



# MEMO

**TO:** Honorable Mayor and City Council  
**FROM:** Jamie Lee Case, Director of Parks and Recreation  
**THROUGH:** Stephanie Reyes, City Manager  
**DATE:** December 15, 2025  
**RE:** **Updated Cape's Dam Timeline**

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## **SUMMARY:**

This memo provides the history and status of the Cape's Dam project.

## **BACKGROUND:**

**January 15, 2013:** City Council approved Planned Development District (PDD) zoning for The Woodlands of San Marcos development project, and received 20 acres of dedicated parkland along the San Marcos River, which includes Cape's Dam and the Mill Race.

**September 23, 2014:** the Parks and Recreation Board received a presentation from Dr. Thom Hardy regarding work done by the Meadows Center in regards to a study of the safety and environmental issues associated with Cape's Dam. Scientific evaluation was completed which recommended the removal of Cape's Dam and filling of the Mill Race.

### **August 15, 2015:**

**Item #5** The Parks and Recreation Board received an update from Dr. Thom Hardy regarding the Mill Race near Thompson's Island. A **motion** was made and seconded that no action be taken to preserve the Mill Race. The **motion** passed (6-0; 1 abstention). A second motion was made and seconded to take no action on the Mill Race and see what happens when the dam is removed. The **motion** passed (6-1).

**Item #6** The Parks and Recreation Board held discussion regarding Cape's Camp Parkland and/or Thompson's Island being designated as a Natural Preserve. A **motion** was made and seconded to designate Thompson's Island as a limited access nature preserve, closed off to the public for the time being until a permanent plan can be developed for its long term protection with restored native natural vegetation. The **motion** passed unanimously (7-0, 2 absent).

**February 22, 2016:** City Council held a Cape's Dam Workshop where they received a presentation from Dr. Thom Hardy, and provided direction to Staff to bring back an action item that would approve the removal of the dam and the filling of the mill race. Click [here](#) to read the minutes of that meeting. Click [here](#) to view the video of that meeting.

**March 15, 2016:** City Council approved a motion to remove Cape's Dam.

Click [here](#) to read minutes of that meeting.

Click [here](#) to view the video of that meeting. Item#23 – timestamp: 2:06:45

**June 21, 2016:** A stakeholder meeting was held at fish hatchery, including US Fish and Wildlife Service (USFWS), Texas Historical Commission (THC), US Army Corps of Engineers (USACE), Hays County Historical Commission, and the City. THC stated that the dam, mill race and associated structures retain sufficient historic integrity to remain eligible for listing in the National Register. USFWS stated that leaving the dam in place, in whole or in part, would make the City ineligible for USFWS funding for the project.

**August 16, 2016:** Council received a presentation from USFWS regarding the Cape's Dam removal planning and permitting process. The USFWS report states that the dam, "acts as a barrier to fish and other aquatic species" and "is in severe disrepair and poses a safety hazard to recreational users." Due to the conflicting positions of USFWS and THC, and the competing interests of other interested stakeholders, the City determines that the best course of action is to suspend the UFWS permit process and further investigate removal, repair and replacement options.

Click [here](#) to read the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #3 -Timestamp: 1:03:52

**October 4, 2018:** Historic Preservation Commission recommended approval of designating Thompson/Cape Dam and Ditch Engineering Structure as a local historic landmark (4-2).

Click [here](#) to read the minutes of that meeting.

Video is not available.

**November 27, 2018:** Planning and Zoning Commission recommended denial of designating Thompson/Cape Dam and Ditch Engineering Structure as a local historic landmark (5-4).

Click [here](#) to read the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #2 – Timestamp:00:12:11

**January 15, 2019:** City Council was briefed in executive session to discuss possible partnership opportunities with Hays County and the Hays County Historical Commission.

**January 29, 2019:** City Council considered an item designating Cape's Dam as a historic landmark. This action was postponed for up to 6 months while staff gathered more information related to the project.

Click [here](#) to read the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #10 – Timestamp:44:25

**June 18, 2019:** City Council was briefed in Work Session on status of possible partnership opportunities with Hays County and the Hays County Historical Commission. Presentation from County on proposed project anticipated in fall 2019.

Click [here](#) to read the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #2 – Timestamp:52:49

**October 15, 2019:** City Council received a presentation in Work Session from Vista Planning & Design on behalf of Hays County and the Hays County Historical Commission regarding a visioning study for Cape's Dam, the Mill Race, Thompson's Island & San Marcos River. Council provided consensus for staff to seek what permissions and permits would be needed from State and Federal agencies to remove or repair the dam.

Click [here](#) to read the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #1 – Timestamp: 00:08

**January 7, 2020:** City Council was briefed in Work Session regarding the possible permitting process depending on the direction of Council to remove, rehab or rebuild the dam. Council provided direction for Staff to conduct further studies and provided a number of items to be addressed.

Click [here](#) to view the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #1 – Timestamp: 00:27

**August 4, 2020:** City Council received a staff update during Work Session on the proposed scope of work to be included in the Cape's Dam Study Request for Proposals, and other matters related to the dam. Council consensus was for the City Manager to work with Hays County to determine if they are still interested in working together on the Cape's Dam project.

Click [here](#) to view the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #1 – Timestamp: 00:01:15

**August 18, 2020:** City Council formally adopted Resolution 2020-177R directing the City Manager to begin negotiating an interlocal agreement with Hays County that provides for the repair and rehabilitation of Cape's Dam and the mill race on the San Marcos River.

Click [here](#) to read the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #22 – Timestamp: 1:37:07

**October 7, 2020:** City Council was briefed in Work Session regarding the progress of the negotiations of an Interlocal Agreement with Hays County that provides for the repair and rehabilitation of Cape's Dam and Mill Race on the San Marcos River. Council provided consensus to allow the project to move forward as proposed with all the issues previously identified by Council and a draft ILA will be brought before Council to allow for further input regarding all parties that will be involved.

Click [here](#) to view the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #1 – Timestamp: 00:46

**May 4, 2021:** City Council received a staff update in Work Session on the proposed Interlocal Agreement / Memorandum of Understanding regarding Cape's Dam and provided consensus on the following:

1. Prioritize Values in this specific Order - Public Safety, Environmental Conservation, Historic Preservation, and Public Recreation
2. Include Complete History of the Dam
3. Ensure all nearby neighborhoods that would be impacted be included in

public outreach and to include this within Public Engagement portion of agreement.

4. Ensure that Council receives notification, and an item is brought before them if any city funds are requested.

Click [here](#) to view the minutes of that meeting.

Click [here](#) to view the video of that meeting. Item #1 – Timestamp: 00:38

**May 18, 2021:** City Council adopted the Interlocal Agreement/Memorandum of Understanding (ILA/MOU) between the City and Hays County related to the Cape's Dam Complex.

Click [here](#) to view the minutes of the meeting.

Click [here](#) to view the video of that meeting. Item #20 – Timestamp: 3:43:26

Click [here](#) to view the ILA/MOU

**June 1, 2021:** Hays County Commissioners Court adopted the Interlocal Agreement/Memorandum of Understanding (ILA/MOU).

Click [here](#) to view the minutes of that meeting. Reference # 36477

Click [here](#) to view the video of that meeting. Item #50 (36477) – Timestamp: 2:21:22

**December 3, 2024:** The Request for Proposal (RFP) for securing a consultant to evaluate various aspects for preserving Cape's Dam, was released by City of San Marcos Procurement Division.

**January 9, 2025:** The Request for Proposal (RFP) deadline was extended by two weeks to allow for more respondents to submit proposals. The new closure date was January 23, 2025.

**January 16, 2025:** Parks and Recreation staff hired Chapman Marine to conduct underwater inspection of the dam and removed materials without causing disturbance to the structural integrity of the dam. Materials removed included heavy gauge wire fencing, steel fence t-posts, concrete blocks, and vegetative debris. A permit was not required to remove the materials. Chapman Marine indicated that a substantial number of materials remain at the dam site. While warning signage has been installed upriver and downriver as someone would be approaching the dam, Chapman Marine suggested installing additional signage close to the dam itself. Parks and Recreation staff are working to coordinate signage placement and acquiring additional hazard warning buoys for placement as well.

**March 18, 2025:** The City Council approved Resolution 2025-55R approving a contract with Freese & Nichols, Inc. for professional services to perform a preliminary feasibility study to evaluate current conditions of and the safety, environmental, historical and recreational aspects related to the Cape's Dam Complex in an amount not to exceed \$340,000. Per the ILA-MOU between the City of San Marcos and the Hays County (Project Team), Freese & Nichols, Inc will perform a Phase 1 - Preliminary (Feasibility) Study to:

1. Evaluate the current conditions of Cape's Dam and relevant adjacent features.
2. Explore conceptual alternatives—including repair, partial removal, or full removal—and gather cost, feasibility, and stakeholder input.
3. Identify potential regulatory/environmental pathways and constraints.

4. Conduct public and stakeholder engagement to guide decision-making on a preferred approach.

This Phase 1 scope focuses on feasibility-level analyses and concept development. It includes two workshops with the Project Team to review alternatives and select a preferred alternative.

The scope also includes public participation so that residents, stakeholders, and interested parties can understand the project scope and share insights to aid the Project Team in making decisions regarding Cape's Dam.

Future phases, including detailed geotechnical investigations, final design, bidding support, and construction administration, are not included and will be treated as Additional Services, if authorized.

Click [here](#) to view the Scope of Work

Click [here](#) to view the video of that meeting. Timestamp: 2:51:07

### **Where we are at this time**

Freese & Nichols, Inc. (FNI) reviewed existing documentation of the dam and inspected the site to assess and document current conditions. A topographic survey of the dam and surrounding areas has been performed, as has the Waters of the US (WOTUS) delineation, which informs the permitting effort for the alternatives. The project team obtained and reviewed Federal Emergency Management Agency (FEMA) and US Army Corps of Engineers (USACE) hydrologic and hydraulic models of the San Marcos River and performed additional modeling to inform the alternatives design. FNI has also performed initial geotechnical, structural, and environmental evaluations.

FNI developed conceptual layouts for Cape's Dam that included options such as rehabilitation/repair, partial removal, and full removal. The team held meetings with the City of San Marcos and Hays County to review these layouts and gather feedback. After receiving initial feedback, the team formalized three potential alternatives, which are now being refined with more detailed civil, structural, and environmental evaluations. Work has begun on the preliminary feasibility report, which will summarize all analyses, design alternatives, and findings from public engagement. A draft Public Engagement Plan (PEP) was developed and submitted to the City for review. Meetings with stakeholders and the public will be scheduled once FNI receives further notice after the decision on the National Register Nomination.

### **REMAINING WORK:**

During the next phase of the project, FNI will continue refining the three conceptual alternatives using input from the City of San Marcos and Hays County, and will complete the detailed civil, structural, hydraulic, and environmental evaluations needed to confirm feasibility, comparative costs, and key risks for each option. In parallel, FNI

will implement the Public Engagement Plan by hosting stakeholder meetings, developing outreach materials, conducting public surveys, and hosting a public meeting, culminating in a final workshop with the City and Hays County to review findings and stakeholder input on the alternatives. Building on this work, FNI will prepare a draft feasibility report that summarizes existing conditions, alternatives analysis, permitting and regulatory considerations, and the results of stakeholder and public engagement. The final feasibility report and outcomes of the engagement process will support the City Council's selection of a preferred alternative for Cape's Dam and Mill Race.

END