central Texas.

Media contact:
Clifford Turner
(512) 327-8444 or 444-6623

Jim Halbrook
Parks and Recreation Department
(512) 499-6745

Dirt Bikes Rev-Up For 25th Year At Emma Long Park



A dirt bike rider wheelies over the challenging trail at Emma Long Metropolitan Park.

"They made me ride a dirt bike; those things don't have a seat. I was hanging on by my knees,"

Emma Long Lights Up Park

In November 1996, Emma Long donated \$500 to the park which bears her name. The donation provided for installation of lantern posts at each of the 66 campsites. The posts are designed for the hanging of lanterns. In the past, campers had to hang their lanterns from nearby trees. The posts will help preserve trees at campsites by reducing the risk of fire.

Engines revved, motorcycles flew and 40 riders careened across the caliche hills of Emma Long Metropolitan Park. The action was part of a celebration of a 25 year cooperative agreement between dirt bike riders and the Parks and Recreation Department for operation and maintenance of recreational motorcycle trails at Emma Long.

In 1971, dirt bike trails opened to the public at Emma Long Metropolitan Park, 1600 City Park Rd. Since that time, cooperation between trail users and the Austin Parks and Recreation Department has developed one of the premier motorcycle trails in Central Texas.

Both riders and the Parks Department celebrated the 25th anniversary of this recreational pursuit on Sunday, November 17, 1996. The event included dirt bike riding exhibitions, trail rides and tours. The Kapital Katz Motorcycle Club, Central Texas Trails Association, River City Enduro Club and the Austin Motor Sport Association participated in the festivities. Parks and Recreation Director Jesus M. Olivares and Emma Long Public Service Manager Susan Blackledge recognized each club's contribution to the park at the event.

"They made me ride a dirt bike; those things don't have a seat. I was hanging on by my knees," said Blackledge. "I'm impressed that these guys are still around and dedicating their time and energy to the trails."

The dirt bike clubs picked Emma Long Park because the caliche base soil makes the challenging trails less erosive and more maintainable.

Best Mountain Biking Trail City Park

The hills around Austin have become something of a mecca for the fat-tire biking set. While there are many challenging trails to choose from, our favorite is the loop at City Park about 20 minutes west of town. Most sections are easy enough for novices, but several tough climbs will engage the most experienced experts. For the best ride, get there early in the morning before the trail gets too crowded.

At the end of City Park Rd., off of FM2222

1999A:

USFWS approved the first version of the
Land Management Plan volumes (LMP).

08-26-1999:

The Park receives a grant from US National Recreational Trail Funds for Motorized Parks, \$100k. Mayor pro tem Mrs. Emma Long donated \$1,500 cash for grant matching funds. Volunteers Donated \$16,530 For matching funds via work labor hours.

Read following pages for supporting material.



August 26, 1999

Ms. Susan Blackledge
City of Austin Parks & Recreation
1706 City Park Road
Austin, TX 78730

Dear Ms. Blackledge:

I am pleased to inform you that today the Texas Parks and Wildlife Commission awarded National Recreational Trail funds and your Emma Long Park Motorcycle Trails project was selected to receive \$100,000 of grant funding. This grant is for less than the amount that you requested because the State Trails Advisory Board recommended partial funding of your project. The gator was not recommended for funding and the amount allocated for the parking lot was reduced. We received a large number of high quality proposals this year resulting in project costs being heavily scrutinized.

We have initiated environmental and historical resource reviews of the awarded project site. These reviews should be completed within two months. After these reviews are completed, I will make arrangements to meet with you and view the trail site and proposed work to be accomplished with the grant funds. At this time, you will receive copies of our billing procedures and a project agreement to execute.

Please remember that this program will only reimburse you for 80% of the project cost, up to the amount approved, for costs incurred after the project agreement has been fully executed. **Do not start your project or incur any costs until this agreement is signed by all parties. By law, you can not be reimbursed for costs incurred prior to the execution of the project agreement.**

Congratulations for submitting such a worthy proposal. Please feel free to contact me at (512) 389-4737 if you have any questions.

Sincerely,

Andrew Goldbloom
Program Manager

COMMISSIONERS

LEE M. BASS
CHAIRMAN, FT. WORTH

RICHARD (DICK) HEATH
VICE-CHAIRMAN, DALLAS

ERNEST ANGELO, JR.
MIDLAND

JOHN AVILA, JR.
FT. WORTH

CAROL E. DINKINS
HOUSTON

ALVIN L. HENRY
HOUSTON

CHARINE ARMSTRONG IDSAL
DALLAS

NOLAN RYAN
ALVIN

MARK E. WATSON, JR.
SAN ANTONIO

PERRY R. BASS
CHAIRMAN-EMERITUS
FT. WORTH

ANDREW SANSON
EXECUTIVE DIRECTOR

*To manage and
conserve the natural
and cultural resources
of Texas for the use and
enjoyment of present
and future generations*



United States Department of the Interior

FISH AND WILDLIFE SERVICES

Austin Ecological Services Office
Hartland Bank Building
10711 Burnet Road, Suite 200
Austin, Texas 78758
(512)490-0057



JUL - 9 1999

Lee Stone
City of Austin
P.O. Box 1088
Austin, TX 78767-8833

Re: Opinion on Grant for Emma Long Park in the North Lake Austin Macrosite of the
Balcones Canyonlands Preserve.

Dear Ms. Stone:

Your memo of 6/30/99 to Sybil Vosler (USFWS) outlined the trail maintenance activities in the endangered golden-cheeked warbler's habitat that would be funded by the Texas Recreation Trails Fund grant. It is our understanding that the proposed activities will not promote increased use of the trails in golden-cheeked warbler habitat and that these activities to be funded are intended to control and limit damage caused by uses allowed by the 10a regional permit that were pre-existing at the time of issuance. Based on the information provided in the memo, it is the Service's opinion that those actions are not likely to have negative impacts to the endangered golden-cheeked warbler provided that no clearing or construction take place during the breeding season from March 1 to August 1.

If you have any further questions please contact Sybil Vosler at (512) 490-0063

Sincerely,

William Scawell
for

David C. Frederick
Supervisor

January 8, 2000

A
D
O
P
T
•
A
•
P
A
R
K

Bikers Work Up \$100,000 For Emma Long Park Trail

The volunteer work of motocross dirt bikers and mountain bikers on the Emma Long Metropolitan Park trail raised \$100,000 in a matching grant for their work. The Trail Maintenance Paydirt Day was held January 8, 2000 at Emma Long Park, 1600 City Park Road and offered the bikers the opportunity to give back to the facility they enjoy.

Starting at 9 a.m., about 70 volunteers began repairing the steep, hilly trail which twists and turns through 6.2 miles of rocky terrain and wooded areas.

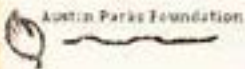
"We spent the first half of the day repairing damage to the trail and eliminating short cuts by covering them with brush and rocks to make it look as natural as possible. We took out the short cuts to keep people on the trail and out of areas that weren't meant to be ridden upon," said Don Goerner. Goerner, Parks and Recreation Financial Analyst and avid mountain biker, coordinated the volunteer trail maintenance project.

One of the most ruggedly enjoyable rides in the Austin area, the Emma Long trail attracts up to 300 riders a week. This puts significant wear on the trail and the Trail Maintenance Paydirt Day completed significant repair work.

"The trail manager had nine projects identified involving repairing short cuts and unauthorized trail additions. By noon, we had completed all of these projects," said Goerner. "With the increased traffic, it takes only a short time for short cuts to look like an established trail."

continued on page 4

News



**Special Edition
February 2000**

Adopt-A-Park is a cooperative program of the Parks and Recreation Department and the Austin Parks Foundation that develops partnerships and resources in support of Parks and Recreation.



Volunteers clean out a dump site at Emma Long Metro Park.

Bikers Rev-up Emma Long Park

continued from page 1

Taking on more than just trail repairs, the volunteers spent the second half of the day removing trash from old dumping sites located off Pearce Road on the east side of the park.

"There were two big dumps with old water heaters, refrigerators, ovens, all kinds of trash and old rusty stuff. The crew filled one 40 yard roll off dumpster and then piled enough debris next to it to have filled another 40 yard dumpster," said Goerner. "There is still more there and I'm sure we will go back for another round to make another dent on the big debris piles."

Assisting the volunteers were Emma Long Park staff Angel Gonzales, Travis Hughey, Nancy Bradbee, and Park Supervisor Susan Blackledge as well as three community service restitution workers.

"They were pretty into it," Goerner said. They loaded and unloaded the tools for everybody, drove trucks and gators to haul away debris, and transported some of the workers to cleanup sites."

The Texas Parks and Wildlife Department pledged a grant to Emma Long Metropolitan Park in support of the project based on the amount of volunteer work performed. The volunteers contributed a combined total of more than 570 hours of labor valued at \$4,714. Their efforts earned \$100,000 from Texas Parks and Wildlife. The grant will primarily be

used to replace the current portable toilets with a permanent facility and repair the parking area at the trail head. After these projects are completed, remaining funds will go towards trail signs and repairs.

In addition to helping maintain a recreational facility they enjoy, the volunteers receive first place points to their racing careers as an added bonus for their work. Additionally, workers were educated about the delicate environment and habitat surrounding their trail. "The food was good too and everyone who showed up got a nice pair of bike socks," added Goerner. The food and socks were donated by local businesses. Additionally, businesses donated a mountain board, a kind of skate board for rugged trails valued at \$350, for raffle.

Endorsing the trail project was Tour de France champion and Austin native Lance Armstrong who personally sent letters of appreciation to all individuals and businesses involved in the project. Armstrong, who won his first mountain bike race on the Emma Long trail, was involved with the initiation of the trail maintenance project.

The Emma Long Metropolitan Park Trail Maintenance Paydirt Day was sponsored by the Austin Parks and Recreation Department, Lance Armstrong Foundation, Cycle 360 Bicycles and Freebird World Burrito. ❖



FEDERAL GRANTS AND VOLUNTEERS CONTRIBUTIONS FOR THE EMMA LONG MOTORCYCLE PARK

In 1999 and 2008 the Emma Long Motorcycle Park was awarded two Grants from the National Recreational Trails funds through Texas Parks and Wildlife.

*"I am pleased to inform you that today the Texas Parks and Wildlife Commission awarded National Recreational Trail funds and your Emma Long Park Motorcycle Trails project was **selected to receive \$100,000** of grant funding."*

Andrew Goldbloom
TPWD, Program Manager
August 26, 1999

*"I am pleased to inform you that late last week the Texas Parks and Wildlife Commission awarded National Recreational Trails Grant funds and your Emma Long Park Motorcycle Trail project was **awarded \$196,000** of grant funding."*

Andrew Goldbloom
TPWD, Program Manager
August 25, 2008

To help Austin Parks and Recreation match the funds required by these grants, the volunteers donated \$ 16,530 Dollars through work hours, and \$ 15,000 Dollars through work hours for each grant. For a total of \$ 31,530.

On top of work hours the stakeholders rounded up \$ 8,440 in donations.

And most encouraging; Mrs. Emma Long, the first female Mayor pro tem for the City of Austin donated \$ 1,500 to our grant matching. (*)

Keep in mind that there are no records of the volunteer work/hrs spent during the 26 years before these grants and after. The Emma Long Motorcycle Park was developed and is mostly maintained by the riders clubs.

(*) Mrs. Long (1912 -1977) was of moderate means but loved the park with her name. The Mayor pro tem, used to visit the Park and celebrate Christmas with Ms Susan Blackledge, the park manager.

This report was made based on data provided by BCP, PARD, and TPWD
Tomas Pantin, moto@pantin.com 512 474 9968

10-23-2004:

The motorized park is included at the "17th National Trails Symposium, Austin Texas - Oct 21~24, 2004" "Come and see how motorcyclists, mountain bikers, and nature lovers, comfortably share the same park and trails."

Read following pages for supporting material.



[Awards](#) | [Schedule](#) | [Symposium Highlights](#) | [Programs](#) | [Concurrent Sessions](#) | [Mobile Workshops](#) | [Pre-Conference - Featured Workshops](#) | [Registration](#) | [Accommodations](#) | [Travel](#) | [Austin](#) | [Texas Trails](#) | [Sponsors](#) | [Be a Sponsor!](#) | [Host Committee](#) | [Host organizations](#) | [2002 Symposium in Orlando](#)

17th National Trails Symposium Austin, Texas - Oct. 21-24, 2004

Mobile Workshop details

EMMA LONG PARK MOTORCYCLE TRAIL

Saturday - October 23

Time: 12:00 p.m. - 5:00 p.m. • Cost: \$25.00

Come and see how motorcyclists, mountain bikers, and nature lovers, comfortably share the same park and trails.

The 1,147-acre Austin city park has many varied components. Large areas of the park are endangered species habitat. The park has a waterfront on Lake Austin with a beach and camping facilities. One of its most unique facilities is the six and one-half mile loop trail for technical motorcycle riding. Members of a local motorcycle club will be on hand to offer a demonstration of their riding skills on this challenging course.

The rugged natural surface trail also offers mountain bike riders a chance to test their skills. In addition, the mountain bike riders will demonstrate a new and upcoming trail activity called "free riding." Discussions will center on how this trail is cooperatively shared and maintained by both the motorcycle enthusiasts and the mountain bike riders. Nearby is the Turkey Creek Nature trail.



The Emma Long Park Motorcycle Trail

This two and one-half mile trail offers an easy hike in a scenic area. This natural surface trail follows a small meandering creek, so be prepared to step through shallow water. The trail was built with assistance from a local Boy Scout Troop. Some scouts will be on hand to tell how their volunteer efforts created a nature trail.

Return to [Mobile Workshops](#) listing

[Contact us](#) | [Board of Directors](#) | [Site map](#) | [Copyright](#) | [American Trails online bibliography](#)

11-28-2007:

Balcones Canyonlands Conservation Plan Coordinating Committee Board, through their “Policy Statement of November 28, 2007”, reinforces the 1996 BCP Foundation Document (HCP/EIS) requirement, that all the grandfathered recreational uses should continue as they were in 1996.

[Read following pages for supporting material.](#)



Policy Statement
Supporting
Public Access Trails on
The Balcones Canyonland Preserve
November 28, 2007

The Balcones Canyonland Preserve Plan Coordinating Committee directs:

That public access trails, where consistent with the Balcones Canyonland Preserve mission, shall be permitted within the preserve land owned and managed by City of Austin or Travis County; and

That these trails shall be implemented using the standards (for trail design, permitting, construction, operation and maintenance) established by COA Water Utility Wildlands Division or equivalent standards set by the Travis County Transportation and Natural Resources Department in accord with the requirements of the Balcones Canyonlands Conservation Plan; and

That public access may include any one or combination of the following recreational activities: hiking, hiking with dogs, running, and mountain biking. The appropriate recreational activities from the list above shall be determined on a tract-by-tract basis taking into consideration the season and the risk of a taking as defined by the BCCP.

That all public access that currently exists on Travis County and City of Austin PARD/BCP "grandfathered" tracts shall continue; and

That City and County staff shall initiate, with public access stakeholder and user groups, the trail and public access master plan process they've requested, with the master plan to be completed and presented to the Coordinating Committee with suggested changes to the Land Management Guidelines and/or the BCP Land Management Plans, by no later than one year from the effective date of this resolution; and

That this master plan shall include trail and public access master plans for as many tracts within the BCP as practicable for increased access beginning in 2009. Tracts for priority review shall include the Canyon Vista, Forest Ridge and Emma Long tracts; and

Funding for acquisition of preserve habitat or species management within the preserve shall have priority over funding for recreational access within the preserve.

That in the event of a conflict between this resolution and the rest of the Balcones Canyonland Land Management Plan, the remainder of this resolution shall continue in effect while the conflict is resolved in accordance with the requirements of the Balcones Canyonland Conservation Plan.

Approved by the BCCP Coordinating Committee November 28, 2007 on a motion from Chair Wynn, second by Member Daugherty, carried 2/0.

04-01-2009:

The Park receives a \$196k grant from US National Recreational Trail Funds for the Motorized Park. Volunteers Donated \$ 15,000 for matching funds via work labor hours. As part of this contract PARD makes a commitment to keep the motorcycle trails for 20 years.

Read following pages for supporting material.

Texas Parks & Wildlife Department
Grant Application for Texas Recreational Trails Fund

APR 28 2008

Due May 1st

PROJECT NAME Emma Long Metro Park Motorcycle Trails Development
SPONSOR NAME Parks & Recreation Department
CITY & COUNTY NAME Austin, Travis County

1. SPONSORING ENTITY

Contact Person: Alberto Perez / Sharon Yarbrough
(person TPWD may contact for further information)

Title: Park Grounds Supervisor / Grants Coordinator

Mailing Address 200 South Lamar Blvd

City Austin State: TX Zip Code: 78701

Email Address: alberto.perez@ci.austin.tx.us / sharon.yarbrough@ci.austin.tx.us

Federal Tax Identification Code: 74-600085
or 501 (C) (3) or (C) (4) exemption (please include tax number and printout - see page 5)

Area Code & Telephone No. (512) 346-3807 / 974-6723 Fax No. (512) 974-6729

Sharon Yarbrough
Authorized Signature

4/23/08
Date

To the best of my knowledge and belief, all documentation in this application is true and correct, the application has been duly authorized by the governing body of the applicant, and the applicant agrees to comply with all program rules and procedures if grant assistance is awarded.

2. INTENDED USES (Check One)

☒ Motorized Use ☐ Non-motorized Use ☐ Both

3. TYPES OF USE (Check All That Apply)

<input type="checkbox"/> Bicycling	<input checked="" type="checkbox"/> Mountain Bicycling	<input type="checkbox"/> Hiking/Hiking
<input type="checkbox"/> Equestrian	<input type="checkbox"/> Jogging/Running	<input type="checkbox"/> Skating/Skateboarding
<input checked="" type="checkbox"/> Motorcycles	<input type="checkbox"/> Four wheel Drive Vehicles	<input type="checkbox"/> All Terrain Vehicles
<input type="checkbox"/> Wheelchairs	<input type="checkbox"/> Provisions for Disabilities	<input type="checkbox"/> Other _____

4. PROJECT LENGTH

New construction _____ (miles or feet)

Renovation of existing 9.13 miles (miles or feet)

5. GRANT FUNDS REQUESTED \$ 196,000


10-12-2012:

Just before starting a public campaign lobbying to close a great area of the motorcycle park, Ms. Sherri Kuhl, the BCP Program Manager, sends a very damaging email to Austin Parks staff. This email denies the stakeholders voice in the process.

“One of the things we talked about in the meeting was making it clear to the stakeholders that we are not asking for their input on whether or not the trails will be closed.”

The following email chain was obtained through Austin’s version of freedom of information act.

From: Kuhl, Sherri <Sherri.Kuhl@austintexas.gov>
Sent: Friday, October 12, 2012 8:17 AM
To: Houtman, Troy; Larsen, Jeff; O'Donnell, Lisa; Ross, Amanda
Cc: Conrad, William; Williams, D'Anne; McNeeley, Kimberly; Cooper, Shawn
Subject: RE: Balcones Motocross Trail




Troy – I appreciate the clarification on the process, and your support for closing the non-authorized trails. (One of the things we talked about in the meeting was making it clear to the stakeholders that we are not asking for their input on whether or not the trails will be closed) This was one of the concerns expressed for meeting with them prior to briefing the Boards.

I am happy to work with your staff on joint presentations for all of the meetings. Thank you for your support. Sherri

From: Houtman, Troy [mailto:Troy.Houtman@austintexas.gov]
Sent: Thursday, October 11, 2012 6:10 PM
To: Kuhl, Sherri; Larsen, Jeff; O'Donnell, Lisa; Ross, Amanda
Cc: Conrad, William; Williams, D'Anne; McNeeley, Kimberly; Cooper, Shawn
Subject: RE: Balcones Motocross Trail

Hello Sherri,



It was my understanding that we would talk to the stakeholders first. This only makes sense to inform them of the situation and gauge what is needed first. I can only speak for the Parks Board, and the first question they would ask about closure of the non-authorized trails is; have you communicated with the users of the trail?

This was what was agreed upon in our meeting, I have confirmed this with our AD and all others in the meeting as well as my notes. In our discussion: I provided examples from the Bull Creek situation that we first informed the stakeholders on our plans to require dogs to be on leash; this is the communication our stakeholders are used to and expect. We don't want this to be a surprise to our stakeholders, this will only cause more distrust and difficulty in compliance.

Our plan is to hold the meeting on the 22nd of October and inform them of the changes in the park and what non-authorized trails will be closed using maps and other materials. We have invited your staff to attend, as they will be a great resource in explaining the reasons for the closing of the non-authorized trails, how it will be done, and the outcome of the grant project which Shawn is working on right now. If things go well, I expect them to volunteer to assist in closing the non-authorized trails.

We have a very formal process to address the Parks Board. First we provide a briefing to our executive team. Next, we make the presentation to a sub-committee which is our 'Land and Facilities Board' which will be early November. If they have further questions and require more details, then we make a presentation to the full Parks Board at the end of November. If this is routine decimation of information (which I expect this to be) then we only provide a memo to the Parks Board. December meeting for the Parks Board is not usually available. I don't see this item as an 'Action Item' for the Parks Board, rather a briefing on the management of the park pertaining to the non-authorized trails.

To address the Environmental Board on November 7th, I will be available to present with your team.

As far as the presentation on the 22nd and for 'Land and Facilities Board', a team approach is very welcomed. At the beginning of next week our team is planning to create the presentation, but it would be fantastic to have a few team meetings to ensure the information is accurate and prepare for any questions.

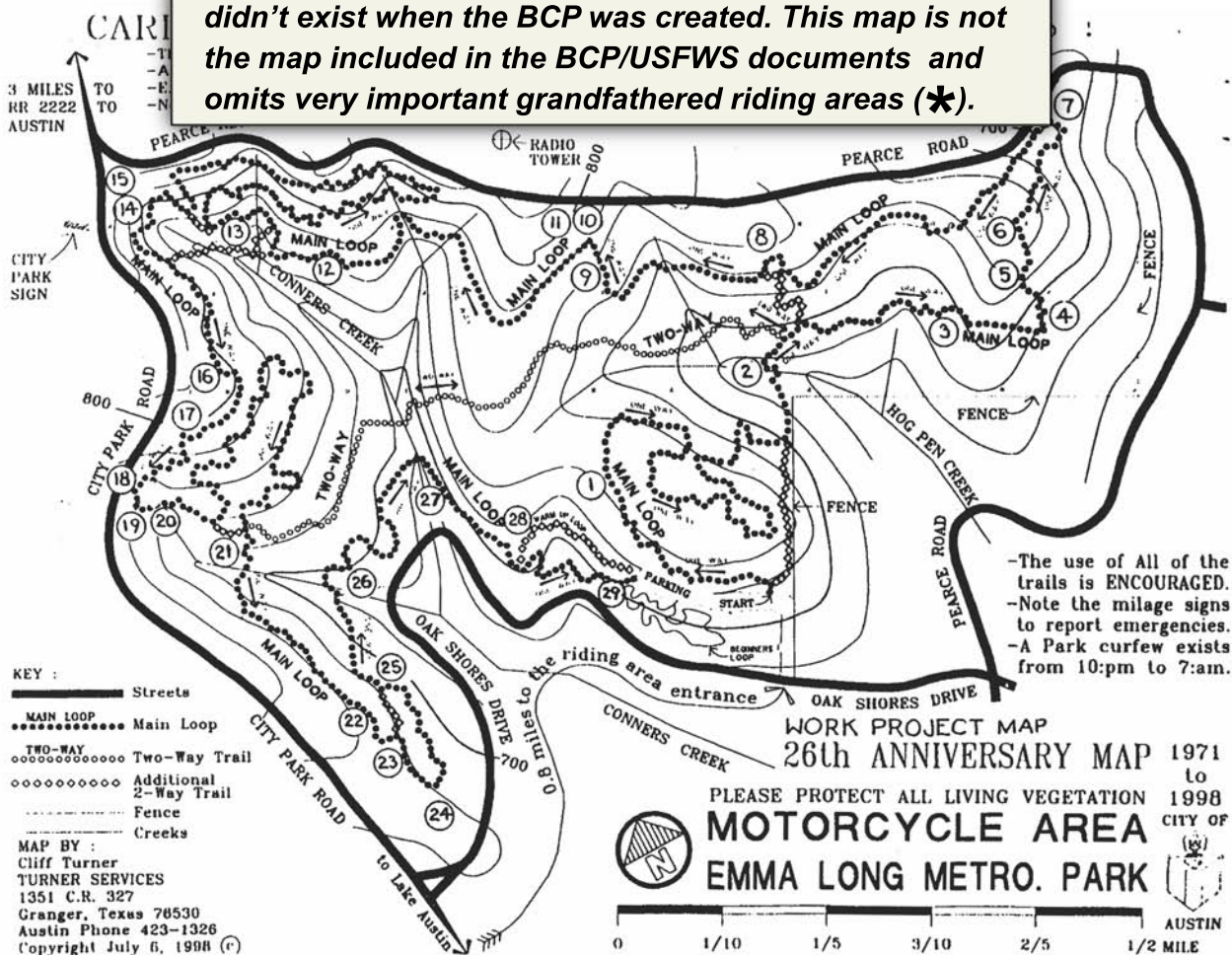
11-07-2012:

Unannounced to stakeholders, Ms. Sherri Kuhl, the BCP Program Manager, makes an presentation to the Austin Environmental Board alleging the users of the motorcycle park had cut new trails since the creation of the BCP, therefore these trails were not grandfathered-in and needed to be closed. This presentation argument was based on a misleading substitute map made for a grant application, not the map in the corresponding official document.

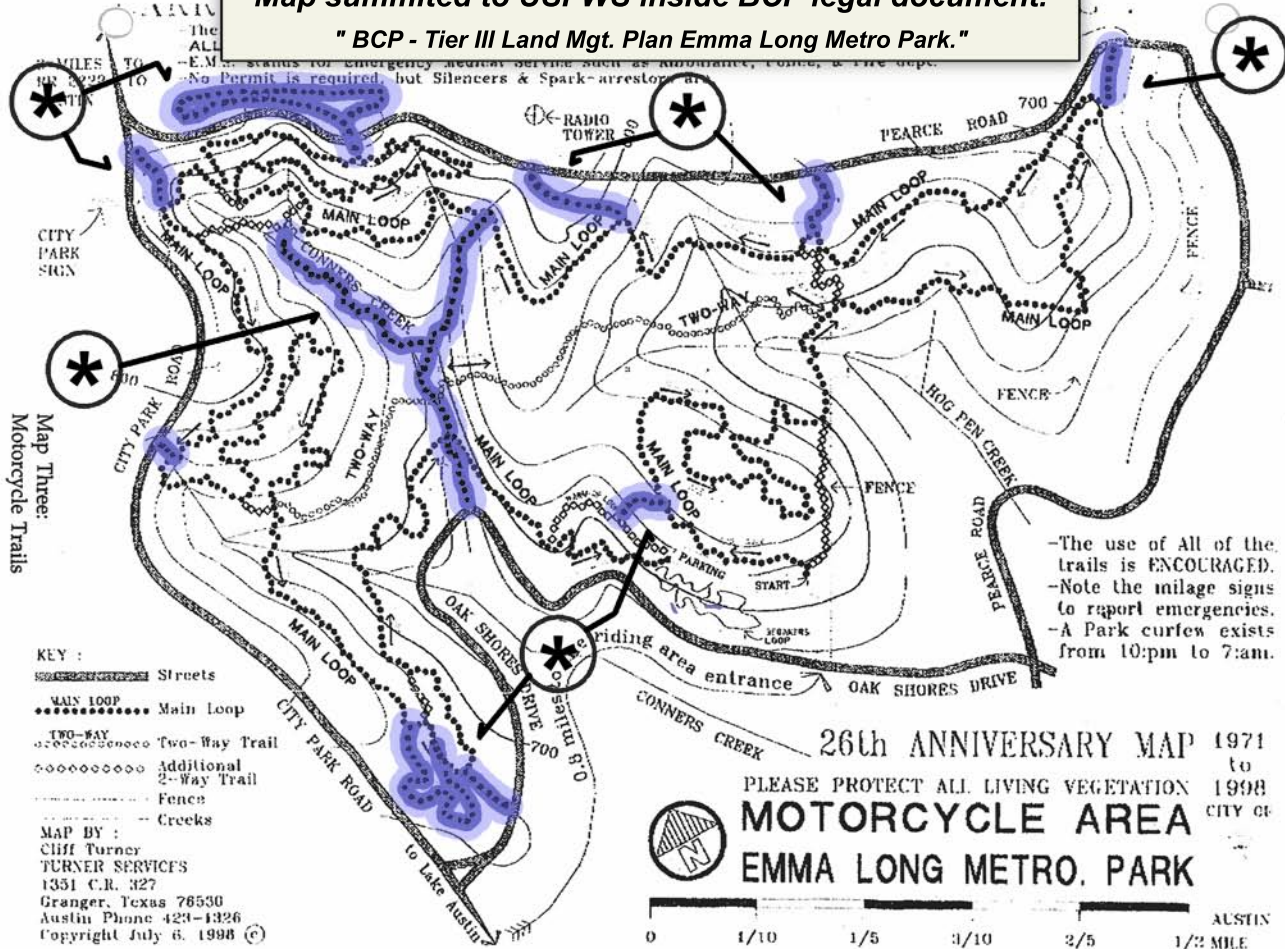
See the following maps for supporting material:

The map on the top was used in Ms. Kuhl's presentation, alleging that was the map in the BCP official documents. The map in the bottom is the map included in the BCP official document (LMP). This map shows more grandfathered trails.

Substitute map used in Ms. Kuhl's presentation to the Austin Environmental Board to allege that areas we ride didn't exist when the BCP was created. This map is not the map included in the BCP/USFWS documents and omits very important grandfathered riding areas (*).



**Map submitted to USFWS inside BCP legal document.
 "BCP - Tier III Land Mgt. Plan Emma Long Metro Park."**



11-27-2012:

A similar misleading presentation about grandfathered trails that was made to Austin Environmental Board on 11-07-12 was made to the Austin Parks and Recreation Board by BCP Management.

07-17-2013:

Cliff Turner delivered a letter to BCP Program Manager Sherri Kuhl. In this letter, he includes the history of The Motorcycle Park. Mr. Turner explains why some of the exiting trails and “Trials Sections” were not included in his maps. PARD had agreed to leave the most difficult areas off the map to deter inexperienced riders from accessing those trails. Mr. Turner also elaborates on the PARD decision to create an EMS access system.

Following page has Mr. Turner’s letter.

To: Sherri Kuhl,

July 17, 2013

I am the one who drew the map of the Motorcycle Trails that now shows with many documents about Emma Long Motorcycle Park, in the 1990s. I have been riding out at Emma Long Park since it was City Park, then Lake Austin Metropolitan Park (LAMP).

In the early 1990s, the directional signs on the trail were rusting away or falling down. I met with the Parks Dept. pointing out that the Trail Signage needed maintenance. I said that someone ought to do something about it. They looked at each other and then assigned me as that someone. I then made maps and maintained the signage for more than 10 years.

At the opening of the riding area, there were many trails, some dead-ending, some returning to the original trail. This resulted in many forks in the trail. The Main Loop was created to ensure that a rider knew the way back to the parking lot. This Main Loop also the easiest of the paths offered.

Many riders would attempt to see how many laps of the Main Loops they could achieve. So, the Mandate from the Parks Dept. was to make the existing Main Loop longer, meaning one would do fewer laps and thus ride over any part of the trail fewer times, wearing it out less. Over the years, I would combine many of these existing trails into the Main Loop. When I started, the Main Loop was 3.2 miles long. When I finished it was 6.3 miles long. I thus cut the number of laps in half, reducing the wear by half.

Around 1996, when a Federal Dept. was inquiring about the Trails & their wear on the environment, the State of Texas stepped in and pointed out that they consider our Trails as a Model Example of Motorized Recreation existing in a monitored environment, for more than a quarter of a century. It has now been 42 years.

The map was available in a holder at the Motorcycle Park Sign. It showed the one-way Main Loop and the two-way Cross Trail. It also included the E.M.S. Entries. One bicycle rider broke her arm. With the Map, she reached an E.M.S. Entry with in a hundred yards versus a 2 mile trip on the Trail going the wrong way back to the Parking Lot.

There were many trails that would be too difficult for a beginner rider, so these were not shown. Showing all of the trails would have led to a tangle of trail lines, thus making the Map unreadable. When reaching a fork in the trail, a Main Loop sign would show the easier way. The Map did have the statement: "The use of All the trails is ENCOURAGED". Again, this was intended to lighten the wear on the Main Loop.

In this paragraph, please note the difference between "Trail" and "Trial". Trials Riding includes difficult obstacles. This requires special motorcycles known as "Trials" bikes. A normal trail bike could not ride over these obstacles. Thus, again, the Trials Sections were not included on the Map.

Originally, the Park Sign prohibited bicycles. At the time, there were only 26" single, 3-speed, or 10-speed bicycles available. None of those could be good bikes to ride on the trail. There were also 20" BMX bikes that could make it on the trail, but their single speed would make it tedious. Later when the mountain bikes were invented and began being used, we had a meeting to officially allow bicycles on the trail.

I would be glad to meet with you and I am available for any meeting with a City Board or interested group.



Clifford J. Turner

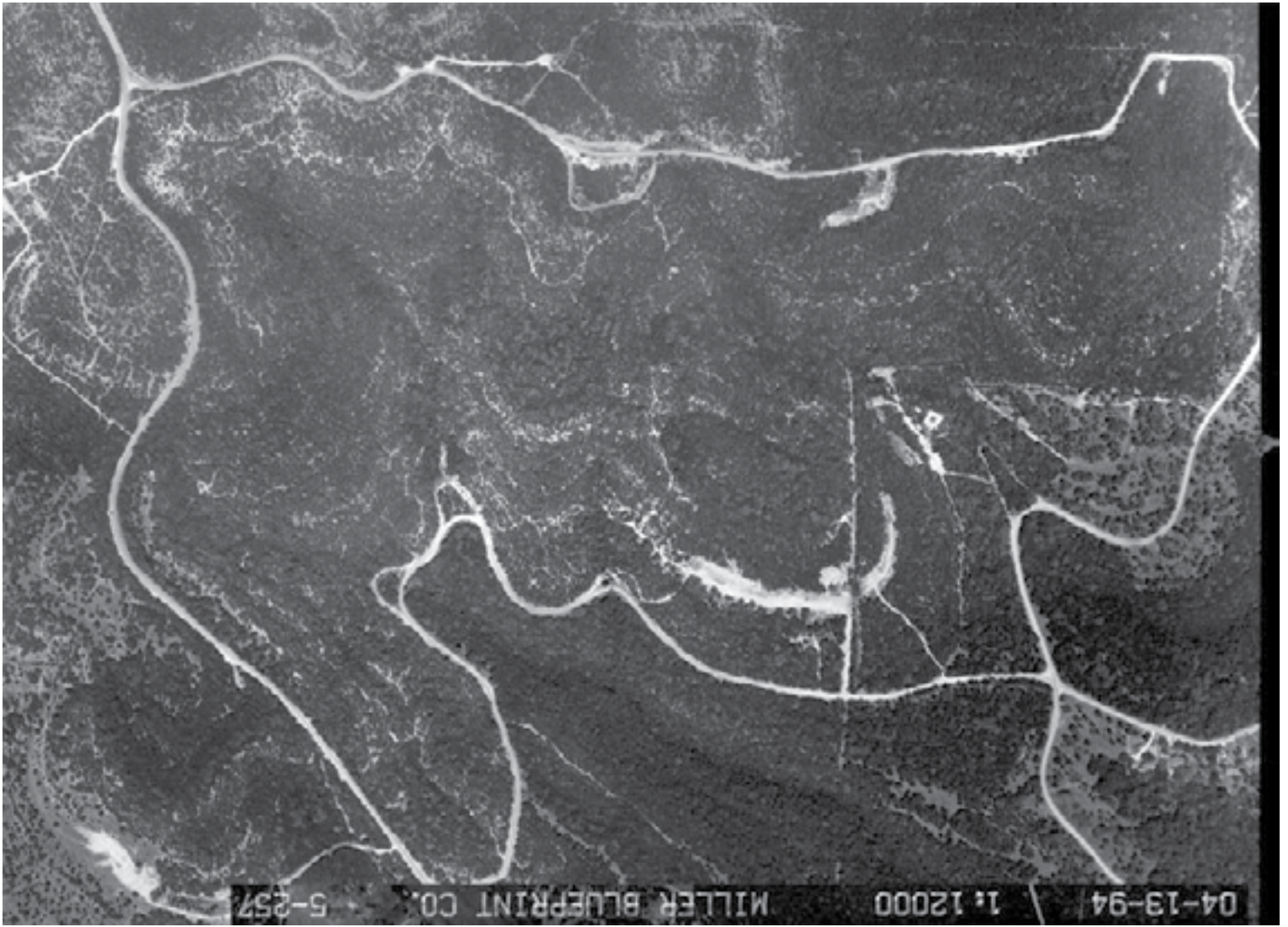
512-327-8444: Office

512-638-0064: Cell

09-25-2013:

Stakeholders make a presentation to Ms. Sherri Kuhl (BCP), Lisa O'Donnell (BCP) and Shawn Cooper (PARD) based on an 1994 aerial photograph of the park that clearly showed that today's trails existed before the BCP was created, therefore, are grandfathered-in.

Look at following pages for a few samples of how the today trails show on the 1994 aerial photograph.



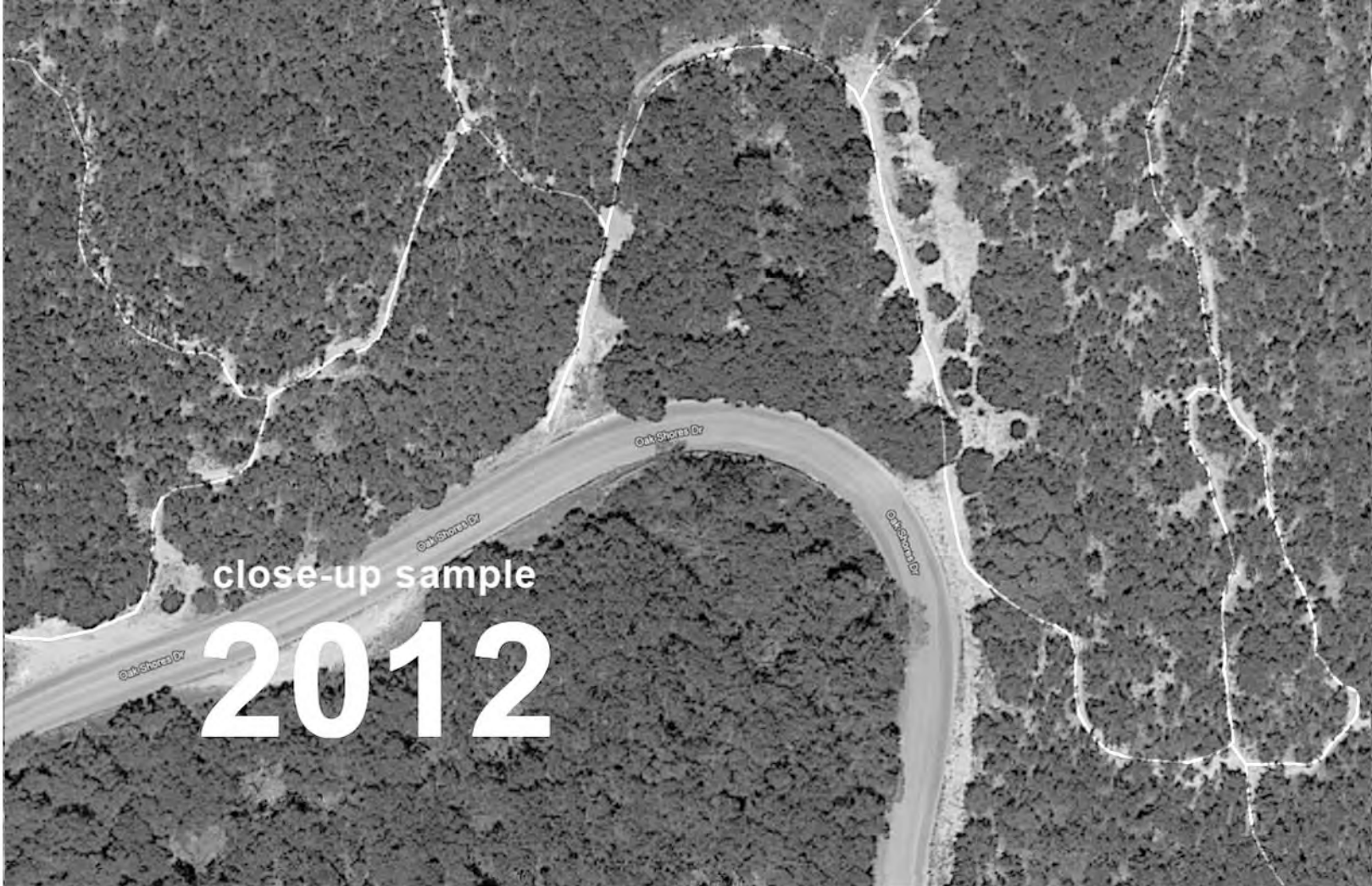
An aerial photograph of a forest landscape. A winding road or path is visible, cutting through the dense forest. A stream or small river flows through the lower right portion of the image. The forest appears as a dark, textured area with some lighter patches, possibly indicating different tree species or forest density.

close-up sample

2012

An aerial photograph of a forest landscape, similar to the one above. It shows a winding road or path and a stream flowing through the forest. The overall appearance is very similar to the 2012 image, suggesting a close-up sample of the same area.

1994



FALL 2013:

Stakeholders sent a series of emails to Ms. Kuhl requesting a decision by the BCP Secretary, Mr. Conrad, about grandfathered trails. On Sep 25, 2013, at the end of our demonstration, we were promised a resolution. Ms. Kuhl dodged our requests.

To the date of this report, three years after alleging in public that we were riding non-grandfathered trails, BCP management refuses to visit the subject.

02-27-2014:

Austin Parks landscape architect questions the merits of BCP closing riding areas.

“Since it is mostly a dry creek there will be little if any recovery of understory so what is the gain in removing it? Just want to know if this battle that has been going on for over a year and a half would truly improve the habitat that has always had a pretty high level of disturbance in this area.”

The following email chain was obtained through Austin’s version of freedom of information act.

From: Williams, D'Anne
Sent: Thursday, February 27, 2014 8:29 AM
To: Kuhl, Sherri; Hardy, Allison; Larsen, Jeff
Subject: RE: Emma Long Motorcycle Trail Kiosk Map Updates

Sheri, can you mark the extents of trail you thought was being removed? I know BCP wanted it gone but I thought it came down to the group would keep using and remaking the trail so it was a losing battle but I was not in the meetings. I believe it is grandfathered but BCP believes it is causing damage to the dry creek and should be removed. Since it's grandfathered what will USFWs take be on it? I'm sure they would be okay if we decided to remove it but if the public fought back would they back you up on it? (Since it is mostly a dry creek there will be little if any recovery of understory so what is the gain in removing it? Just want to know if this battle that has been going on for over a year and a half would truly improve the habitat that has always had a pretty high level of disturbance in this area.) If you decide it is I need to take it to our Director to sign off on due to the public push back. Let me know.
Thanks

D'Anne Williams

Landscape Architect / Trails Coordinator
Austin Parks and Recreation Department
Planning and Development Division
919 West 28 1/2 Street,
Austin TX 78705
512-974-9456



From: Kuhl, Sherri [mailto:Sherri.Kuhl@austintexas.gov]
Sent: Wednesday, February 26, 2014 5:43 PM
To: Hardy, Allison; Williams, D'Anne; Larsen, Jeff
Cc: Cooper, Shawn
Subject: RE: Emma Long Motorcycle Trail Kiosk Map Updates

Hi Allison and Shawn – I looked over the map and will talk to Willy, but I thought we agreed to take off the trails that were in the creek bed? This one looks like it still has the creek bed trails. Thanks! Sherri

From: Hardy, Allison
Sent: Monday, February 24, 2014 3:43 PM
To: Kuhl, Sherri; Williams, D'Anne; Larsen, Jeff

Here is the link to the updated map:
<ftp://ftp.austintexas.gov/GIS-Data/PARD/Allison/EmmaLongMotorcycle/>

Allison Hardy
GIS Analyst Senior, SPOC
512-974-9550
2525 SLakeshore Blvd.
City of Austin Parks and Recreation Dept.
Facility Services

"The clearest way into the Universe is through a forest wilderness." John Muir

Hockey players have fire in their hearts and ice in their veins.

SPRING 2014:

BCP Management continued to refuse to meet about grandfathered trails and started to allege that the motorcycle use harms the Golden-cheeked Warbler population. The pattern of ever-changing false allegations against the stakeholders became evident. The BCP management was not acting on the basis of facts, but rather on a discriminatory desire to target one recreational group among many.

06-17-2014:

Stakeholder Tomás Pantin sends a formal letter to the BCP Secretary, Mr. William Conrad, affirming that the Motorcycle Park is not part of the BCP system. Mr. Pantin's case is supported by the text in the BCP founding document (HCP/EIS) page 3-100, where the text excludes the Motorcycle Park from the Preserve. Mr. Conrad rejects Mr. Pantin case by relying on a basic map that was drafted 5 years before BCP negotiations were completed. Mr. Conrad's map is an exhibit from an appendix to the BCP main document. Clearly the text excluding the motorcycle park from the BCP in the main document has more weight than the map cited by Mr. Conrad.

[Read the following pages for support material.](#)

Thursday, June 17, 2014

William Conrad
Manager of the Balcones Canyonlands Conservation Plan
BCCP Coordinating Committee
P.O. Box 1748
700 Lavaca Street, Suite 540
Austin, Texas 78767

Dear Mr. Conrad:

Allow us to introduce ourselves. We are the Friends of Emma Long Motorcycle Park (FELMP), a group of the three major clubs that created the motorcycle park and have helped maintained it for over 40 years.[1]

We respectfully ask that you halt any changes to the Motorcycle Park until we can meet to discuss our concerns with the recent BCP management strategy in light of the keystone BCP document, described below.

The founding document of the Balcones Canyonlands Preserve, the “Habitat Conservation Plan and Final Environmental Impact Statement” (HCP/EIS), explicitly states that the motorcycle track in the Emma Long Metropolitan Park is “not included in the preserve system.”[2] We therefore respectfully request that the BCP and City authorities not subject the motorcycle track to BCP regulations, and allow the motorcycle park to continue to fulfill its original recreational purpose

Our essential concern is that BCP officers are managing the motorcycle track at the Emma Long Park in a manner contrary to the explicit letter and spirit of founding documents of the BCP. We fear that the future recreational use of the park—for which it was explicitly created—is in jeopardy.

We have invited the BCP managing staff to discuss this specific issue several times, but have been unable to have our concerns on this matter adequately heard and responded to. We worry that our time is running out. We would look forward to a candid, fair, and friendly dialogue with all relevant parties on this matter. We are committed to serving the citizens of the City of Austin.

We are very thankful for the service you and other officers of the City of Austin have provided to this wonderful City. We thank you for your time.

Respectfully yours,

Tomas Pantin
Friends of Emma Long Motorcycle Park
1601 East 7th St

Suite 100
Austin, TX 78702

moto@pantin.com
512 474 9968

Also sent by email to: William Conrad at: William.Conrad@ci.austin.tx.us

CC: BCCP Chair Lee Leffingwell, Travis County Commissioner Gerald Daugherty, Travis County Commissioner Bruce Todd, Travis County Commissioner Margaret Gomez, BCP Sherri Kuhl, PARD Jeff Larsen, TPWD Steve Thompson, BCCP CAC Hill Abell, ARR Kent Browning, SCTF David Methven, CTTA Ben Dalglish.

Notes:

[1] The history of the Emma Long Motorcycle Park is detailed in a letter from Clifford J. Turner, Trail Coordinator, Emma Long Motorcycle Park (Nov. 5, 1996) (on file with Tomas Pantin, moto@pantin.com). The park was first created in 1970 when the Kapital Katz Motorcycle club successfully proposed to the Austin Parks Department the setting aside of a section of parkland for Trials and Trail Riding. The Central Texas Trials Association and the Austin Motor Sport Association maintained the motorcycle trial sections and riding trails both before and after the founding of the Balcones Canyonlands Preserve in 1996. In the spring of 1995, Mountain Bikes were permitted in this Park and their clubs became very active in maintaining the Park.

[2] See p. 3-100 of “Habitat Conservation Plan And Final Environmental Impact Statement, Balcones Canyonlands Preserve, 1996.” The full document may be downloaded at <http://tinyurl.com/BCPDOCL>.

The relevant portion of the document, under the heading, “City of Austin Recreational Facilities Within The Preserve,” describes the Emma Long Metropolitan Park as follows: “This is Austin’s largest district park. Most of this recreational park is within the preserve. However, acreage along the lake and other active use areas is not included in the preserve system. The park offers a variety of activities . . . includ[ing] . . . a motorcycle track” (emphasis added).

*[[received via email from William.Conrad@austintexas.gov to
moto@pantin.com - June 26, 2014]]*

Mr. Panton

Thank you for your email and for sharing your concerns. However, let me begin by responding to some factual inaccuracies in your correspondence. First and foremost, nothing in the BCCP governing documents exempts the Emma Long Motorcycle Park from inclusion in the Balcones Canyonlands Preserve. Staff has responded to this assertion in the past. While you continue to cite the language included in your email as evidence of such, you also continue to ignore the companion map in the HCP for the property in question. It clearly depicts the motorcycle park in the area dedicated to BCP. This has been provided to you and your peers in the past and I am including it again for your reference.

Furthermore, you assert in your email that staff has failed to respond to your concerns. The reality is that BCP and Parks and Recreation Department have gone to great lengths to respond to you and your peers, literally dozens of times, since we initiated this discussion in December of 2011. These responses include face to face meetings, participation in Parks and Recreation Board agenda items relative to the trail in question, dozens of email exchanges, dozens of telephone dialogs, response to at least three public information requests, and site visits with stakeholders. As recently as June 9, 2014 Ms. Kuhl, in response to a request from you and others, arranged for a site visit with stakeholders to review concerns again. This was canceled by Friends of Emma Long Motorcycle Park.

In response to your email to me dated June 17, 2014. Emma Long Motorcycle Park is and has been part of BCP since its inception on May 2, 1996. The motorcycle use there is clearly grandfathered by BCCP. The Connors Creek Trail is not.

The off motorcycle trail in Connors Creek is inconsistent with uses in parkland or BCP preserve land. Specific language in the Plans and Guidelines section of the BCCP Habitat Conservation Plan specifically require preserve managers to act to close trails in BCP that are causing

resource damage. This language has been provided to you and your peers multiple times over the past two and one half years. Additionally, operation of motorcycles and bicycles in a stream bed in parkland is not a reasonable use of parkland and it does not support sustainable parkland management. Evidence of natural resources damage has been provided to you and your peers and has been pointed out during site visits.

Furthermore, since January 1, 2004 Chapter 90 of Texas Parks and Wildlife Code forbids the operation of motor vehicles in streams. This code is specific to navigable streams in Texas. One may reasonably argue that Connors Creek is not a navigable stream. However, various City of Austin codes and ordinances also prohibit operation of motor vehicles in streams in Austin, including the recently passed Watershed Protection Ordinance. As a matter of law, the Connors Creek trail is not a reasonable use in City Park.

In an effort to collaborate with stakeholders, BCP and PARD staff offered stakeholders the opportunity to use the BCP Trail Master Plan process to plan and construct an alternative sustainable trail to replace the trail in Connors Creek being closed. This offer has been ignored.

Today, it appears Friends of Emma Long Motorcycle Park are advancing the position that because this is parkland they have the right to do what they want where they want and that neither BCP staff nor PARD staff has authority to intervene with appropriate management to protect the park and its resources for everyone in Austin. Nothing can be further from fact.

The actions being implemented are consistent with and required by BCCP, various codes and ordinances, and concepts of sound sustainable park and natural resource management. It is also consistent with the BCP Trail Master Plan developed by a broad stakeholder group and approved by the BCCP Coordinating Committee and Austin City Council. As staff proceeds with closing this trail, I encourage you and your peers to avail yourselves to the process available in the Trail Master Plan to plan a substitute trail for the one being closed now.

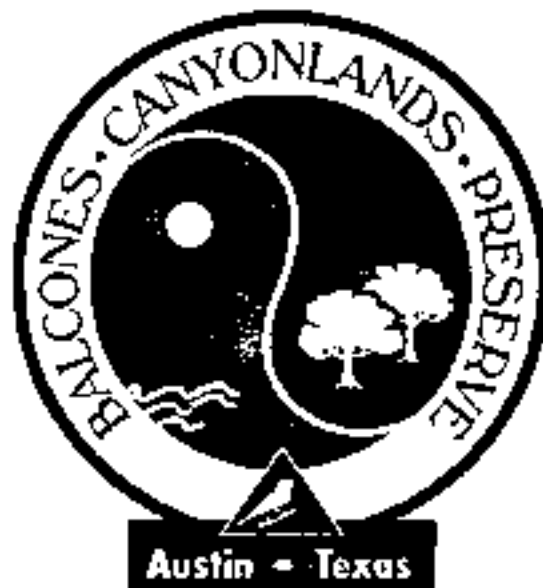
William Conrad

BCCP Coordinating Committee Secretary

3621 South Ranch Road 620. Austin, Texas 78738

[\(512\) 972-1661](tel:(512)972-1661)

HABITAT CONSERVATION PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT



City of Austin & Travis County, Texas

March 1996



The founding document of the Balcones Canyonlands Preserve, the “Habitat Conservation Plan and Final Environmental Impact Statement” (HCP/EIS), explicitly states that the motorcycle track in the Emma Long Metropolitan Park is “not included in the preserve system.” See Page 3-100 of the document

trend toward providing natural areas within these neighborhood parks, where maintenance is minimized. The use of wildflowers and native plants, coupled with an emphasis on passive recreational opportunities, is the goal for urban park maintenance.

District parks tend to be highly developed, offering a variety of major indoor and outdoor facilities; however, the parks' natural features play a role in the type of areas maintained. Routine maintenance is very similar to nonpark facilities because of the presence of the buildings and other structures, including maintenance of parking areas, internal roads, and water distribution systems.

Metropolitan parks provide the greatest diversity of recreational opportunities and also offer facilities for special interest groups. Maintenance is according to the requirements of specialty activities, such as archery, theater, bicycling, model airplane flying, tennis, camping, and boating. Passive activities are also encouraged in order to make use of the unique environmental features present at these locations. Although the improved facilities may require specialized maintenance programs, the remainder of the park is usually managed to enhance unique natural features.

Capital Improvements

The City of Austin prepares capital improvement plans annually, with a seven-year projection, which have been done considering the creation of the preserve. Consequently, improvements have not been scheduled for areas designated as part of the preserve. The active use areas have been scheduled for routine maintenance. No capital improvements are currently planned for the facilities in this inventory.

City of Austin Recreational Facilities within the Preserve

Upper Bull Creek and Bull Creek District Park. There are no improved trails in the Upper Bull Creek system. Access points for fishing and off-street parking are provided.

Vireo Preserve. The Vireo Preserve is managed as a preserve. This area is not generally open to the public; access is by prior arrangement only.

Emma Long Metropolitan Park. This is Austin's largest district park. Most of this regional park is within the preserve. However, acreage along the lake and other active use areas is not included in the preserve system. The park offers a variety of activities, among the most diverse offered in a City or County park. Activities not offered at other facilities include archery and a motorcycle track. The facility also includes boat ramps, a dock, and a handicapped-accessible boathouse. Many other improved areas are part

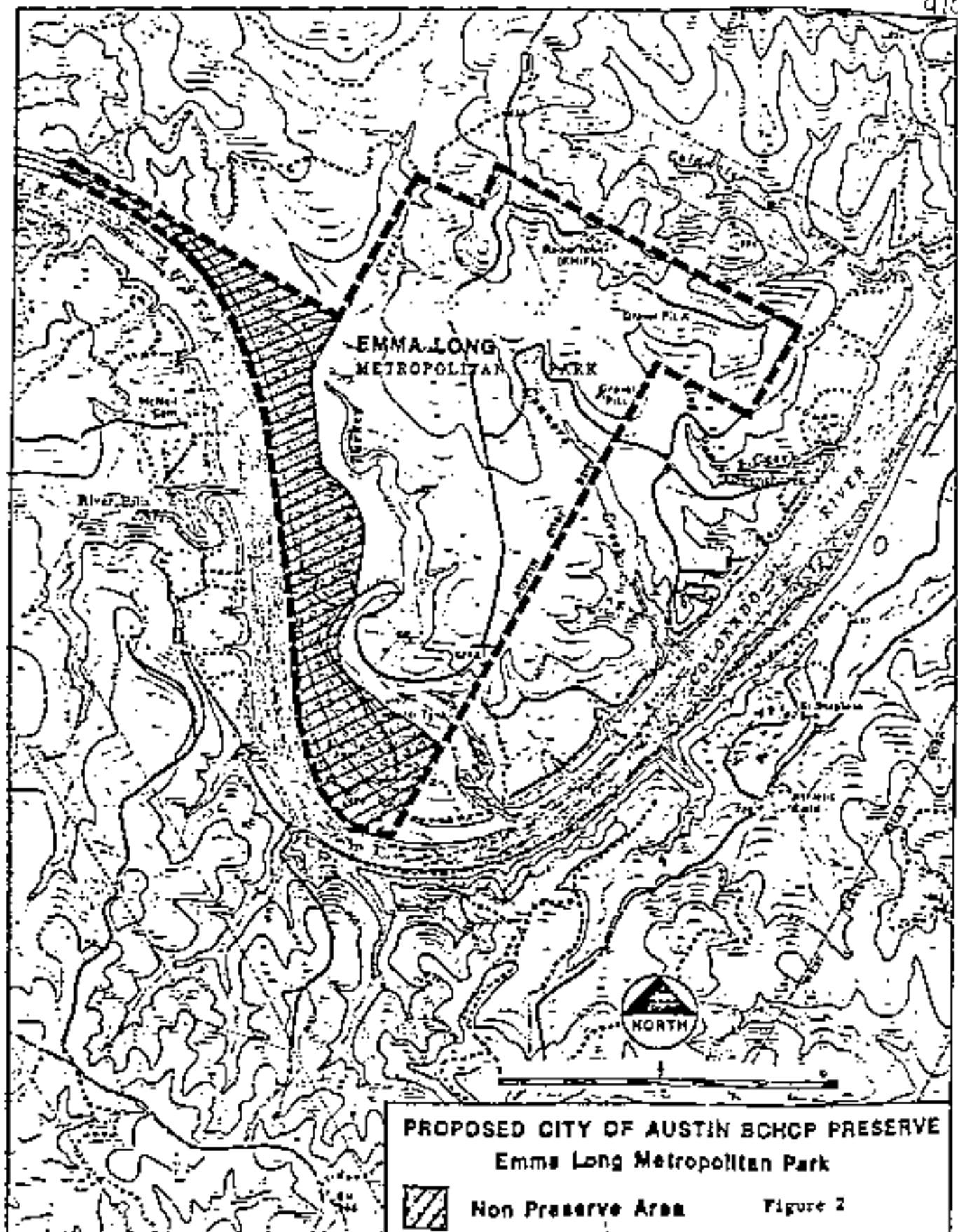
Before the BCP permit could be applied with USFWS, Travis County, The City of Austin, and Lower Colorado River Authority (LCRA) had to agree to the terms of their cooperatively participation. This participation is described in the “The Interlocal Agreement”.

After about 10 years of talks on August 3, 1995 the Interlocal Agreement was signed.

A year later, the founding document of the Balcones Canyonlands Preserve (HCP/EIS) was approved by USFWS. The Interlocal Agreement became an appendix to this founding document.

With-in the interlocal agreement there is a simple Exhibit map of the entire Emma long Metropolitan Park. This map does not show the motorcycle area to be excluded from the BCP system. Mr. Conrad, the BCP Secretary, insists that this exhibit to an appendix prevails over the main text of the founding document to the Balcones Canyonlands Preserve.

We did research and found that this map not only lacks of detail about the motorcycle and the archery range areas but also about infrastructure easements a much debated point over negotiations. This map was first published on 11/26/1991...5 years of negotiations before the BCP was approved in 1996.



06-26-2014:

Mr. Conrad, through misleading testimony obstructs stakeholders request to meet with Acting County Commissioner Todd.

The following email chain was obtained through Austin's version of freedom of information act.

From: [Conrad, William](#)
To: [Kuhl, Sherri](#)
Subject: FW: Motorcycle Park // BCP // Follow Up // Emma Long Metropolitan Park
Date: Thursday, June 26, 2014 10:44:42 AM

Sara regarding appeals

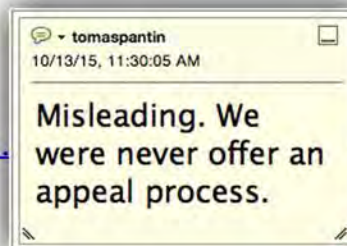
From: Hensley, Sara
Sent: Thursday, June 26, 2014 9:54 AM
To: Conrad, William
Cc: Sara Krause; Everhart, Amy; Kuhl, Sherri; Slusher, Daryl; Williams, D'Anne; Larsen, Jeff; Vaclavik, Charles; Fuller, Pat
Subject: Re: Motorcycle Park // BCP // Follow Up // Emma Long Metropolitan Park

I agree 150% on this as well! Thank you! Sara

Sent from my iPhone

On Jun 26, 2014, at 9:44 AM, "Conrad, William" <[William.s.gov](#)> wrote:

Sara



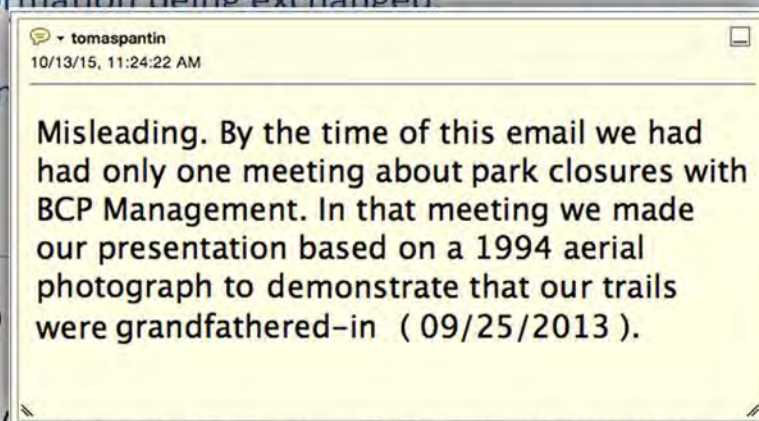
Misleading. We were never offer an appeal process.

You should have received a copy of my response to Mr. Pantin a few minutes ago it has been through review by my manager before it was sent. **With regards to appeals, our perspective this has been through multiple levels of appeal** collaboration's, and information exchange. **We have engaged Mr. Pantin and his peers specifically regarding this issue many many, times over the last two and one half years.**

I suggest that we are now at the end of the appeal process. Mr. Pantin and his peers have had every opportunity to meet with staff and managers to make a case for his position. Today, there is no new information being exchanged.

Thanks for keeping us in the loop from

Willy Conrad



Misleading. By the time of this email we had had only one meeting about park closures with BCP Management. In that meeting we made our presentation based on a 1994 aerial photograph to demonstrate that our trails were grandfathered-in (09/25/2013).

From: Kuhl, Sherri
Sent: Wednesday, June 25, 2014 3:30 PM
To: 'Sara Krause'
Cc: Everhart, Amy; Conrad, William
Subject: RE: Motorcycle Park // BCP // Follow Up // Emma Long Metropolitan Park

Sara – My manager, Willy Conrad is out of the office today, but I will let him respond to your questions. I just noticed that Mr. Pantin used an incorrect email address for Willy and Amy so they may not have gotten this email. Thanks. Sherri

From: Sara Krause [<mailto:Sara.Krause@co.travis.tx.us>]
Sent: Wednesday, June 25, 2014 3:06 PM
To: Kuhl, Sherri

06-30-2014:

Stakeholder Tomás Pantin invites Mr. Conrad to resolve their difference of opinion about the Motorcycle Park being included/excluded from the BCP through neutral mediation. Mr. Conrad refuses mediation.

[Read the following pages of supporting material.](#)

June 30, 2014

William Conrad
BCCP Coordinating Committee Secretary
3621 South Ranch Road 620
Austin, TX 78738
(512) 972-1661

Dear Mr. Conrad:

Thank you for your extremely thorough and thoughtful reply. We appreciate your engagement with us in this dialogue. The Balcones Canyonlands Preserve (BCP) does a valuable service to the people and the economy of the City of Austin and Travis County. We, the Friends of Emma Long Motorcycle Park, do not want to undermine this service.

In your letter of June 26, 2014, you presented two arguments in support of your assertion that riding areas within the Emma Long Motorcycle Park can be closed: first, that the Emma Long Motorcycle Park is within the Balcones Canyonlands Preserve; second, that the current use of the Emma Long Motorcycle Park conflicts with other, separate, state and municipal laws.

We request a meeting with you, Mayor Leffingwell, and Commissioner Daugherty, which we hope will help us reach a mutually agreeable resolution to these arguments.

Issue 1: Whether the Emma Long Motorcycle Park is within the Balcones Canyonlands Preserve

Surely we can agree that there is ambiguity within the foundational BCP document, the “Habitat Conservation Plan And Final Environmental Impact Statement” (HCP/EIS), on this particular issue.

In support of your argument that the Emma Long Motorcycle Park is included within the Preserve, you cite a map in the HCP/EIS, which seems to depict the ELMP within the Preserve. In support of our argument that the Emma Long Motorcycle Park is not within the Preserve, we cite language from page p. 3-100 of the HCP/EIS, stating that the Emma Long Motorcycle Park is “not included in the preserve system.”(1)

Based on a thorough review of the HCP/EIS as a whole, including other instances where the text and the maps conflict, we are confident that a faithful interpreter of the HCP/EIS would conclude that the clear text governs, and that the map you have referenced suffers from a drafting error.(2)

We therefore, respectfully, maintain our argument that the Emma Long Motorcycle Park is not included in the Preserve system.

Issue 2: Other State and City laws

It is of course true that our use of the ELMP is subject to other general state and municipal statutes, perhaps including Chapter 90 of the Texas Parks and Wildlife Code and other ordinances, which you cite in your letter.

Whether these other statutes restrict our use of particular riding areas within the Motorcycle Park is a separate legal question from Issue 1, which we would like to address independently. We would be happy to respond to legal arguments made on these other grounds, should they be clearly articulated.

Moreover, we should note that even if it were shown that parkland officials have legal power to restrict riding in the Motorcycle Park on the basis of other state or city laws, we would continue to assert that the Motorcycle Park is not included within the BCP, and therefore not subjected to the BCP's stringent regulations that go beyond general laws.

In Sum

Although BCP staff have been responsive to our requests, they have not advanced a sound legal basis for their attempt to close historically essential riding areas within the ELMP. As shown above (Issue 1), the HCP/EIS does not clearly express that the Motorcycle park is within the BCP. Moreover (Issue 2), other legal arguments that might justify riding-area closures have thus far remained gestural and imprecise.

It seems inappropriate to initiate any changes to current public use of the park until BCP jurisdiction can be confirmed. We are convinced that the HCP/EIS explicitly excludes this area.

Again, this email is a formal request to meet with you, Mayor Leffingwell, and Commissioner Daugherty to discuss this issue. If necessary, we could thereafter seek to resolve this disagreement with the help of an arbitrator, judge, or other neutral third-party.

Yours,

Tomas Pantin
Friends of Emma Long Motorcycle Park
1601 East 7th St., Suite 100
Austin, TX 78702
[512 474 9968](tel:5124749968)
moto@pantin.com

Sent by email to: William Conrad at: William.Conrad@ci.austin.tx.us

CC: BCCP Chair Lee Leffingwell, Travis County Commissioner Gerald Daugherty, Travis County Commissioner Bruce Todd, Travis County Commissioner

Margaret Gomez, BCP Sherri Kuhl, PARD Jeff Larsen, TPWD Steve Thompson, BCCP CAC Hill Abell, ARR Kent Browning, SCTF David Methven, CTTA Ben Dalglish.

Notes:

(1) See p. 3-100 of “Habitat Conservation Plan And Final Environmental Impact Statement, Balcones Canyonlands Preserve, 1996.” The full document may be downloaded at <http://tinyurl.com/BCPDOCL>.

The relevant portion of the document, under the heading, “City of Austin Recreational Facilities Within The Preserve,” describes the Emma Long Metropolitan Park as follows: “This is Austin’s largest district park. Most of this recreational park is within the preserve. However, acreage along the lake and other active use areas is not included in the preserve system. The park offers a variety of activities . . . includ[ing] . . . a motorcycle track” (emphasis added).

(2) There are other instances within the HCP/EIS in which its text clearly contradicts its maps.

For instance, on page 3-101, the text states that the “active use areas” of the Zilker Metropolitan Park/Barton Creek Greenbelt “have *not been removed* from the preserve. Instead, the Parks and Recreation Department is developing a management plan for Barton Creek Greenbelt that will take into account the presence of endangered species” (emphasis added). This clearly contradicts the map in Exhibit B, Figure 7 (“Proposed City of Austin BCHCP Preserve”), which depicts these “active use areas” as *removed* from the preserve. In this case, as in the case of the map detailing the Emma Long Metropolitan Park, it is clear that the highly specific text of the HCP/EIS, rather than the map, governs.

Further reason for giving more weight to the text than to the maps in the HCP/EIS is evidenced by the fact that both of these maps use the term “BCHCP” (Balcones Canyonlands Habitat Conservation Plan), a term that was replaced in 1991 by a decision of the BCHCP’s own Executive Committee with the newer term, “BCCP” (Balcones Canyonlands Conservation Plan). These maps were thus already at least five years out of date by the time the HCP/EIS agreement was reached in 1996. The text of the HCP/EIS had, however, been thoroughly commented on and responded to by number of interested groups. It seems clear, then, that the text was produced as the result of a more recent, and thought-out, process.

Although not necessarily dispositive, this provides further evidence that the intent of the parties to the HCP/EIS agreement is more clearly expressed in the text than in the maps. For this reason, the Emma Long Motorcycle Park should be understood as “not within the preserve system,” as stated in the text.

Conrad, William <William.Conrad@austintexas.gov> Tue, Jul 1, 2014 at 4:05 PM
To: Tomas Pantin <moto@pantin.com>
Cc: "Leffingwell, Lee" <Lee.Leffingwell@austintexas.gov>, "Gerald.Daugherty@co.travis.tx.us" <Gerald.Daugherty@co.travis.tx.us>, "Bruce.Todd@co.travis.tx.us" <Bruce.Todd@co.travis.tx.us>, "Margaret.Gomez@co.travis.tx.us" <Margaret.Gomez@co.travis.tx.us>, "Kuhl, Sherri" <Sherri.Kuhl@austintexas.gov>, "Larsen, Jeff" <Jeff.Larsen@austintexas.gov>, "steve.thompson@tpwd.state.tx.us" <steve.thompson@tpwd.state.tx.us>, "hill@bicyclesportshop.com" <hill@bicyclesportshop.com>, Kent Browning <cxagent@gmail.com>, David Methven Trials <david@methven.us>, Ben Dalglish <ben@dalglish.net>, "Hensley, Sara" <Sara.Hensley@austintexas.gov>, "Everhart, Amy" <Amy.Everhart@austintexas.gov>, Sara Krause <Sara.Krause@co.travis.tx.us>, Bob Moore <bob.moore@co.travis.tx.us>, "Cotton, Mitzi" <Mitzi.Cotton@austintexas.gov>

Mr. Pantin:

The BCCP governing documents clearly include as BCCP Preserve the area you describe as the "motorcycle park". There is no ambiguity. The City of Austin has authority to take action to protect Emma Long Metropolitan Park and its associated preserve area from natural resource damage as it sees fit. PARD and AWU staff will develop a trail closure plan for the Conners Creek Trail, which shall be implemented after September 1, 2014.

The Balcones Canyonlands Coordinating Committee, made up of Mayor Lee Leffingwell and Commissioner Gerald Daugherty, may only meet in open session, duly posted in accordance with state law. Consequently, I cannot comply with your request to meet with the Committee members as fulfilling that request would constitute a quorum of that committee. Either member may request an item be placed on a future agenda, or you may speak at a Coordinating Committee meeting under the citizens communication agenda item.

After two and a half years, I believe further discussion will not prove fruitful. I have spoken to the City Law Department and am advised that the City will not delegate its authority to manage its park by submitting the matter to arbitration. Should you decide to place the matter in the hands of a judge or jury we will, of course, defend our actions.

William Conrad

BCCP Coordinating Committee Secretary

08-08-2014:

About the geology of the Motorcycle Park: The whole area at the park is over limestone bedrock and the limestone is exposed right to the surface in most areas. Bare limestone rock or cedar thatch alone does not promote soil formation or plant growth. The creek bare rock retains very little water and there's not much soil there to contain water either. Steep, rocky creek beds have such high water velocity in heavy rains that any soils are scoured out and carried downhill. The result is they will never have much soil even in the creek bed.

On the next pages, read a conversation with a geologist.

ABOUT THE SOIL AND DRAINAGE OF THE EMMA LONG MOTORCYCLE PARK

CONVERSATION WITH A GEOLOGIST 2014-08-08

QUESTION:

I don't know if it is the geology of the land or being under junipers but nothing seems to grow on the ground, and "recovery" as BCP says would never happen....??

ANSWER:

The whole area in the park is over limestone bedrock and that limestone is expressed right to the surface in most areas. Limestone is basically nearly 100% soluble. When rainwater mixes with organic material (mainly cedar thatch in this case) it forms weak carbonic acid. The production of carbonic acid and the infiltration of that acid into the rock along cracks is the process which creates caves and cave features. It also gives the rock exposed at the surface that holey or etched look. **My point is that as limestone rock dissolves it leaves no insoluble residue (sand grains, gravel or very little clay) to combine with organic material to form soils.** Limestone areas are characteristically known for having very thin to no soils developed where limestones are exposed at the surface. At Emma Long the bedrock is either exposed right to the surface with no soil or organic cover at all or it's covered with cedar thatch. **Bare limestone rock or cedar thatch alone does not promote soil formation or plant growth.** In fact cedar trees have evolved to produce a thatch that discourage other plant types from growing under the canopy of cedar trees. Have you ever noticed that the area below cedar trees is essentially clear of any vegetation?

QUESTION:

I walked the creek after a rain and there is no moisture on the ground, the only place that stays moist for a bit is the Sediment Pond at the end of the dry gulch at Oak Shores Road.

ANSWER:

Bare rock retains very little water and there's not much soil there to contain water either. With that said, the creek bottoms serve as sediment sumps. Any loose rock fragments, gravels, clays, soil residues or organic material present in a drainage will collect in the bottom of the sump. So while in general limestone terrains are typified by poor soils development, the best soils in the limestone areas are found in the creek bottoms. That does not mean that even in the bottom of the creek you will find soils good enough to provide quality environments for vegetation. Steep, rocky creek beds have such high water velocity in heavy rains that any soils are scoured out and carried downhill. The result is they will never have much soil even in the creek bed.

QUESTION:

BCP has mentioned the riding on the creek is bad. On the other hand, as I see it, riding over a rock-bed on a dry creek creates minimal impact.

ANSWER:

In part, the idea that riding in the creek is always detrimental is a perception problem. If you believe it's a problem, then it is. Many times, creek bottoms are the most sensitive environments in a drainage. However that is not always the case. In this case there is some denuding of the rock surface caused by the traffic along the drainage. To understand the impact better, walk along and photograph the area along the Conner Creek drainage in the riding area. Then walk across the street to the same drainage where no riding occurs and see if you can find much difference in the soil cover or vegetation along the drainage. Photograph that area. Go back to your shop and lay all the photos on the table and see if you can find obvious differences. If there no obvious differences, there is no **significant impacts to critical habitats**. Demonstrate that the riding activity in the drainages of the riding area is not **producing a significant impact to critical habitats**.

Every human visit to the park, every activity, every road, building or bit of infrastructure in the park has an impact. Is the habitat critical for the BCP? Is the impact significant enough that it has to stop to prevent a real danger to threatened or endangered species in the BCP?

If any impact at all is unacceptable in the BCP, then perhaps it was inappropriate to include Emma Long Motorcycles in the BCP. On the other hand, if an activity only causes a minor impact to habitats which are not critical then that activity can continue under effective management.

Points to be demonstrated, not just opinions:

1. That riding in the drainages is causing a significant impact to the habitat; and
2. That the drainages in the riding are critical habitat for T&E species in the BCP. (BCP reports show that ELMP is at least as good GCW habitat as the rest of the BCP land)

BCP data should demonstrate that the impacts are significant and the habitat is critical to the overall health of habitat integrity of the BCP. After 40 years of riding in this park, BCP should demonstrate that this impact is significant enough to a critical habitat as to constitute a “take” under US Fish and Wildlife Service’s guidelines for a “take”.

USF&WS definition of “take”: **Take** - *From Section 3(18) of the Federal Endangered Species Act: "The term 'take' means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."*

08-12-2014:

In this meeting, it was announced that a large area and numerous trails would be closed. Mr. Conrad refused to entertain other expert opinions or any kind of mediation....
"you're going to have to take our opinion for fact "

Recapping: Throughout the three years of our objections, misleadingly Mr. Conrad, and Ms. Kuhl testified that they had "many many" meetings with us, and that we were offered mediation. This is far from the reality.

The Park closure campaign started: Fall 2012 Ms. Kuhl starts a public campaign to close parts of our park with a presentation to the Austin Environmental Board. This presentation was not announced to any of the stakeholders that used and maintained the property over the past 41 years. At any rate, stakeholders would not have had an opportunity to give their opinion as the presentation was formatted as a briefing and not as an agenda item. The presentation supported their opinion to close parts of the park alleging that we were riding trails that were not grandfathered.

First meeting about park closures with BCP management: Stakeholders made a presentation to Ms. Kuhl and Parks staff. In this presentation using an aerial photograph of the park from 1994 we showed that the trails we ride today are grandfathered. At the end of the meeting Ms. Kuhl promised that she would take the case to Mr. Conrad, the BCP Secretary, and get back to us. Despite the following 2 ½ years of our invitations, BCP refused to address the grandfathered trails allegations again.

Second and last meeting with BCP Management before park closures: Ms. Kuhl and Mr. Conrad refused to meet with us until the Park Manager; Mr. Jeff Larson calls for a meeting. In this meeting, it was announced that a large area and numerous trails would be closed. Mr. Conrad refused to entertain other expert opinions or any kind of mediation....**"you're going to have to take our opinion for fact "**

[Read following is a page from the transcript of that meeting.](#)

Pantin: May I? I would love to go trail by trail and mark them, which ones you want to close so we know.

Kuhl: Only Conner's Creek, the ones that are in the creek.

Pantin: Actually just go one by one and mark them. On the other side, we have talked to consultants and I think that we're not considering it a take. We don't harm the birds and we don't harm the water. We have been there for, I can't say golden-cheeked warbler, so I'll call them the bird, but we haven't harmed anyone. We have 40 years of riding over there, 40 years is a long time to get there and we have a better bird density than the average on all the land the BCP controls. Secondly, what we call the Beaver Bowl has been there since early 1960s and because limestone doesn't create any sediment, it's basically dissolves; it has still plenty of room. So we really in a case, this is a very big case for us, it's not something very simple that you close one trail and you open another one. You're cutting the best part of the entire park, so we'd really like to go a little more scientifically about it and demonstrate that we aren't really hurting the bird or that we're not really hurting the water instead of just an opinion.

Conrad: Well you're going to have to take our opinion for fact because our responsibility is to manage that property in a sustainable manner and it includes not only birds, I mean I question your claims that that's the highest density bird habitat we have.

08-13-2014:

Using BCP's own data, stakeholders proved that after 45 years of riding at The Motorcycle Park, the Golden-cheeked Warbler population is above average when compared with similar BCP Tracts. Mr. Kent Browning's report: "Audit Report for the City of Austin 2012 Golden-cheeked Warbler Monitoring Program on the Balcones Canyonlands Preserve," was first delivered to the BCCP Citizens Advisory Committee, and later distributed via email.

[Read following pages for supporting material](#)

**Audit Report
For the
City of Austin
2012 Golden-cheeked Warbler
Monitoring Program**

**On the
Balcones Canyonlands Preserve**

Prepared by:

KWR Engineering Services, LLC

PO Box 92943

Austin, Texas 78709

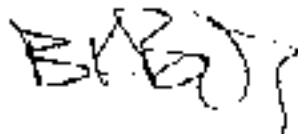
KWR-Services@engineer.com

Date:

13 August 2014

KWR Engineering Services, LLC

By:



B K Browning, PE 68142

Firm # 7693



Table of Contents

First Divider – Browning, B K; August 13, 2014; “Audit Report for the City of Austin 2012 Golden-cheeked Warbler Monitoring Program on the Balcones Canyonlands Preserve”

Second Divider – Conrad, William A; October 22, 2014; Memorandum “Response to Audit report for the City of Austin 2012 Golden-cheeked Warbler Monitoring Program on the Balcones Canyonlands Preserve”, prepared by Kent Browning, KWR Engineering Services, LLC. Dated and submitted to the CAC on August 13, 2014”

Third Divider – Browning, B K; January 5, 2015; “Response to 10/22/2014 Memorandum from William Conrad”

Reference – The “2012 Annual Report: Golden-cheeked Warbler (*Setophaga chrysoparia*) Monitoring Program Balcones Canyonlands Preserve” can be found at https://www.traviscountytexas.gov/images/tnr/Docs/2012/AppendixF_COA_Warbler.pdf
An abridged copy has been added at the end of this document (only relevant portions).

All of these documents may be obtained in PDF format on Facebook by searching for “Friends of Emma Long Motorcycle Trails”.

Note – The conclusions of the August 13, 2014 audit can be verified by simple examination – no math is required. If the parameter in question is compared to the average in the 2012 BCP report, the Bike Park is almost always found to be near the average. By comparison, the Coldwater tract is almost always worse than average and worse than Bike Park.

Executive Summary –The City of Austin 2012 Golden-cheeked Warbler (GCW) Monitoring Program Report was audited for accuracy and support of the stated conclusions. Results of the audit revealed numerous inconsistencies. 13 material errors and 2 minor errors were found. Material errors are those where the conclusions were not supported by the data or the data did not match the definitions shown in the text. All others were considered to be minor errors.

The results of this audit indicate the Emma Long Motorcycle Park (aka Bike Park) is statistically average to above average with all the study tracts of the Balcones Canyonlands Preserve. Thus, no indication was found to suggest that the active use of the Bike Park on a year-round basis, including nesting season, has reduced the GCW return rate, population or productivity.

The data derived of the Coldwater study shows that is consistently worse than Bike Park and generally worse than average for the rest of the BCP study tracts.

Introduction

This is an audit of the 2012 Annual Report Golden-cheeked Warbler Monitoring Program on the Balcones Canyonlands Preserve by the City of Austin.

This review document is divided into two parts: Part I-A review of the data as published. Part II-A review of the data as corrected. Corrections made to the reported data indicate what should have been shown in the report and verify conclusions made.

Table number and figure numbers in this report are the same as in the 2012 City of Austin report. Letters are used to designate tables or figures that are not shown in the 2012 report.

Part I - As Published Data

Material Error -The stated area of the Bike Park is reported greater than its true size. Whereas the 2012 Report states 245 total acres (99 ha), the City of Austin Geographical Information System (GIS) shows the size of Bike Park at 238 acres (96 ha). To verify which was correct, an aerial photograph was overlaid onto the outline of the Bike Park. The 2012 report's data of 245 acres takes into account pavement of the surrounding roads. In reality, the property boundary abuts to the 50 foot right-of-way passages to the adjacent roads and does not include road paving. The seven acre difference is small (3%) so the 'as published' audit will reflect the data shown in the report.

Material Error - The Coldwater tract has more suitable GCW habitat than Bike Park. The Coldwater tract shown on page 9 is the control site for the study to determine the impact of the recreational use of Bike Park on the GCW. The end of the second paragraph on page 9 states the Coldwater tract includes "...open areas with bare ground and shrubby growth that are currently not suitable warbler habitat." There are also "open areas and shrubby growth" on the Bike Park. Appendix H at the top of the 4th page states "Both sites have similar habitat compositions, with 96% and 92% classified as juniper

woodland for the Bike Park and Coldwater, respectively." In comparison the Bike Park is 235.2 acres juniper woodlands (238 acres at 96%) and Coldwater is 243.8 acres juniper woodlands (265 acres at 92%). This indicates the Coldwater tract has more suitable warbler habitat than Bike Park. Thus, contrary to the statement on page 9, it would be expected that more warblers inhabit the Coldwater tract versus Bike Park.

It should be noted that neither Coldwater nor Bike Park has a ready source of water. Both tracts tend to be dry with only ephemeral streams (only wet during and shortly after a rain). In comparison, the Emma Long intensive study tract contains Turkey Creek – which is a perennial stream (normally wet).

3) Material Error - The following table shows that the warbler population is average with the rest of the preserve even though Bike Park has been continually used as a mountain bike and motorcycle park for over 40 years. The sentence in the last paragraph of page 8 of the report – “The study concluded that fragmentation and alteration of habitat from mountain bike trails may reduce the quality of nesting habitat.” The statement quoted here is not supported by the data shown in the 2012 report. The reference to another study with conflicting conclusions should clearly state this study’s data does not support the same conclusions.

Table 2 of the Report shows the number of territories for each tract. That table is shown below reformatted and sorted on territory density.

Location	Full Territory	Full & Edge Territories	Full +0.5 Edge Territories	Territory Density Per Hectare Published	
3M/St Edwards	14	27	20.5	0.51	1
Forest Ridge	13	23	18	0.44	2
Butler	11	24	17.5	0.43	3
Vista Point	13	20	16.5	0.41	4
Canyon Vista	6	23	14.5	0.36	5 St Dev
Emma Long	11	18	14.5	0.35	6
Baker Sanctuary	8	12	10	0.25	7
Vireo Ridge	12	16	14	0.24	8
Hamilton West	6	10	8	0.20	9
Lake Persp/McGregor	4	10	7	0.17	10 Median
Bike Park	12	17	14.5	0.15	11
Barton Creek	2	7	4.5	0.11	12
Double J&T	4	4	4	0.10	13
Reicher	2	6	4	0.10	14
Coldwater	7	12	9.5	0.09	15 St Dev
Wild Basin/Vireo Preser	6	6	6	0.03	16
Gus Fruh	0	0	0	0.00	17
Sunset Valley	0	0	0	0.00	18
Publ. Total/Ave	131	235	183	0.17	

Table 2 – Golden Cheeked Warbler Territories Reformatted and sorted highest to lowest on territory density.

Note that the Bike Park is just below the published median. Statistically, the Bike Park is right at the average of all of the BCP tracts. Note also that Bike Park is significantly better than the Coldwater tract. Based on the data shown in this table, Bike Park is statistically the same as the average of all BCP tracts reported and Coldwater is barely inside the one standard deviation below the average.

4) Material Error - Bike Park has a better than average return rate compared to the BCP tracts even with its current year-round use by mountain bikes and motorcycles. Table 5 of the 2012 report is shown below. This table has been reformatted and sorted to show the best to worst return rates for each study tract. The average (mean), median and standard deviation are shown for reference. Note that both Bike Park and Coldwater are shown by these data to be better than average. Bike Park is approaching being one standard deviation above the average –a very significant improvement over the rest of the preserve.

Note that both Bike Park and Coldwater tracts have better than average return rates. This indicates that public use or lack of public use is **NOT** a significant factor in warbler returns this year.

	Percent Returns in 2012	Order	
Wild Basin/Vireo Preserve	76%	1	
Lake Persp/McGregor	71%	2	
Vista Point	65%	3	
Canyon Vista	60%	4	Std Dev
Bike Park	50%	5	↑
Vireo Ridge	50%	6	↑
Coldwater	38%	7	↑
Baker Sanctuary	36%	8	↓
Forest Ridge	35%	9	Average
Emma Long	33%	10	Median
Reicher	33%	11	↑
3M/St Edwards	31%	12	↑
Butler	24%	13	↑
Canyon Creek	22%	14	↑
Barton Creek	19%	15	↑
Hamilton West	19%	16	↑
Bohls	17%	17	↓
Gus Fruh/Sunset Valley	0%	18	Std Dev
Ribelin	0%	19	
Double J&T	0%	20	
Average	34%		
Std Deviation	0.23		

Table 5 – Return rates for male GCWs. Reformatted and sorted from highest to lowest.

Note that Bike Park is tied for 5th best return rate from the 20 sites. Note that this is 12% better than the Coldwater tract and 17% better than Emma Long – the two closest sites to Bike Park. Also note that Bike Park is near the top of the standard deviation from average. These data were collected during a

year in which Bike Park hosted running events and mountain biking events, as well as continual utilization by motorcycles year-round, nesting season included. Note that if Bike Park were “poor habitat” (as shown on page 9), the GCW would go elsewhere instead of returning to Bike Park.

5) Material Error - Table 8 of the 2012 report shows that Bike Park is the second most productive tract in the Balcones Canyonlands Preserve. Bike Park is more than one standard deviation above the mean so this is a significant data point. Also note that Coldwater (the control site) is almost one standard deviation below the mean. These two data points are a very significant indication that the year-round use of Bike Park by mountain bikes and motorcycles is not affecting warbler productivity. These data actually indicate that year-round recreational use may even be helping GCW productivity because the tract with active public use (Bike Park) is significantly better than average and the tract that is closed to the public (Coldwater) is significantly worse than average.

Table 8 has been reformatted and sorted to show the best to worst percent of adjusted productivity for each study tract. The average (mean), median and standard deviation are shown for reference. While the data has been sorted on “adjusted productivity”, note that only three tracts would change if it were sorted on “observed productivity”. Wild Basin / Vireo Ridge, Hamilton West and Canyon Vista would all move down (lower productivity) by one or two positions. So the observations made on ‘adjusted productivity’ are just as applicable to “observed productivity”.

Location	No. Territories	Published Territories Producing ≥ 1 Young	Published Fledging Sample Size	Published Breeding Success	Observed Fledglings	Published Adjusted Fledglings	Published Observed Fledglings per Hectare	Published Adjusted Fledglings per Hectare	Published Observed Productivity	Published Adjusted Productivity	
Barton Creek	7	7	7	100%	24	27	0.59	0.67	3.4	3.9	1
Bike Park	17	10	10	100%	33	38	0.33	0.38	3.3	3.8	2
Emma Long	18	17	18	94%	54	62	1.33	1.53	3	3.4	3 Std Dev
Vireo Ridge	16	14	15	93%	37	48	0.63	0.81	2.5	3.2	4
Butler	24	19	24	79%	60	71	1.48	1.75	2.5	3	5
Forest Ridge	23	17	23	74%	55	65	1.36	1.6	2.4	2.8	6
Reicher	6	4	6	67%	14	16	0.35	0.4	2.3	2.6	7
Wild Basin/Vin	6	3	4	75%	7	10	0.04	0.06	1.8	2.6	8
Hamilton West	10	7	9	78%	18	23	0.44	0.57	2	2.5	9 Median
Baker Sanctuar	12	10	12	83%	28	28	0.69	0.69	2.3	2.3	10 Average
Vista Point	20	12	19	63%	41	42	1.01	1.04	2.2	2.2	11
JM/St Edwards	27	15	27	56%	48	58	1.19	1.43	1.8	2.1	12
Lake Persp/Mc	10	6	10	60%	18	21	0.44	0.52	1.8	2.1	13
Canyon Vista	23	13	23	57%	30	44	0.74	1.09	1.3	1.9	14
Coldwater	12	3	6	50%	10	12	0.38	0.11	1.7	1.9	15 Std Dev
Gus Fruh	0	0	0	0%	0	0	0	0	0	0	16
Sunset Valley	0	0	0	0%	0	0	0	0	0	0	17
Double J&T	4	0	0	0%	0	0	0	0	0	0	18
Total	235.00	157.00	213.00	11.29	477.00	565.00	11.00	12.65	34.30	40.30	
Average	13.06	8.72	11.83	0.63	26.50	31.39	0.61	0.70	1.91	2.24	
Std Deviation	8.36	6.29	8.79	0.32	19.70	23.23	0.49	0.59	1.03	1.19	

Table 8 – Golden-cheeked Warbler reproductive success. Reformatted and sorted highest to lowest on Adjusted Productivity.

Both Coldwater and Bike Park are near the same number of acres in size except Coldwater is larger and shown to have more “suitable warbler habitat” than Bike Park. The productivity density (per acre) will be discussed after adjustments in area are made in the Part II section below.

6) Material Error - Bike Park is statistically average with all BCP tracts and the control site, Coldwater, is statistically worse than average. Table 9 of the 2012 report is shown below. This table has been reformatted and sorted to show the best to worst percent of successful nests for each study tract. The average (mean), median and standard deviation are shown for reference.

Location	Total Number of Nests	Failed Nests	Percent Failed	Successful Nests	Percent Successful Nests	
Barton Creek	5	0	0%	5	100%	1
Cortana	1	0	0%	1	100%	2
Bohls	1	0	0%	1	100%	3
Butler	9	1	11%	8	89%	4
Emma Long	9	1	11%	8	89%	5
Forest Ridge	6	1	17%	5	83%	6
Vireo Ridge	16	3	19%	12	75%	7
Canyon Vista	3	1	33%	2	67%	8
Reicher	3	1	33%	2	67%	9
Baker Sanctuar	17	6	35%	11	65%	10
Bike Park	14	4	29%	8	57%	11 Ave/Median
3M/St Edwards	13	6	46%	7	54%	12
Hamilton West	8	4	50%	4	50%	13
Wild Basin/Vir	4	2	50%	2	50%	14
Vista Point	26	15	58%	10	38%	15
Lake Persp/Mc	6	4	67%	2	33%	16 Std Dev
Coldwater	9	6	67%	2	22%	17
Canyon Creek	1	1	100%	0	0%	18
Gus Fruh	0	0		0		19
Sunset Valley	0	0		0		20
Double J&T	0	0		0		21
Total	151.00	56.00		90.00		
Average	7.19	2.67	37%	5.00	60%	
Std Deviation	6.86	3.54	27%	3.93	28%	

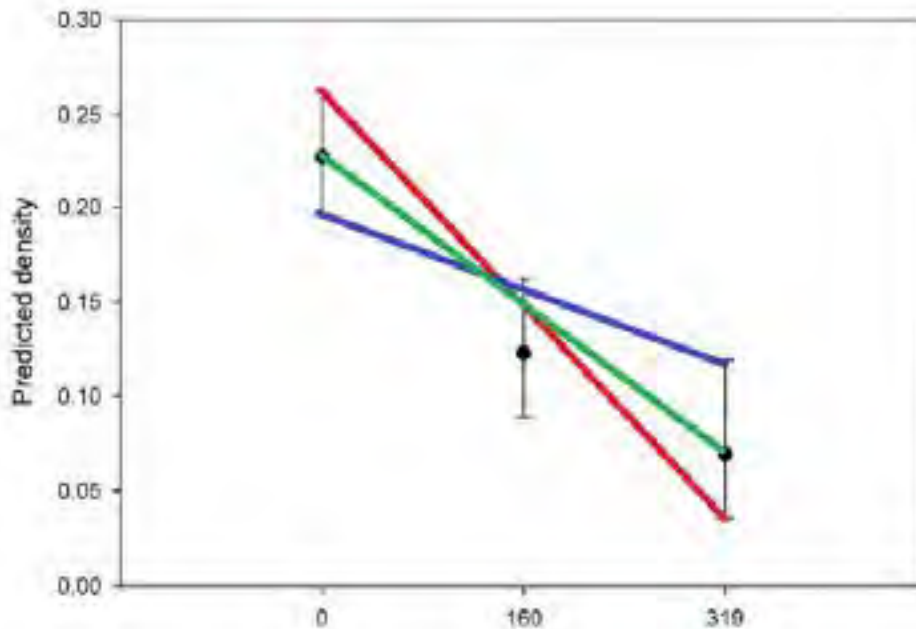
Table 9 – Fates of GCW nests. Reformatted and sorted on percent successful nests.

Note that the Bike Park is closest to the average and median for all of the study tracts. Also note the Coldwater tract is significantly worse than average since it falls outside of one standard deviation from the average. Here again the Bike Park is right at the average for all of the BCP study tracts even with year-round recreational use of the tract.

A strong argument can be made that the territory density, return rates, nest success and productivity combined are the most important parameters for the survival and recovery of the Golden-cheeked Warbler. Territory density and return rate are an indication of the attractiveness of the habitat to the warbler. Combined, these four parameters indicate where the warblers will nest and successfully produce young. In all four parameters, the Bike Park is right at the average of all the BCP study tracts or

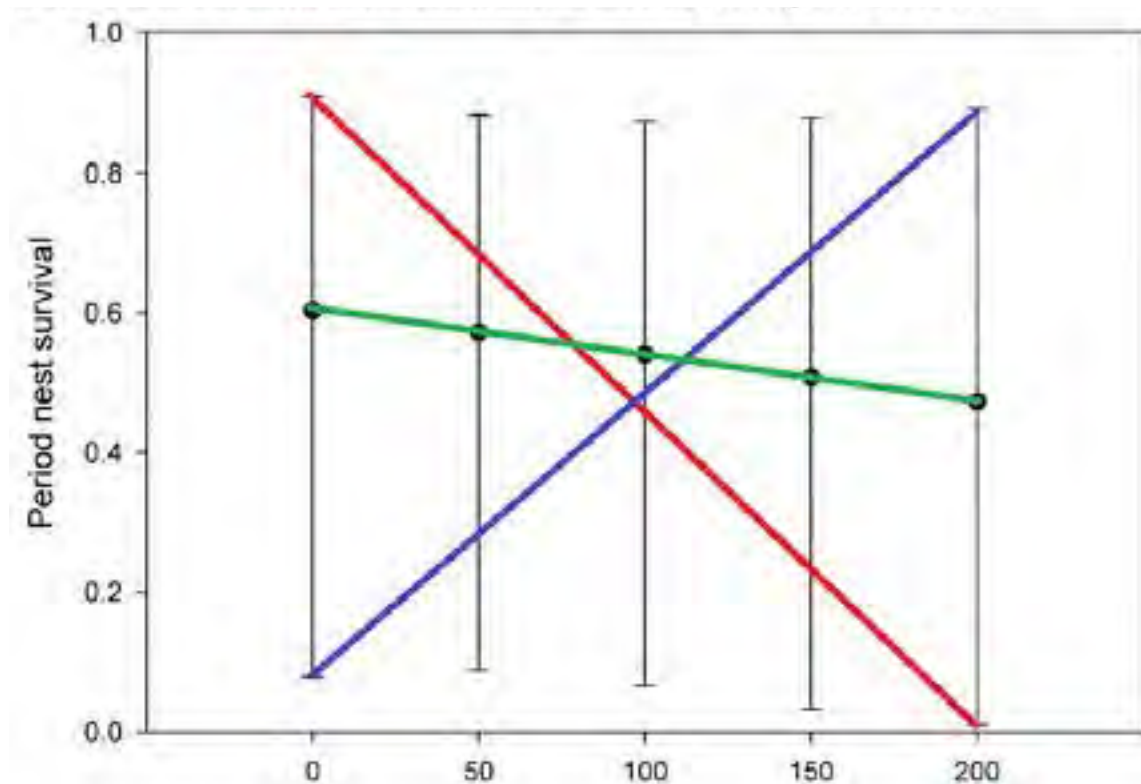
far better than average (productivity). When combined, the Bike Park is better than the BCP average in the 2012 study data reported.

Appendix H of the 2012 Annual Report includes some very useful information. My understanding of Appendix H is that they have attempted to remove or reduce bias in the report of the data. Minimizing bias should be the goal of any scientific based analysis and report. Here are two examples that should be noted.



Appendix H, Figure 4 – Predicted GCW density (males/hectare) as a function of edge density. Lines are added for discussion.

No Error - Edges of preserve tracts are bad for Golden-cheeked Warbler population. Figure 4 of Appendix H is shown above. This figure shows the effect of edge density on the golden-cheeked warbler predicted density. The red, blue and green lines have been added to the figure for this discussion. Note that all three added lines show that the higher the edge density, the lower the predicted density of warblers. Even taking the 'best case' (blue line) that connects the ends of the uncertainty intervals; edge density has a negative effect on predicted warbler density. If the 'worst case' of the uncertainty intervals are connected (red line), edge density continues to worsen because the line has a more negative slope. Connecting the average values (green line) is between the other lines but still has a negative slope indicating that edge density has a negative effect on predicted warbler density. The data shown in this figure indicates that the uncertainty in the measurement/prediction does not change the result of edge density – it is always negative. The uncertainty only changes how large the negative impact is on the predicted warbler density. This will be referenced in Part II.



Appendix H, Figure 13 - Effect of trail density on nest survival

7) Material Error - Study data is not conclusive as to the effect of trail density on Golden-cheeked warbler nest survival. Figure 13 of Appendix H is shown above. The figure shows the effect of trail density on nest survival. The red, blue and green lines have been added for this discussion. Unlike in Figure 4, the uncertainty intervals are very large compared to the average. The uncertainty is so large that trail density could be said to have very negative effect (red line), a very positive effect (blue line) or a slight negative effect (green line).

It is disclosed by the authors in Appendix H that “...we did not detect significant effects of trail density on territory size, density or reproductive measures.” However, it is then subsequently stated that “Bike Park... may be serving as lower quality habitat” without evidence to substantiate the finding. That unsupported statement is a material error.

As previously iterated, Table 5 of the report identifies Bike Park as 5th of 20 BCP sites in return rate and Table 8 identifies Bike Park as the second most productive tract in the BCP. That said, it is difficult to understand how the authors drew this conclusion. Further, a more accurate depiction of function of trail density could be derived provided all other parameters were taken into account. But because the research is limited to one parameter, it begs the questions: Was this the most representative parameter? Was this the worst case parameter? Was this the best case parameter? Acknowledging only one parameter with obvious vast uncertainty raises a lot questions.

8) Material Error – Conclusion not supported by data. Appendix H Tables 2 & 3 shows other data that is so poorly documented no conclusions could be drawn. Appendix H also reports their study data in Tables 2 (below). Note that most of the data indicates that the Coldwater and Bike Park tracts are same. The total number (of warblers?) is slightly lower on Bike Park than Coldwater but the rest of the parameters are very close. When Coldwater is better in one parameter (total number, territory density, site abundance, productivity) Bike Park is better in another parameter (% SY males, territory size, pairing success, nest success). Even when there are differences, the numbers are close and frequently within the uncertainty interval. Ultimately, these data do not support significant impact to the warbler between high trail density trails open to mountain bikes and motorcycles and lower density trails closed to the public.

Table 2. Total number of monitored territories, percentage of SY males, territory size (ha), site abundance (males per site calculated as the Verner's territory density divided by site area), trail density (m/ha), pairing, apparent nest, and territory success, and productivity on Coldwater and the Bike park during 2010 and 2011. Sample sizes are same as total number unless otherwise noted.

	Coldwater		Bike Park		F	P
	2010	2011	2010	2011		
Total number	12	15	8	14		
% SY males	33%	54%	63%	79%		
Territory size	4.2 ± 2.0	4.6 ± 2.1	3.3 ± 2.2	4.6 ± 2.0	0.08	0.78
Verner's territory density	0.88 ± 0.23	0.83 ± 0.24	0.81 ± 0.26	0.82 ± 0.25	3.08	0.22
Site abundance	9.8	11.7	6.6	11.6	0.38	0.61
Trail density	40.6 ± 50.1	32.1 ± 32.5	132.0 ± 54.7	115.1 ± 47.4	36.18	<0.0001
Pairing success	92% ± 29%	100% (n=14)	100%	92% ± 29% (n=12)	0.03	0.87
Apparent nest success	67% ± 52% (n=6)	73% ± 44% (n=13)	100% (n=3)	86% ± 69% (n=7)	--	--
Territory success	58% ± 51%	83% ± 39% (n=12)	63% ± 52%	64% ± 50% (n=11)	0.21	0.58
Productivity	--	3.00 (n=12)	--	2.45 (n=11)	--	--

Appendix H, Table 2 – Data from USFWS study report.

Table 3 of Appendix H (below) appears to show more of an impact between the two tracts. However, Table 3 is not well annotated and so it cannot be verified. If one assumes what is meant by the annotations shown, it could explain the difference in the two tracts. One assumption is that two columns under each tract indicate data from 2010 and 2011 as annotated in Table 2. But the more important issue is the “n=” data shown in the first row of Table 3. Reading the text of Appendix H and

particularly Figure 2 of Appendix H, it appears that the “n=” is showing how many sample points were included in the study. If this assumption is true, it explains why the total detected is lower (28 points on Coldwater versus 21 points on Bike Park is 75% of data samples). If the total detected is lower because fewer points were sampled, then the density and abundance should be expected to be lower because fewer points were sampled. The assumption needs to be verified but could help explain the differences shown in Table 3.

Table 3. Total number of golden-cheeked warblers detected, estimated density and site abundance (truncated to max detection distance of 100 m), and distance-based density and abundance (truncated to max detection distance of 100 m).

	Coldwater (n=28)		Bike Park (n=21)	
Total detected	14	15	5	6
Density	0.16 (0.07-0.25)	0.17 (0.08-0.26)	0.08 (0.00-0.17)	0.09 (0.02-0.16)
Site abundance	1*	7.5	18	9
Distance-based density	0.66 (0.39-1.13)	0.71 (0.41-1.22)	0.32 (0.18-0.54)	0.38 (0.22-0.65)
Distance-based abundance	71 (41-121)	76 (44-130)	31 (18-54)	37 (22-64)

Appendix H Table 3 - Number of Golden-cheeked Warblers detected, density and abundance

Part II - Corrected Data

While auditing The City of Austin 2012 Golden-cheeked Warbler (GCW) Monitoring Program Report a number of issues were found. In Part II of this audit, corrections were made to those issues and the results of the corrections presented. In particular, the use of the entire area of the Bike Park is found to introduce bias into the data and conclusions.

9) Material Error - Bike Park is excessively penalized by active roadways on three sides. Notice that Bike Park is bounded on three sides by active roadways. Those active roadways are edges that are recognized as ‘lower quality habitat’ in comparison to non-edge areas (ref. Figure 4 above and the Habitat Conservation Plan). Since most of the tracts in the report were shown as 100-acre study plots taken from the middle of a tract where all edges are excluded, Bike Park and Coldwater should not be compared to tracts with no edges. The question of how large an area is an “edge” is answered by the Habitat Conservation Plan on page 3-67, or ‘330 feet from an edge is considered impacted by that edge’. After removing 330 from roadways, Bike Park is 131.5 acres (53.2 hectares) and Coldwater is 215.3 acres (87.2 hectares.) The adjustments made in each of the tables are to correct the areas of each tract and remove the ‘edge areas’. Those adjustments are indicated where there are more than two decimal places in the numbers of this review.

Figure A, (below) shows graphically the reduced area of each tract with the 330 foot edge area removed (indicated by the green lines).



Figure A – Bike Park and Coldwater tracts with the edge areas removed, indicated by the green lines along the active roads.

Minor Error - The average Territory Density per Hectare was shown incorrectly in the report. Below is Table 2 of the report with adjustments. The first difference is that the Average Territory Density per Hectare Published was wrong (see red box in Table 2). The actual average of the data shown is 0.22 territories per hectare, not the 0.17 published. It appears that as the data was formatted for the report, heading lines were added for each macrosite (not included in the data reproduced here) and those lines caused Excel to include 'zero' values that were averaged into the original report. That appears to be an oversight/proofing error.

10) Material Error - Bike Park is above average for the BCP tracts and the control site (Coldwater) is below the BCP average. The data has been sorted on Territory Density per Hectare Adjusted. The reason for the adjustment was discussed above, but is due to reduced acreage for Bike Park and for Coldwater for the 330 foot edge buffer.

Location	Full Territories	Full & Edge Territories	Full + 0.5 Edge Territories	Territory Density Per Hectare Published	Territory Density Per Hectare Adjusted	
3M/St Edwards	14	27	20.5	0.51	0.51	1
Forest Ridge	13	23	18	0.44	0.44	2
Butler	11	24	17.5	0.43	0.43	3
Vista Point	13	20	16.5	0.41	0.41	4
Canyon Vista	6	23	14.5	0.36	0.36	5 St Dev
Emma Long	11	18	14.5	0.35	0.35	6
Bike Park	12	17	14.5	0.15	0.2726	7
Baker Sanctuary	8	12	10	0.25	0.25	8
Vireo Ridge	12	16	14	0.24	0.24	9 Median
Hamilton West	6	10	8	0.20	0.20	10
Lake Persp/McGregor	4	10	7	0.17	0.17	11
Barton Creek	2	7	4.5	0.11	0.11	12
Coldwater	7	12	9.5	0.09	0.1089	13
Double J&T	4	4	4	0.10	0.10	14
Reicher	2	6	4	0.10	0.10	15 St Dev
Wild Basin/Vireo Prese	6	6	6	0.03	0.03	16
Gus Fruh	0	0	0	0.00	0.00	17
Sunset Valley	0	0	0	0.00	0.00	18
Publ. Total/Ave	131	235	183	0.17		
actual Total	131	235	183	3.94	4.08	
Actual Average				0.22	0.23	
Standard Deviation				0.16	0.16	

Table 2 with corrections to the average density and the areas of Bike Park and Coldwater

Table 8 of the 2012 Annual Report contains a lot of information. To be able to highlight the issues, Table 8 was broken up into Table 8a, Table 8b, etc. below.

11) Material Error - Eight of the eighteen published 'Pairing Success' data appear to have errors. Table 8a (below) shows the published and calculated pairing success for the BCP study tracts. The "Pairing Success" should be the number of territories that have a female GCW divided by the number of territories. Without explanation or documentation, many of the territories shown in the first column are ignored when calculating the Pairing Success. There may be valid reasons for the differences; however, explanation(s) were not found. Ultimately, no documentation as to why some territories were ignored was found in the report.

Minor Error - Published 'Adjusted Fledgling' count left open to inappropriate manipulation. Table 8b (below) shows similar data to Table 8a but for Adjusted Fledgling counts. The report discussed that the number of fledglings is difficult to count, but prior studies indicate that the average number of fledglings per successful nest is 3.6. To be complete, the report correctly shows the number of fledglings observed and the number 'adjusted' to account for the number of fledglings expected but not observed. Reviewing the Adjusted Fledgling counts, it is clear that discrepancies exist. The total number (green highlight) is accurate and so it appears that was a manipulated adjustment to make integer numbers of fledglings. Again, the rational used for these adjustments should be documented. It would be expected

that the manipulations would consistently arrive as the 'manipulated' number being within on +/- 1 of the number of successful nests times 3.6. Without a documented rational, the 'manipulations' could be used to inappropriately bias the published numbers. In this case, Baker Sanctuary was excessively penalized and 3M/St Edwards was excessively rewarded.

Location	No. Territories	Territories w/ Female	Territory Sample Size	Published Pairing Success	Calculated Pairing Success
Barton Creek	7	7	7	100%	100%
Gus Fruh	0	0	0	0%	0%
Sunset Valley	0	0	0	0%	0%
3M/St Edwards	27	22	22	100%	81%
Canyon Vista	23	18	18	100%	78%
Forest Ridge	23	19	23	83%	83%
Butler	24	22	23	96%	92%
Hamilton West	10	9	10	90%	90%
Baker Sanctuary	12	12	12	100%	100%
Lake Persp/McGregor	10	10	10	100%	100%
Vireo Ridge	16	16	16	100%	100%
Vista Point	20	20	20	100%	100%
Coldwater	12	9	9	100%	75%
Bike Park	17	15	15	100%	88%
Emma Long	18	17	15	100%	94%
Double J&T	4	1	1	100%	25%
Reicher	6	5	6	83%	83%
Wild Basin/Vireo Preset	6	5	5	100%	83%
Total	235.00	207.00	212.00	15.52	13.73
Average	13.06	11.50	11.78	0.86	0.76

Table 8a – Pairing Success over BCP Study Tracts – Possible errors highlighted in red.

Location	No. Territories	Territories w/ Female	Territories Producing ≥ 1 Young	Published Fledging Sample Size	Published Breeding Success	Calculated Breeding Success (per Terr w/ Fml)	Observed Fledglings	Published Adjusted Fledglings	Calculated Adjusted Fledglings
Barton Creek	7	7	7	7	100%	100%	24	27	25.2
Bike Park	17	15	10	10	100%	67%	33	38	36
Emma Long	18	17	17	18	94%	100%	54	62	61.2
Vireo Ridge	16	16	14	15	93%	88%	37	48	50.4
Butler	24	22	19	24	79%	86%	60	71	68.4
Forest Ridge	23	19	17	23	74%	89%	55	65	61.2
Reicher	6	5	4	6	67%	80%	14	16	14.4
Wild Basin/Vireo Preser	6	5	3	4	75%	60%	7	10	10.8
Hamilton West	10	9	7	9	78%	78%	18	23	25.2
Baker Sanctuary	12	12	10	12	83%	83%	28	28	36
Vista Point	20	20	12	19	63%	60%	41	42	43.2
3M/St Edwards	27	22	15	27	56%	68%	48	58	54
Lake Persp/McGregor	10	10	6	10	60%	60%	18	21	21.6
Canyon Vista	23	18	13	23	57%	72%	30	44	46.8
Coldwater	12	9	3	6	50%	33%	10	12	10.8
Gus Fruh	0	0	0	0	0%	0%	0	0	0
Sunset Valley	0	0	0	0	0%	0%	0	0	0
Double J&T	4	1	0	0	0%	0%	0	0	0
Total	235.00	207.00	157.00	213.00	11.29	11.25	477.00	565.00	565.20
Average	13.06	11.50	8.72	11.83	0.63	0.62	26.50	31.39	31.40
Std Deviation	8.36	7.47	6.29	8.79	0.32	0.33	19.70	23.23	22.63

Table 8b – Published Adjusted Fledgling "Manipulations"

12) Material Error – Fledgling density on Bike Park is average with all BCP tracts. The values shown in Table 8c for fledglings per hectare are corrected for the size of the tracts with the 330 foot edges removed. The data is sorted from best to worst and the average and standard deviations are indicated. Once the 'edge areas have been removed, Bike Park is exactly average among all of the BCP tracts. Note that Coldwater is again at the bottom edge of one standard deviation from average. Here again, Bike Park is shown by the data to be average and the control site (Coldwater) is much worse than average of the BCP tracts. These data also indicate the public use of Bike Park is not harming the warblers.

Location	Published Observed Fledglings per Hectare	Published Adjusted Fledglings per Hectare	Calculated Adjusted Fledglings per Hectare	Corrected Obs Fledglings per Hectare	Corrected Adj Fledglings per Hectare	Order	
Butler	1.48	1.75	1.69	1.48	1.75	1	
Forest Ridge	1.36	1.6	1.51	1.36	1.6	2	
Emma Long	1.33	1.53	1.51	1.33	1.53	3	
3M/St Edwards	1.19	1.43	1.34	1.19	1.43	4	St Dev
Canyon Vista	0.74	1.09	1.15	0.74	1.09	5	
Vista Point	1.01	1.04	1.06	1.01	1.04	6	
Virco Ridge	0.63	0.81	0.86	0.63	0.81	7	
Bike Park	0.33	0.38	0.36	0.6196	0.7135	8	Average
Baker Sanctuary	0.69	0.69	0.89	0.69	0.69	9	
Barton Creek	0.59	0.67	0.62	0.59	0.67	10	
Hamilton West	0.44	0.57	0.62	0.44	0.57	11	
Lake Persp/McGregor	0.44	0.52	0.53	0.44	0.52	12	
Reicher	0.35	0.4	0.36	0.35	0.4	13	
Coldwater	0.09	0.11	0.10	0.1147	0.1377	14	St Dev
Wild Basin/Vireo Pre:	0.04	0.06	0.06	0.04	0.06	15	
Gus Fruh	0	0	0.00	0	0	16	
Sunset Valley	0	0	0.00	0	0	17	
Double J&T	0	0	0.00	0	0	18	
Total	10.71	12.65	12.66	11.02	13.01		
Average	0.60	0.70	0.70	0.61	0.72		
Standard Deviation	0.50	0.59	0.57	0.50	0.58		
				Sorted			

Table 8c - Fledglings per hectare Published and Corrected

13) Material Error – The “Published Adjusted Productivity” does not match the 3.6 fledglings per successful nest shown on page 7. Table 8d shows the productivity for each tract. Page 7 paragraph 6 shows the ‘adjusted productivity’ to be “3.6 fledglings per successful nest”. So it would be expected that each tract with at least one successful nest would show productivity that is a multiple of 3.6. Eleven of the eighteen “Published Adjusted Fledglings” vary by more than rounding error would account. For some reason the report shows the "adjusted productivity" to vary from 1.9 to 3.9. No reason was given for the differences in "adjusted productivity". If there are valid reasons for such manipulations, they should be explicitly stated.

Location	No. Territories	Territories Producing >= 1 Young	Published Fledging Sample Size	Observed Fledglings	Published Adjusted Fledglings	Calculated Adjusted Fledglings	Calculated Observed Productivity (Fledglings/Territory)	Published Adjusted Productivity	Calculated Adjusted Productivity (Fledglings/Territory)	Order
Butler	34	19	34	60	71	68.4	2.5	3	3.6	1
Forest Ridge	23	17	23	55	65	61.2	2.4	2.8	3.6	2
Emma Long	18	17	18	54	62	61.2	3.0	3.4	3.6	3
3M/St Edwards	27	15	27	48	58	54	1.8	2.1	3.6	4 St Dev
Vireo Ridge	16	14	15	37	48	50.4	2.5	3.2	3.6	5
Canyon Vista	23	13	23	30	44	46.8	1.3	1.9	3.6	6
Vista Point	20	12	19	41	42	43.2	2.2	2.2	3.6	7
Bike Park	17	10	10	33	38	36	3.3	3.8	3.6	8
Baker Sanctuary	12	10	12	28	28	36	2.3	2.3	3.6	9 Average
Barton Creek	7	7	7	24	27	25.2	3.4	3.9	3.6	10
Hamilton West	10	7	9	18	28	25.2	2.0	2.5	3.6	11
Lake Persp/McGregor	10	6	10	18	21	21.6	1.8	2.1	3.6	12
Reicher	6	4	6	14	16	14.4	2.3	2.6	3.6	13
Coldwater	12	3	6	10	12	10.8	1.7	1.9	3.6	14
Wild Basin/Vireo Pre	6	3	4	7	10	10.8	1.8	2.6	3.6	15 St Dev
Gus Fruh	0	0	0	0	0	0	0.0	0	0	16
Sunset Valley	0	0	0	0	0	0	0.0	0	0	17
Double J&T	4	0	0	0	0	0	0.0	0	0	18
Total	235.00	157	213.00	477.00	565.00	565.20	34.21	40.30	34.00	
Average	13.06	8.722222	11.63	26.50	31.39	31.40	1.90	2.24	3.00	
Standard Deviation	8.67	6.29	8.79	19.70	23.23	22.63	1.03	1.19	1.38	

Conclusions

Thirteen material errors and two minor errors were identified by this audit. The material errors indicate the conclusions drawn are not supported by the data or the data did not match the definitions shown by the text. Other findings are considered minor. Some of these errors appear to be inadvertent 'typographical/editing errors'. Some of the material errors introduce a bias into the data that may not have been recognized by the authors. Regardless of the cause, it is recognized that the Golden-cheeked Warbler population studies and reports are difficult tasks with many possibilities for errors. Many of those possible errors are not readily apparent. That said, great care should be taken to ensure that the conclusions drawn are supported by the data reported and not some other source.

Based on the data from the City of Austin 2012 Golden-cheeked Warbler (GCW) Monitoring Program Report data as shown in this report, Bike Park is statistically average with all BCP tracts in terms of GCW population and productivity. Once errors are removed from the City of Austin data, Bike Park is indicated to be better than average.

When compared to the control site (Coldwater) to indicate the impact of recreational public use of BCP tracts, Bike Park is significantly better habitat for the Golden-cheeked Warbler. Great care should be taken before projecting one year's data into broad reaching decisions – but the difference between Bike Park and Coldwater from this one year's data would indicate recreational use of BCP tracts is advantageous to the GCW. Conjecture or other studies that indicate the public use 'is harmful or causes lower quality habitat' are not supported by these data.

08-28-2014:

One more time Mr. Conrad obstructs a very important opportunity to defend our case. Mr. Conrad persuades Ms. Hensley, the Austin Parks and Recreation Department's Director to overlook the proper step of a briefing to the Austin Parks and Recreational Board. A case so contested by stakeholders, should have become an "agenda item" before executing.

The following email chain was obtained through Austin's version of freedom of information act.

From: Conrad, William <William.Conrad@cityofaustin.org>
Sent: Thursday, August 28, 2014 1:24 PM
To: Hensley, Sara
Cc: Kuhl, Sherri; Slusher, Daryl; Larsen, Jeff; Williams, D'Anne; Soliz, Ricardo; Vaclavik, Charles; Romines, Charlie; Shaw, April
Subject: RE: Motorcycle Park // BCP // Follow Up // Emma Long Metropolitan Park

One more time Mr. Conrad obstructs a very important opportunity to defend our case. The presentation to the Parks and Recreation Board never happened.

Thanks Sara, We are still available to brief the Board. I just want to proceed so this doesn't stall again.

W

From: Hensley, Sara
Sent: Thursday, August 28, 2014 1:39 PM
To: Conrad, William
Cc: Kuhl, Sherri; Slusher, Daryl; Larsen, Jeff; Williams, D'Anne; Soliz, Ricardo; Vaclavik, Charles; Romines, Charlie; Shaw, April
Subject: Re: Motorcycle Park // BCP // Follow Up // Emma Long Metropolitan Park

Willy: I did tell D'Anne that and after reading your email, I should not have. My fault!!
Please proceed with your compromise plan! Thank you! Sara

Sent from my iPhone

On Aug 28, 2014, at 1:24 PM, "Conrad, William" <William.Conrad@cityofaustin.org>

Misleading. By the time of this email, we had had only two meetings about park closures with the BCP policy makers..

Sara

We have been proceeding with plans to implement closure of the Connors Creek trails (one in the creek bed and one in the Critical Water Quality Zone). We met several times with PARD staff and finalized an agreed to final map. We also agreed to implementation of closure beginning September 1. **We also met with bike and motorcycle stakeholders seeking some form of consensus for many, many months now.** While we engaged stakeholders, their position has always been firmly entrenched to change no trails and that their operation is appropriate. I also understand your staffs' concerns that closing these trails will be difficult and ongoing. With all that said, I understood that we had an agreed to plan in place, albeit with reluctant agreement from some aspects. **We were advised by D'Anne this week that you have asked to bring this back to the Parks and Recreation Board September 24. Is there some way we can move forward with trail closure and updating the information kiosk, and also brief the board about the culmination of this two year process?**

While I have no problem reporting to the Board on our actions, I am a little concerned and confused by this delay in implementation. We met with the Parks Board on November 27, 2012 and briefed them on plans.

engaged
Since
in their
that th
in ques
dedica
that C

Mr. Conrad asks Ms. Hensley, the Austin Parks and Recreation Department's Director to overlook the proper step of presenting to the Austin Parks and Recreational Board. A case so contested by stakeholders, should have become an "agenda item" before executing.

two years now. They are entrenched
cated by actions creating the park, and
cerns. At this point the use itself is not
occurring. They have contested BCP
BCP. We have had to remind them

08-29-2014:

Mr. Conrad, the BCP Secretary, refuses to give up using Mr. Turner's maps to justify closing grandfathered trails. Mr. Cliff Tuner sends a second letter about his 1990s maps. This time the letter was directed to Ms. Jennings (Austin Legal Department) and Mr. Conrad.

Mr. Turner writes:

"These maps were never intended to represent all the exiting trails at the Emma Long Motorcycle Park, nor have I authorized their use in any legal document."

Next, Mr. Conrad tries to persuade Austin Legal, to validate his use. The following email chain was obtained through Austin's version of freedom of information act.

tomaspantin
10/16/15, 7:43:50 AM

Mr. Conrad argument could not be further from reality.
Mr. Turner's maps have a copyright statement and logo.

Mr Turner: "These maps were never intended to represent all the exiting trails at the Emma Long Motorcycle Park, nor I have I authorized their use in any legal document." "Again, each map was tailored for a specific event and although the trails in both maps did exist, many trails were excluded for the propose of simplicity".

Mr Conrad and Ms Kuhl had switched Mr Turner's maps to imply that only the trails in one of his maps existed before the BCP.

From: Del Bosque, Eloy
Sent: Tuesday, September 02, 2014 9:11 AM
To: Nicholson, Elaine
Subject: FW: The use of my maps

Good Morning,

When you get a chance, please look at the attached letter and let me know what you think. He also sent this to Mitzi Cotton.

Thanks,
eloy

From: Conrad, William [<mailto:William.Conrad@austintexas.gov>]
Sent: Tuesday, September 02, 2014 9:05 AM
To: Cotton, Mitzi; Del Bosque, Eloy
Cc: Kuhl, Sherri; Slusher, Daryl
Subject: FW: The use of my maps

It appears Ms. Jennings is out. Please assist me with responding to the attached request. See my comment to Denorah below.

W

It appears Ms. Jennings is out. Please assist me with responding to the attached request. See my comment to Denorah below.

W

From: Conrad, William
Sent: Tuesday, September 02, 2014 9:03 AM
To: Jennings, Deborah
Cc: Kuhl, Sherri; Slusher, Daryl
Subject: FW: The use of my maps

Ms. Jennings



We should discuss this request. The maps in question have long been a part of the public record, are not copyrighted, and were not contributed to the City with any restrictions.

Willy Conrad
Environmental Policy Program Manager
Wildland Conservation
Austin Water
(512) 972-1661

From: Cliff Turner [<mailto:cturner@fields-arch.com>]
Sent: Friday, August 29, 2014 1:03 PM
To: Conrad, William
Subject: The use of my maps

Mr. Connrad,
Please read the attached letter.

Cliff Turner, AIA

Dear Ms. Jennings and Mr. Conrad,

I am the one who drew the Motorcycle Trails map now showing up in several documents. I have been riding these trails since their opening in the early 1970s.

I must stress that the two maps used were for specific anniversary events. They were meant to show the 1-way Main Loop and the two 2-way Cross Trails to aid riders in their return to the parking lot.

There were many other trails, some looping back, some dead-end. One of the maps has the statement "Use of All the trails is ENCOURAGED". The intended use of all the trails would lighten the load on the Main Loop.

It appears that it is your intention by using these 2 maps is to imply that they show the only trails authorized for use. That cannot be further from the truth.

With this letter I am requesting that the City of Austin and Balcones Canyonland Preserve (BCP) discontinue using these two of my maps in the BCP legal documents. These maps were never intended to represent all the exiting trails at the Emma Long Motorcycle Park, nor I have I authorized their use in any legal document. Again, each map was tailored for a specific event and although the trails in both maps did exist, many trails were excluded for the propose of simplicity.

The documents using the maps:

"Tier III Land Management Plan - North Lake Austin Macrosite - EMMA LONG METROPOLITAN PARK" circa 1999.

"4.0 APPENDICES EMMA LONG METROPOLITAN PARK - CITY OF AUSTIN" circa 1999.

Please discontinue using the maps mentioned.

Thank you and best

Cliff Turner
Clifford J. Turner

8207 Williamson Creek Dr.
Austin, TX 78736

512 327-8444: Office
512 638-0064: Cell

cturner@fields-arch.com
cturner8@swbell.net

William Conrad
Manager of the Balcones Canyonlands Conservation Plan
BCCP Coordinating Committee
Water Utility Conservation Lands Division □
3635 Highway 620 South
□Austin, Texas 78734

William.Conrad@ci.austin.tx.us

512 972-1661

Deborah Jennings
Public Information Manager
City of Austin Law Department
Office: (512) 974-1305
Fax: (512) 974-2894
Deborah.Jennings@austintexas.gov

Clifford J. Turner
8207 Williamson Creek Dr
Austin, TX 78736

512 327-8444: Office
512 638-0065: Cell

cturner@fields-arch.com

The documents:

#2. Tier III Land Mgt. Plan Emma Long Metro Park.pdf (map on pdf page 9)







#3. Appendices Emma Long Metro. Park.pdf (map on pdf page 77)

3 MILES TO
RR 2222 TO
AUSTIN

CITY
PARK
SIGN

Map Three:
Motorcycle Trails

KEY :

-  Streets
-  MAIN LOOP Main Loop
-  TWO-WAY Two-Way Trail
-  Additional 2-Way Trail
-  Fence
-  Creeks

MAP BY :
Cliff Turner
TURNER SERVICES
1351 C.R. 327
Granger, Texas 76530
Austin Phone 423-1326
Copyright July 6, 1998 (c)

- The MAIN LOOP is a One-Way trail that is approximately 5.5 miles long.
- ALL other trails are TWO-WAY so be careful.
- E.M.S. stands for Emergency Medical Service such as Ambulance, Police, & Fire dept.
- No Permit is required, but Silencers & Spark-arrestors are.

RADIO
TOWER

PEARCE ROAD 700

MAIN LOOP

CONNERS CREEK

MAIN LOOP

MAIN LOOP

MAIN LOOP

800 ROAD

TWO-WAY

MAIN LOOP

MAIN LOOP

FENCE

HOG PEN CREEK

FENCE

PEARCE ROAD

MAIN LOOP

OAK SHORES DRIVE

the riding area entrance

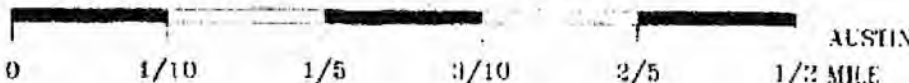
CONNERS CREEK

OAK SHORES DRIVE

- The use of All of the trails is ENCOURAGED.
- Note the mileage signs to report emergencies.
- A Park curfew exists from 10:pm to 7:am.

26th ANNIVERSARY MAP 1971 to 1998

PLEASE PROTECT ALL LIVING VEGETATION
MOTORCYCLE AREA
EMMA LONG METRO. PARK



AUSTIN

3 MILES TO
RR 2222
AUSTIN

CITY
PARK
SIGN

- The MAIN LOOP is a One-Way trail that is approximately 5.5 miles long.
- ALL other trails are TWO-WAY so be careful.
- E.M.S. stands for Emergency Medical Service such as Ambulance, Police, & Fire dept.
- No Permit is required, but Silencers & Spark-arrestors are.

KEY :

Streets

Main Loop

Two-Way Trail

Additional
2-Way Trail

Fence

Creeks

MAP BY :

Cliff Turner

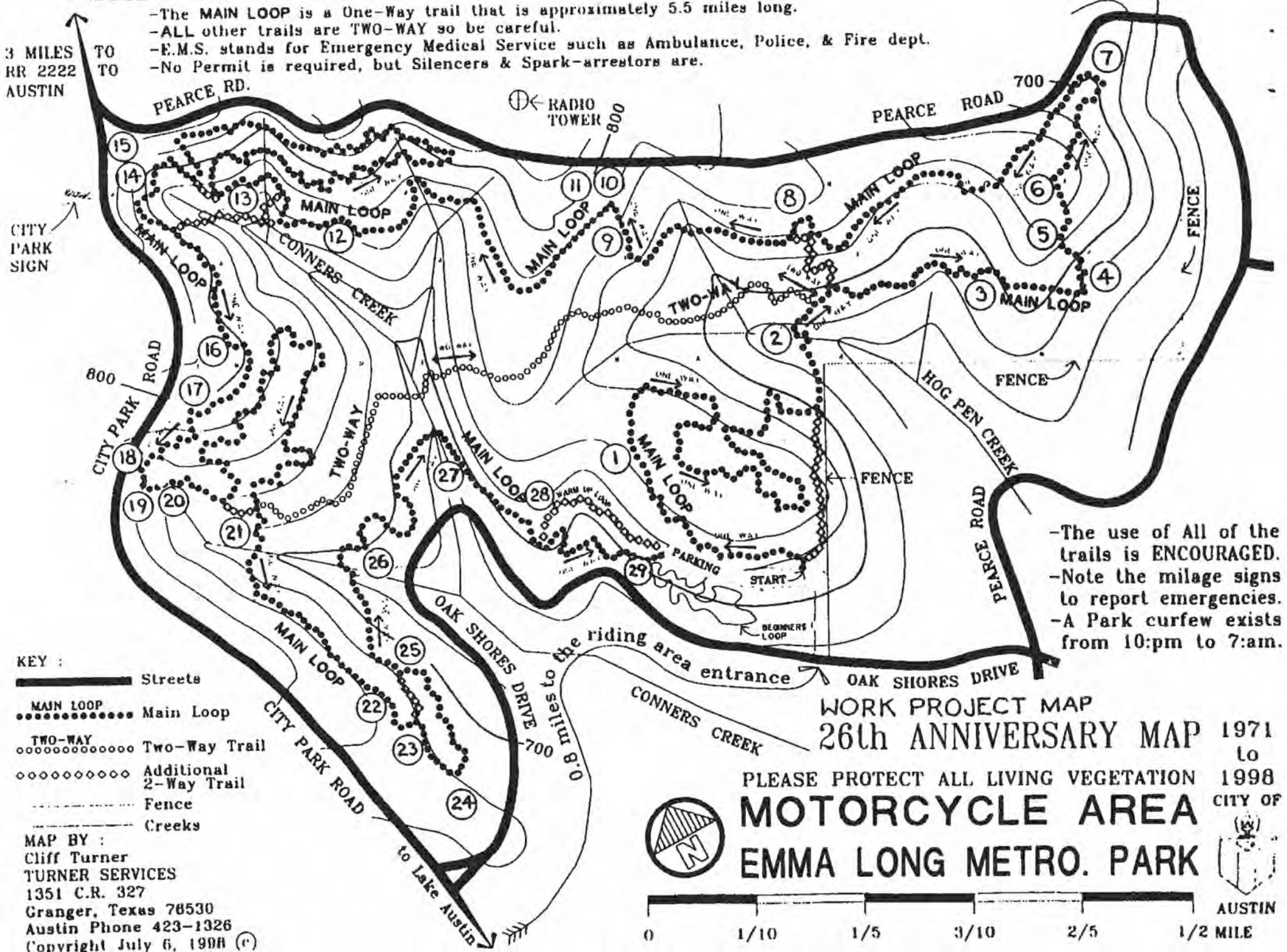
TURNER SERVICES

1351 C.R. 327

Granger, Texas 78530

Austin Phone 423-1326

Copyright July 6, 1998 (c)



- The use of All of the trails is ENCOURAGED.
- Note the mileage signs to report emergencies.
- A Park curfew exists from 10:pm to 7:am.

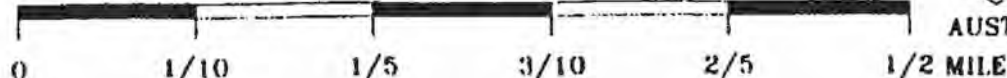
WORK PROJECT MAP
26th ANNIVERSARY MAP

PLEASE PROTECT ALL LIVING VEGETATION
MOTORCYCLE AREA
EMMA LONG METRO. PARK

1971
to
1998
CITY OF



AUSTIN



09-01-2014:

A large riding area of the Park is closed-off only 17 days after meeting with BCP management on these closures. Although Mr. Conrad closed 21 trails and a large number of riding areas, Mr. Conrad insisted three times at the BCCP Coordinating Committee public hearing that he had closed only one trail (06/26/2015). Misleading testimonies like this one, have plagued our dealings with BCP management.

[Read following map for supporting material.](#)

EMMA LONG MOTORCYCLE PARK
COMPREHENSIVE MAP - AUSTIN, TEXAS.

Violet Trails and
Riding areas were
eliminated in the
Sep 2014 BCP Map

21 closed trails

© 2014 Tomas Pantin, CTTA - Austin, Texas. For non-commercial use only. v15V19
Special thanks to Cliff Turner for all the mapping he did in the 90s.

02-20-2015:

Stakeholders attended a meeting with Sherri Kuhl (BCP), Lisa O'Donnell (BPC) and Alberto Perez (PARD) at The Motorcycle Park. The objective was to gain use of an old existing trail, to allow a much needed North-South trail. Ms. Kuhl insisted that we had to request a permit under the Trails Master Plan. The Trails Master Plan Program was created to open new trails, but the trail proposed already existed. Ms. Kuhl would not agree.

06-26-2015:

Stakeholders Kent Browning, Tomas Pantin, Travis Pantin and Richard Viktorin spoke under citizen's communications to the Balcones Canyonlands Conservation Plan Coordinating Committee. The speakers objected to BCP Management actions, misleading allegations, and obstructing stakeholder's attempts to prove their case. Speakers requested equal time in front of impartial panel.

07-17-2015:

The BCCP Coordinating Committee Board directed the BCP Management to develop a report on their actions regarding the Emma Long Motorcycle Park. Included is Ms. Kuhl's memo to the BCCP Board. Within Ms. Kuhl report, you will also find the stakeholders comments on her statements.

[Read following pages for supporting material.](#)

MEMORANDUM

TO: William A. Conrad CPRM, BCCP Coordinating Committee
Secretary
FROM: Sherri Kuhl, BCP Program manager

➔ *Comments in italics are added by Kent Browning – a stakeholder - on 8/20/2015*

DATE: July 17, 2015

SUBJECT: Briefing Regarding City's Actions to Close Connors Creek Trail

The following information is being provided in order to communicate background information about the City of Austin's decision to close Connors Creek to motorcycles and mountain bikes:

- Emma Long Motocross Park (aka "Bike Park") is and has been part of the BCP since its inception on May 2, 1996. Motorcycle use is grandfathered by the BCCP. However, operation of motorcycles and bicycles within the Connors Creek channel has damaged the soils and vegetation along the creek.

➔ *This comment is clearly an error in light of similar or even worse damage found on other trails where neither motorcycles nor bicycles are allowed. The Turkey Creek trail is a good example of a hiking only trail with significant erosion. The Bull Creek Trail is another example.*

- The Plans and Guidelines section of the BCCP requires preserve managers to close trails within the BCP that are causing resource damage (BCCP Habitat Conservation Plan and Final Environmental Impact Statement, City of Austin & Travis County, 1996, Section 2-e, Land Management Plans and Guidelines; Tier II-A BCP Management Handbook, Chapter XII - Public Access Management, Section 3. 1.4)

- City of Austin staff began working with stakeholders of the Emma Long Motocross Park in December 2011 to discourage using Connors Creek as a trail and discuss the need for restoration and sustainability on the entire trail system.

➔ *On Nov 17, 2014 we made a City of Austin "Public Information Request" PIR ID 23620 to Mr Conrad and City Legal covering all Emma Long Motorcycle Park communications from 01/01/2011 to 11/16/2014. The response indicates no records of working with stake holders as described. Would Ms. Kuhl elaborate and provide correspondences and meetings and dates and attendees?*

- Monthly meetings have been held with PARD and BCP staff since 2012 to plan the installation of trail markers and a new kiosk, and trail restoration projects at Emma long Motocross Park.

- In the fall of 2012, BCP staff began working with PARD and the stakeholders on a grant project with the Texas Conservation Corps to restore numerous trails at the Motocross Park. This project focused on the upland trails where unauthorized trails had been built to bypass highly eroded areas, but did not address the erosion in Connors Creek. It was completed in February 2013.

➔ *Most of those areas were identified in a grant request from 1999. Since the erosion in those areas had not been corrected in ~13 years, the trails exhibit good erosion resistance because they are so rocky.*

During the fall 2013 and winter 2014, the many stakeholders conducted several work days, and have been largely supportive of trail restoration in the upland areas.

➔ *The stakeholders have been and still are supportive of correcting erosion issues and closing bypass trails. The problem is that staff has decided that 21 existing, grandfathered trails are no longer authorized. Their interpretation has been proven to be in error by 1994 aerial photographs. Staff refuses to even discuss those trails.*

The stakeholders provided input into the draft Motocross Park trail map, and most of their input has been incorporated. The area of disagreement with some of the stakeholders has been removing the highly eroded Connors Creek from the trail map and trail system.

➔ *See comment above regarding erosion. The discussion of existing, grandfathered trails did start when the BCP staff presented their draft map. Then they refused to discuss the “missing trails” outside of Connors Creek area trails again even when presented with 1994 aerial photographs.*

On September 25, 2013, BCP set up a meeting with the stakeholders to discuss the draft trail map and the stakeholders presented information on the historical use of trails. We talked again about trail sustainability and how creeks were not appropriate locations for trails. We also discussed the International Mountain Biking Association (IMBA) trail guidelines, the potential to get additional TPWD trail grants, and the BCP Trail Master Planning Process. City staff suggested they form a Friends of Emma Long Motocross Park Group.

In the spring of 2014 we continued our dialogue via email and the stakeholders requested a meeting during our busy bird season; we rescheduled it for June 6th and the stakeholders cancelled. They then submitted a letter to the Mayor, so we cancelled the subsequent meeting to get further direction from upper management.

In an effort to collaborate with stakeholders, City staff has offered the opportunity to use the BCP Trail Master Planning process to plan and construct an alternative sustainable trail to replace the trail in Connors Creek that is being closed. To date, this offer has been ignored.

➔ *This offer has not been ignored. Staff has predicated this offer on the “replacement of the ONE trail”. It is not “ONE trail” that should be replaced but roughly 21 trails. Any replacement trail discussion needs to start by recognizing the entirety of the trails being closed. Even if replacement is not a ‘one for one’ replacement, it should recognize what is lost / closed and should be replaced. Starting the negotiation with ONE replacement trail for 21 lost is not acceptable to the stakeholders. (Attachment 1 is a copy of the existing trails that have been removed from the BCP trail map with the missing trails numbered.)*

There is also a problem with the enforcement of the Trail Master Plan process. Every single one of the trails being closed were built with volunteer labor at zero cost to the City. Now staff is saying they want to close the trails we built and force us to use an extremely difficult and burdensome process that was developed to open new trails that had never existed in the BCP. It seems that if the staff can take away the fruits of our labor then they can at least smooth the process for replacement. Actually it seems more appropriate that if they take it away they should replace it at their expense.

On July 1, 2014, City staff informed the stakeholders that the BCP (AWU and PARD) will develop a closure plan for Connors Creek, effective September 1, 2014.

➔ *More accurately: in July 2014 we received emails about the planed closures at the Park, but BCP staff refused to meet with us. Finally, thanks to invitation of Mr. Jeff Larson PARD Parks Group Manager a meeting with the BCP staff was agreed. The meeting happened on August 12, 2014, attending were Mr. Conrad, Ms. Kuhl, Ms. O'Donnell, Mr. Larson, and stakeholders Kent Browning, Ben Dalgleish and Tomas Pantin. With the knowledge of every one present this meeting was audio recorded.*

In the Meeting Mr. Conrad announced that the Connor Creek and 100 feet on either side would be closed in 19 days He said he was not interested in discussing the science any other opinions. Mr. Conrad did offer for us to participate on the Trails Master Plan, but among people familiar with the process, the Trail Master Plan is a never ending trap. One example of the trap is requiring the Violet Crown Trail to fund an undefined study on mountain biking impact at an undefined cost at some future time.

It should be noted that during the entire process, the stakeholders had only two meetings with the BCP staff: 09/25/2013 when the stakeholders presented their Grandfathered Trails Study, and 08/12/2014 when we were told that the park closures would start in 19 days.

In January and February of 2015, City staff met with the stakeholders at Emma Long Motocross Park to look at an alternative trail route that could be proposed through the BCP Trail Master Planning process. The stakeholders have not responded with a proposed Trail Master Plan for a new bypass trail.

➔ *The discussion was to reopen an existing trail that was no longer in active use. Staff insisted that the Trail Master Planning process be used. As discussed above, the Trail Master Plan was developed to open new trails, not replace trails staff has arbitrarily decided to close.*

Closure of the Connors Creek channel to trail riding is consistent with the International Mountain Biking Association's design standards and specifications. These standards describe wetlands and riparian areas as "negative control points" that are areas to be avoided by trails. The design standards include a "Stream Crossing Code" and its first tenant is "stay out of streams and wetlands". Kent Browning is the Austin Ridge Riders Trail steward for Emma Long Park and the Austin Ridge Riders endorse the IMBA standards. The IMBA standards also recommend that trails avoid close proximity to water resources and minimize the number of stream crossings.

➔ *First it must be recognized that "Connor Creek" is actually a dry gulch. It is technically classified as an ephemeral stream meaning that it contains water only during and shortly after a rain event. This area will never be a lush 'riparian environment' regardless of any public use.*

Staff continues to claim that their only issue is the creek bed itself. Staff then decided that the "creek bed" was 200 feet wide based on a City ordinance. That same ordinance also shows that "multi use trails are allowed within 50 feet of a minor stream" (ref. Attachment 2). We have tried repeatedly to reach a compromise with staff including closing some areas, rotating areas (so there is time for natural restoration) and other compromises. We have also tried to compromise that only the steep and rocky upper sections of the dry gulch in question remain open and the flatter sections be closed in accordance with IMBA guidelines. Staff has refused to compromise other than offering to use the Trails Master Plan to replace ONE trail and ignore the other 20 closed trails.

The section of the IMBA Handbook referenced says 'Negative Control Points' (to be avoided) include wetlands and riparian zones, flat areas, and water. It shows as 'Positive Control Points' (route trails through) as rocky outcroppings, "certain slope aspects" (steeper), sustainable drainage crossings, and water. We argue that the upper parts of the dry gulch is mostly solid rock that is what IMBA recommends for armoring trails to prevent erosion. The offered compromise to close the lower section and keep the upper section open is consistent with the IMBA Handbook. (Attachment 3 page 94 of IMBA Trail Solutions)

The Friends of Emma Long Park group has presented other maps that they assert document Connors Creek trail as a grandfathered trail; we have reviewed these maps and don't share their interpretation.

➔ *Those maps include the BCP's own 1999 Tier III Land Management Plan map. It is unfathomable that the BCP staff can claim that they do not recognize a map that the BCP published. (Attachment 4).*

<Photographs removed due to poor image quality and large file size>

We find it inappropriate to compare the worst case staff could find in our park to the best case staff could find anywhere else. There are many pictures of similar or worse erosion on park trails where only hiking is allowed. If those trails are allowed in similar creek areas and cause similar or worse erosion, why is our park singled out for trail closure? And what have these photographs have to do with trails that are nowhere near the so called creek?

Background on the City of Austin's Golden-cheeked Warbler monitoring program:

- Mr. Kent Browning, an engineer and volunteer with the Emma Long Motocross Park stakeholder group, prepared an "audit report" in August 2014 which analyzed our Golden-cheeked Warbler (warbler) population data. The report was prepared voluntarily and does not represent an official audit. It was not shared with City of Austin staff prior to dissemination to the BCCP Citizen's Advisory Committee. The City of Austin's 2012 report that Mr. Browning "audited" addresses avian biological population monitoring and dynamics. Mr. Browning has never demonstrated education or experience in avian population ecology and is drawing conclusions regarding population dynamics from the data that are not valid based upon common principles of wildlife biology.

➔ *This is partially true. The audit examines the statements made in the City of Austin's 2012 Golden-cheeked Warbler Population Report and compares those statements to the data shown in the same BCP report. Significant differences were found in between the statements made the data shown. In particular, the "Bike Park" as it is called in the report is shown to have a near average density of warblers and significantly better than the control tract which is closed to the all recreational use. After 45 years of motorcycle and 20 years of mountain biking use, a negative impact on the warbler should be indicated by lower warbler population on the Bike Park, but no such indication is found in the data.*

- Mr. Browning's audit only evaluates observation data for one year. A single year's data is useful only to confirm presence of golden-cheeked warbler. It cannot be used to determine population trends, nesting success, or recruitment of young birds.

➔ *No statements of yearly trends, or recruitment of young birds were made. The Table 9 in the City of Austin's report was used to compare the nesting success of Bike Park and control tract. Our report pointed out that BCP's own data showed the nesting success at Bike Park was better than the nesting success at the control tract. We agree that it is important to look at more than one year of data and make that statement in the audit report.*

- It is also important to note that natural resource damage is the basis for the decision to close Connors Creek trail, not warbler population dynamics.

➔ *See comments on erosion on hiking only trails above.*

- Emma Long Motocross Park was part of a previous study conducted in 2002 and 2003 by Davis et al. (2010). The Davis et al. study evaluated effects of mountain biking on the

warbler within the BCP and at Fort Hood. They found that warbler territory sizes were 1.5 times larger, nest success was lower, and nest abandonment was higher in areas with bikes compared to non-biking sites. They concluded that fragmentation and alteration of habitat from mountain bike trails may reduce the quality of nesting habitat. While disturbance from mountain biking was not reflected in the daily activity budgets of warblers, direct observations of warbler encounters with mountain bikers documented a flushing response of over 20 meters.

➔ *We find it interesting that staff continues to point to a single paper that was found to be flawed by their own subcommittee during a field trip to three of those sites on May 12, 2012. The areas of the paper that were found to be flawed were the study did not consider the fact that there were motorcycles on one mountain biking site and military tanks operating adjacent to the other mountain biking site. Those sites were compared to sites with virtually no mechanized disturbance and all differences attributed to mountain biking. Additionally, one of the BCP's consultants pointed out that comparing Forest Ridge to any of the other sites was inappropriate due to significantly better habitat on that tract. Since the Davis paper was found to be flawed, the BCP has collect several years of data (2010 to 2014) comparing its own tracts (Bike Park and Coldwater) to investigate the impact of mountain biking. To date the BCP's own data indicates no demonstrable negative impact to the warbler population or productivity. Staff will neither share that data nor discuss it with us.*

- A valid evaluation of warbler population dynamics in BCP requires a complex and intense monitoring and analysis effort. In 2011, the City of Austin initiated a 5-year contract with the U.S. Forest Service (USFS) to conduct a warbler population viability and habitat suitability study within the BCP. During the first year of their contract (2011), the USFS agreed to provide preliminary analyses of the 2010 and 2011 data collected during a pilot recreation study at Emma Long Motorcycle Park and make recommendations for future monitoring. These were presented in their 2011 report (Appendix H in the City of Austin's 2012 annual report). The USFS concluded that the pilot study lacked statistical power to detect significant effects (due to low numbers of warblers), did not have current trail density maps, and needed data on recreational activities during the nesting season (i.e., number of users per day, pathways taken for each user, etc.). Thus, the results of the pilot study were inconclusive. However, the City of Austin is continuing to monitor warblers at the Motocross Park and Coldwater, and these data will be evaluated as part of the broader population viability and habitat suitability analyses. However, Mr. Browning's audit specifically includes conclusions about the effects of motorcycles on warblers using data that only describes one year of warbler observations and does not speak to intensity or distribution of recreation activities.
- A final report analyzing the 5-years of data collected for the population viability study will be prepared in 2015.

➔ *We look forward to reviewing that data.*

- In conclusion, the Connors Creek area is the only area that has been closed to motorcycle and mountain bike use. The remainder of the acreage of the Motocross Park still allows this grandfathered use on over 9 miles of trails, and the use is expected to continue.

➔ Staff needs to verify their trail mileage numbers. We show that there were over 9 miles of trail that were grandfathered in 1996. The latest BCP trail map “lost” 19% of those trails and there are roughly 7 miles of remaining trail shown on that latest map.

Signed Sherri Kuhl

➔ Comments by Kent Browning

07/27/2015:

An article was printed in The Austin American Statesman about stakeholders objections to the BCP Management closing of large motorcycle riding areas.

Austin riders challenge city's closure of motorcycle trail at Emma Long

11:36 a.m. Friday, July 24, 2015 | Filed in: **News**

The riders call it Itch Mountain. At least in polite company.

It is the steep side of a limestone gulch, about 20 feet from base to lip, studded with a few cedars and an array of boulders. That rugged terrain is what draws a small group of Austin motorcycle riders: They seek out obstacles to navigate, adding challenges as they compete to see who can pull off the most difficult trick.

Up until last fall, that is what they had been doing. But environmental concerns led the city of Austin to close down sections of the unusual motorcycle park that sits within Emma Long Park. The motorcycle park-within-a-park sits within the vast Balcones Canyonlands Preserve, on the western edge of Austin. City officials say federal rules obligate them to close a stretch of the motorcycle trails to protect a creekbed from harm. The riders insist they are not harming anything.

“If this is about seeing tracks, yes, you can see some tracks,” said Tomás Pantin, one of the trial riders, pointing to a track rising up the side of Itch Mountain. “If this is about the landscape, the landscape is unaffected by what we’re doing.” That disagreement, which will be aired next month before the quasi-governmental committee that oversees the preserve, is the latest in the long-running dispute about what people should be allowed to do within that 23,000-acre nature preserve.

Balcones was created in the mid-1990s to ease tensions between the rapid development happening in picturesque western Travis County and the concerns about harming the environment — particularly the habitat of endangered insects, salamanders and songbirds.

Federal and local officials struck a grand compromise. The city and county governments agreed to set aside significant amounts of land for preservation, and development proceeded on a smaller scale. Protracted development disputes that would have enveloped much of western Travis County were averted.

But another conflict emerged: Who gets to use the preserve?

A few years ago, bicyclists and runners were denied access to a portion of the preserve amid concerns that their presence could harm the endangered golden-cheeked warblers and black-capped vireos. Later, some residents grew frustrated because preserve rules barred them from hunting feral hogs to thin a population that was at times escaping into neighborhoods. The Leander school district has also been trying, thus far unsuccessfully, to [run a road through preserve land](#), to help with what students and parents say is a harrowing drive some of them must make to get to Vandegrift High School.

The riders who seek out Itch Mountain are a subset of Austin's off-road motorcycle community, to which the city granted full access in 1970 to 238 of Emma Long Park's 1,150 acres. The riders secured government grants, gathered up volunteers and built a gravel parking lot, trail head, pavilion and pathways.

The motorcycle park was added to the Balcones preserve at the preserve's mid-1990s creation. Under the complex set of agreements, no more trails can be added under most circumstances. But motorcyclists could continue using the existing trails, as long as the trails did not suffer environmental degradation. That set of rules was put in place to protect valuable and sensitive environmental features, such as creek beds.

Willy Conrad, who manages the preserve for the city, said the motorcycles were causing significant erosion along Connors Creek. Thus the city declared about a quarter-mile of the Connors Creek trail "closed for restoration" in September. Other trails were removed from the city's map of permissible routes. (Motorcyclists say the official closure also limits access to other trails.)

City officials said there are broader legal implications if they are lax about enforcing preserve rules. For example, if the federal government determines the city is not holding up its end, the streamlined permitting process could be revoked, forcing developers to instead navigate endangered species-related rules that could hold up a project for years.

"Even if that trail is grandfathered, we still have an over-arching responsibility to protect the environmental features," Conrad said. "It is part of the broad and complex authorization" that made the preserve possible.

The city did leave open the 5-mile main motorcycle trail, which runs along the perimeter of the motorcycle park. But the main trail does not provide the challenge sought by some of the motorcyclists, who are known as "trial riders."

Trial riders practice a sport that is like a mechanized mix of off-road biking, obstacle-course navigation and skateboard tricks. Riders stand. (The bikes have no seats.) The point is to keep their feet from touching the ground or stalling the motor.

“We trial riders go slowly. It’s a very difficult skill,” Pantin said. “It’s more balance and control than, ‘we’ve got the balls to go really fast’.”

The trial riders said they were upset about losing the Connors Creek trail because it provided access to many of the best rocky “sections,” or challenging places such as Itch Mountain.

Pantin, a professional photographer, and Kent Browning, an engineer, say the riders are being unfairly blamed for erosion that is caused by nature.

As the two hiked recently along nearby Goose Creek, where motorcycles and bicycles are not allowed, Browning pointed out a tree that is “pyramiding” at the base as the soil around its roots washes away over time. There are places where the pathway is all but gone.

Conrad acknowledged there are areas with natural erosion — but he said that doesn’t prove the riders aren’t also damaging the area along Connors Creek.

The dispute will be aired more fully when the committee that oversees the preserve holds its August meeting. Travis County Commissioner Gerald Daugherty, who sits on the committee, asked earlier this month for a full presentation from the city staff that addresses the riders’ allegations.

The other voting member of the committee, Austin City Council Member Leslie Pool, has walked the Connors Creek trail and told the American-Statesman she is satisfied with the city staff’s reasons for closing it.

Pool said the city has offered to work with the motorcyclists to find an alternate trail, as part of a larger master-planning process. Pantin and Browning say they distrust that offer, partly on the advice of Richard Viktorin, a runner and trails advocate who has been trying for years to persuade the city to open more trails in the preserve. Viktorin said the city is simply trying to stretch out discussions until the motorcyclists give up.

“The problem is that the Hill Country is an area with so little soil,” Pool said, a phenomenon caused when cattle farmers overgrazed the once-grassy hillsides and flash floods washed away much of the dirt. What remains along creeks, she said, “can be beaten up fairly easily.”

ENVIRONMENT EMMA LONG PARK

Riders protest decision to close motorcycle trail



B.J. Miller, 37, of Cedar Park, rides a trial motorcycle on the 40-year-old trail at Emma Long Park. Trailing him are Charles Covill (left), 47, of Austin, and Craig Henderson, 46, of Jarrell. Riders say they have not caused the erosion that prompted the city of Austin to close a portion of the trail. RODOLFO GONZALEZ / AMERICAN-STATESMAN

City cites problems with erosion along Connor's Creek; long-running dispute will get public airing next month.

By Marty Toohey
mtoohey@statesman.com

The riders call it Itch Mountain. At least in polite company.

It is the steep side of a limestone gulch, about 20 feet from base to lip, studded with a few cedars and an array of boulders. That rugged terrain is what draws a small group of Austin motorcycle riders: They seek out obstacles to navigate, adding challenges as they compete to see who can pull off the most difficult trick. Until last fall, that is what

they had been doing. But environmental concerns led the city of Austin to close down sections of the unusual motorcycle park that sits within Emma Long Metropolitan Park.

The motorcycle park-within-a-park sits within the vast Balcones Canyonlands Preserve, on the western edge of Austin. City officials say federal rules obligate them to close a stretch of the motorcycle trails to protect a creek bed from harm. The riders insist they are not harming anything.

"If this is about seeing tracks,

yes, you can see some tracks," said Tomás Pantin, one of the trial riders, pointing to a track rising up the side of Itch Mountain. "If this is about the landscape, the landscape is unaffected by what we're doing."

That disagreement, which will be aired next month before the quasi-governmental committee that oversees the preserve, is the latest in the long-running dispute about what people should be allowed to do within that

Riders continued on A6

SUMMER 2015:

Now, the BCP management attempts to justify closing motorcycle-riding areas by citing erosion. If such a standard were to be enforced, 89% of the Barton Creek Green Belt, and 99% of Turkey Creek, and 100% of Bull Creek Trails would also have to be closed.

The BCP should not be allowed to selectively apply ever-changing allegations to effectively wage a discriminatory campaign against a particular group of citizens.

Special thanks to the Austin Parks and Recreation Department .

You may download a PDF of this report with imbedded links which make it very easy to manage. Download at: www.felmp.org

Contacts for this report:

Kent Browning
cxagent@gmail.com
(512) 288-6523

Tomás Pantin
KeepParkOpen@gmail.com
512 474 9968

Useful email addresses:

City Mayor and Councilmembers at large: <https://www.austintexas.gov/email/all-council-members>

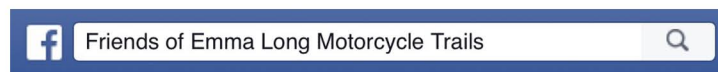
Mayor Adler: steve.adler@austintexas.gov

Councilmember Gallo (the park is in her district): sheri.gallo@austintexas.gov

Austin American Statement: letters@statesman.com

Austin American Statement: aphillips@statesman.com

Austin American Statement: dhiott@statesman.com



www.felmp.org

Thank you !