

BIOLOGICAL ADVISORY TEAM OF THE SOUTHERN EDWARDS PLATEAU HABITAT CONSERVATION PLAN

AGENDA

DATE: February 8, 2010
TIME: 9:00AM
LOCATION: Texas Wildlife Association HQ
2800 Northeast Loop 410 Suite 105
San Antonio, TX 78218

Meeting #2

1. Call to Order - Richard Heilbrun, Texas Parks and Wildlife Department (TPWD)
2. ACTION ITEM – Review and approve minutes, with any appropriate changes, from January 20, 2010 BAT meeting.
3. Public Comments (3 minutes per speaker)
4. ACTION ITEM – Discussion and possible action on adopting a charge for the BAT.
5. ACTION ITEM – Discussion and possible action on adopting operational procedures for the BAT.
6. Report from U.S. Fish and Wildlife Service (USFWS) and discussion on questions raised at the last meeting – Allison Arnold (USFWS)
7. ACTION ITEM – Discussion and possible action on recommending a Plan Area for the SEP-HCP.
8. ACTION ITEM – Discussion and possible action on recommending a list of covered species for the SEP-HCP.
9. Request for Future Agenda Items and Next Meeting - Richard Heilbrun, TPWD
10. Adjourn

Backup Materials:

1. Agenda
2. Draft minutes
3. Draft charge
4. Draft operational rules
5. Plan Area briefing paper
6. Covered Species briefing paper

7. Exhibits:
 - a. GCW Habitat and Recovery Regions
 - b. BCV Recovery Regions with Vegetation/Ecoregions
 - c. Karst Zones with Geology
 - d. Ecoregions
8. List of Texas species petitioned for listing as threatened or endangered (compiled by Julie Groce)
9. List of potential species for SEP-HCP (compiled by Jackie Poole)
10. TPWD Rare Species Lists for Bexar, Medina, Bandera, Kerr, Kendall, Comal, Blanco, Gillespie, and Hays counties (compiled by Loomis)
11. SEP-HCP Grant Application
12. Detailed SEP-HCP Work Plan.

DRAFT CHARGE TO THE SEP-HCP BAT

The Biological Advisory Team (BAT) for the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP) is charged with the following tasks:

- Provide input on biological matters in connection with the development of the SEP-HCP, including critical reviews of any aspect of the SEP-HCP directly or indirectly affecting the biological integrity of the plan.
- As required by Chapter 83 of the Texas Parks and Wildlife Code (83.015c), the BAT will also assist in the:
 - calculation of harm to the endangered species, and
 - the sizing and configuring of the habitat preserves.
- Comments and recommendations from the BAT will be based on the best available science.

DRAFT OPERATIONAL RULES FOR THE SEP-HCP BAT

Actions of the BAT

- A quorum of 5 BAT members must be present to deliberate or take action.
- Alternates or proxies for appointed BAT members will not be recognized.
- A motion and second from the BAT is required before action is taken on an issue.
- The BAT will strive for consensus, but if there is more than one dissenting vote then the motion does not carry.
- Dissenting opinions may be submitted for the record.

Minutes and Records

- The consultant team will take notes at meetings and prepare draft minutes for BAT consideration, amendment (if necessary), and approval at the subsequent meeting.
- Approved minutes will be posted on the SEP-HCP website.
- All materials distributed to the BAT for consideration will be posted on the SEP-HCP website.

Public Comments

- Each BAT meeting will include an opportunity for public comment identified on the agenda.
- Individuals will be limited to 3 minutes of speaking time per meeting.
- The BAT will not engage in discussion during the public comment agenda item.
- Public comments at meetings will not be received outside of the posted agenda item.
- The public may provide written comments to the BAT at any time via info@sephcp.com.

Communications

- The BAT will refrain from discussing SEP-HCP business outside of a posted meeting.
- Email to and among BAT members will only be used to disseminate information.

- Comments, suggestions, and other communications from BAT members regarding SEP-HCP business outside of a posted meeting should be sent to the Bexar County SEP-HCP representative and/or the consultant team.

SEP-HCP PLAN AREA

Considerations, Draft Recommendations, and Alternatives for Discussion

General Considerations

The Plan Area needs to encompass the area within which incidental take will be authorized and mitigation for the covered species will be accomplished.

Grant Application Guidance

- The grant application primarily identifies Bexar, Medina, Bandera, Kerr, and Kendall counties for a multi-county, regional plan (see the "Need" section of grant application and TPWD/Bexar County interlocal agreement)
- Blanco and Comal counties are also identified for possible inclusion (see the "Location" section of grant application and TPWD/Bexar County interlocal agreement).
- Generally consistent with the extent of the proposed GCW Recovery Region 5 (as proposed following the 1998 GCW recovery team, but never finally adopted) and the current GCW Recovery Region 6 (as shown in the 1992 recovery plan).

Take Considerations

- Should be relevant to the entities that will hold, fund, and administer the permit.
 - Preliminarily, the Plan Area should accommodate economic growth and development within and influenced by the greater San Antonio area over the next 30 years.

Biological Considerations

- Should include sufficient opportunities for appropriate mitigation to balance authorized take for each of the covered species.
- Mitigation should generally be close to the area of impact and within the same recovery region as the impact.

Administrative & Practical Considerations

- Should be clearly defined and stable so all parties understand what is included.
- Should not conflict with the operation of other regional HCPs.
- Size of the plan area affects the complexity of the plan, which has implications for the project scope and schedule.

DRAFT Plan Area Starting Alternative and Rationale

(Note: This alternative Plan Area is proposed only as a starting point for further committee discussions and to illustrate some of the issues to consider when deliberating. No decisions regarding a Plan Area have been made.)

DRAFT Plan Area for Discussion:

The Plan Area for the SEP-HCP will include all of Bexar, Medina, Bandera, Kerr, and Kendall counties for both incidental take authorization and mitigation purposes. Comal County will also be included in the Plan Area for mitigation purposes; however, the SEP-HCP would not seek incidental take authorization for activities in Comal County.

Rationale:

Consistency with the Grant Application -- The SEP-HCP grant application makes multiple references to Bexar, Medina, Bandera, Kerr, and Kendall counties for possible inclusion in the regional HCP. Comal County is also referenced. This region is generally consistent with the extent of the current GCW Recovery Region 6 or proposed GCW Recovery Region 5. This alternative would be consistent with the scope and scale anticipated by the grant.

Take (Economic Growth and Land Development) Considerations: The Extra-territorial Jurisdiction (ETJ) of the City of San Antonio (where much of the future development is likely to occur) is mostly limited to Bexar County. The San Antonio Metropolitan Statistical Area (MSA) currently includes Bexar, Comal, Kendall, Bandera, and Medina counties (plus other counties to the east and south that are outside of the range of the currently listed species occurring in Bexar County); see the 2009 Texas Metro Market Overview for the San Antonio MSA published by the Real Estate Center at Texas A&M University (<http://recenter.tamu.edu/mreports/SanAntonio.pdf>). MSAs are defined by the U.S. Census Bureau and consist of one or more counties containing a core urban area as well as any adjacent counties that have a high degree of social and economic integration with the urban core (see <http://www.census.gov/population/www/metroareas/metroarea.html>). Blanco and Kerr counties are not currently included in the San Antonio MSA, indicating that these areas are not as likely to be substantially affected by economic growth and development from San Antonio.

This alternative for the Plan Area would include the entire extent of the high-growth San Antonio ETJ that occurs over the Edwards Plateau and all of the relevant counties in the San Antonio MSA that would be most affected by economic growth and development in the greater San Antonio area.

Biological Considerations: The list of species to be covered by the SEP-HCP is currently undefined; however, the grant application anticipated that the plan would primarily be designed to cover the federally listed, terrestrial wildlife species that occur in Bexar County. (See the briefing paper for Covered Species for more discussion on the listed and rare species found across the southern Edwards Plateau.) However, it is likely that the SEP-HCP will, at a minimum, cover the golden-cheeked warbler (GCW), black-capped vireo (BCV), and several terrestrial karst invertebrates.

GCW and BCV habitat is generally wide-spread across the southern Edwards Plateau, including within the 6 counties covered in this alternative. (See preliminary maps of potential GCW habitat and vegetation types that could support BCV habitat.) There will be ample need for incidental take authorization for these two species within this region, which is likely to mostly occur in Bexar County. There also appear to be many opportunities for GCW and BCV conservation actions elsewhere across this 6-county area. For both the GCW and BCV, the counties in this alternative Plan Area are all included in the current and proposed recovery regions for the two species.

Known habitat for the currently listed karst invertebrates in Bexar County is mostly restricted to Bexar County. Conservation actions for these species will likely need to occur in Bexar County, unless future information demonstrates that habitat is available elsewhere.

Practical Boundaries: As there is no certainty that the proposed GCW Recovery Region boundaries will be adopted by the USFWS, the actual boundary of the current or proposed GCW recovery regions are not precisely defined, and the SEP-HCP is intended to be a multi-species conservation plan, the draft defines the SEP-HCP Plan Area on the basis of county boundaries. Such an approach would be consistent with the grant application, yet substantially ease the development, implementation, and use of the SEP-HCP. Much of the information that will be needed to develop the SEP-HCP and analyze the effects of the plan is also available on a county-level; therefore, using county boundaries to define the Plan Area will ease the assembly and analysis of biological and socioeconomic data.

Conflicts with Other RHCPs: The inclusion of Comal County in the Plan Area for mitigation purposes would provide more opportunities for the SEP-HCP to help address endangered species issues associated with Camp Bullis, since part of the area surrounding Camp Bullis occurs in Comal County. However, to avoid conflicting or interfering with the proposed Comal County Regional Habitat Conservation Plan (RHCP), the SEP-HCP would not cover incidental take in Comal County. Comal County would only be included in the Plan Area for potential conservation opportunities.

The March 2009 final draft of the Comal County RHCP (the most recent public draft available; www.co.comal.tx.us/ComalRHCP/maps_docs/maps_docs.htm) estimates that Comal County includes approximately 65,500 acres of potential GCW habitat, would seek take authorization for approximately 5,200 acres of habitat loss, and would seek to preserve approximately 6,500 acres of GCW habitat. Therefore, the approximately 11,700 acres of potential GCW habitat in Comal County that would be involved in the RHCP either as take or mitigation represents only approximately 18% of the total amount of potential GCW habitat available in the County. There would seem to be ample opportunity for the SEP-HCP to engage in GCW conservation actions in Comal County without hindering the ability of the Comal County RHCP to function as intended. (Similar arguments apply to BCV habitat.) Administratively, the SEP-HCP could seek an interlocal agreement with Comal County to pursue joint opportunities for GCW conservation in Comal County, which could benefit both regional plans by leveraging available conservation funds to possibly acquire larger, more biologically significant parcels than either plan could do alone.

Selected Plan Area Alternatives

(Note: This list of Plan Area alternatives is not exhaustive; many other alternatives are possible. Similarly, the potential benefits and limitations of each alternative are only briefly summarized. This document is not intended to provide a comprehensive or detailed description and analysis of all possible alternatives. Rather, it is intended to help illustrate some of the issues to consider during committee deliberations on recommendations for a preferred Plan Area.)

Alternative 1 (Bexar County/City of San Antonio Focus) – Restrict the Plan Area to the jurisdictions of Bexar County and the City of San Antonio ETJ. This alternative would limit the plan to only those areas under the jurisdiction of the primary plan partners.

- Pros:
 - Avoids potential legal questions associated with covering jurisdictions that are not formally/officially included as “plan participants” under Chapter 83.
 - Revenue from possible County and/or City public financing options would only be spent within their jurisdictions.
 - Mitigation would be as close as possible to the impacts, would be proximate to Camp Bullis, and would protect habitat in Bexar County (an area that has been identified by USFWS as a priority for conservation).
- Cons:
 - Limits the overall scale of the plan and is inconsistent with the intent of the project as stated in the grant application.
 - Conservation opportunities in this area are relatively few and are likely to be prohibitively expensive.
 - May not fully address the need for take authorization in areas influenced by economic growth and development in the greater San Antonio region.

Alternative 2 (Highway Boundaries) – Define the Plan Area by major highways to focus the plan on areas most likely to be affected by regional economic growth and development. Plan Area boundary defined by IH 35 (southeast side; Bexar and Comal counties), SH 90 (south side;

Medina County), SH 16 (west side; Medina, Bandera, Kerr, and Gillespie counties); US 290 (north side; Gillespie and Blanco counties); and US 281/SH 46 (east side; Blanco and Comal counties). Alternate highway boundaries are possible.

- Pros:
 - Excludes distant portions of Medina, Bandera, and Kerr counties that might not be as directly influenced by economic growth and development from the San Antonio region.
 - Is consistent with the scope of the grant application.
 - Provides sufficient opportunities for mitigation for GCW, BCV, and Bexar County karst invertebrates.
- Cons:
 - Cuts across county and city boundaries making data acquisition and analysis more difficult.
 - Since many municipalities are centered on a highway intersection, the Plan Area would include only portions of some cities (i.e., Bandera, Kerrville, Fredericksburg, and Johnson City).
 - Few major west-east highways exist across the northern part of the proposed Plan Area to create a practical northern boundary.

Alternative 3 (5 County Plan Area - exclude Comal County) – Plan Area to include the entire extent of Bexar, Medina, Bandera, Kerr, and Kendall counties.

- Pros:
 - Is consistent with the scope of the grant application.
 - Provides sufficient opportunities for mitigation for GCW, BCV, and Bexar County karst invertebrates.
 - Avoids any potential conflict with Comal County RHCP.
- Cons:
 - Limits opportunities to conserve land proximate to Camp Bullis.
 - Includes distant portions of Kerr and Bandera counties that not be as directly influenced by economic growth and development from the San Antonio region.
 - Includes distant portions of Medina, Bandera, and Kerr counties that are not included in the current or proposed southeastern GCW recovery regions.

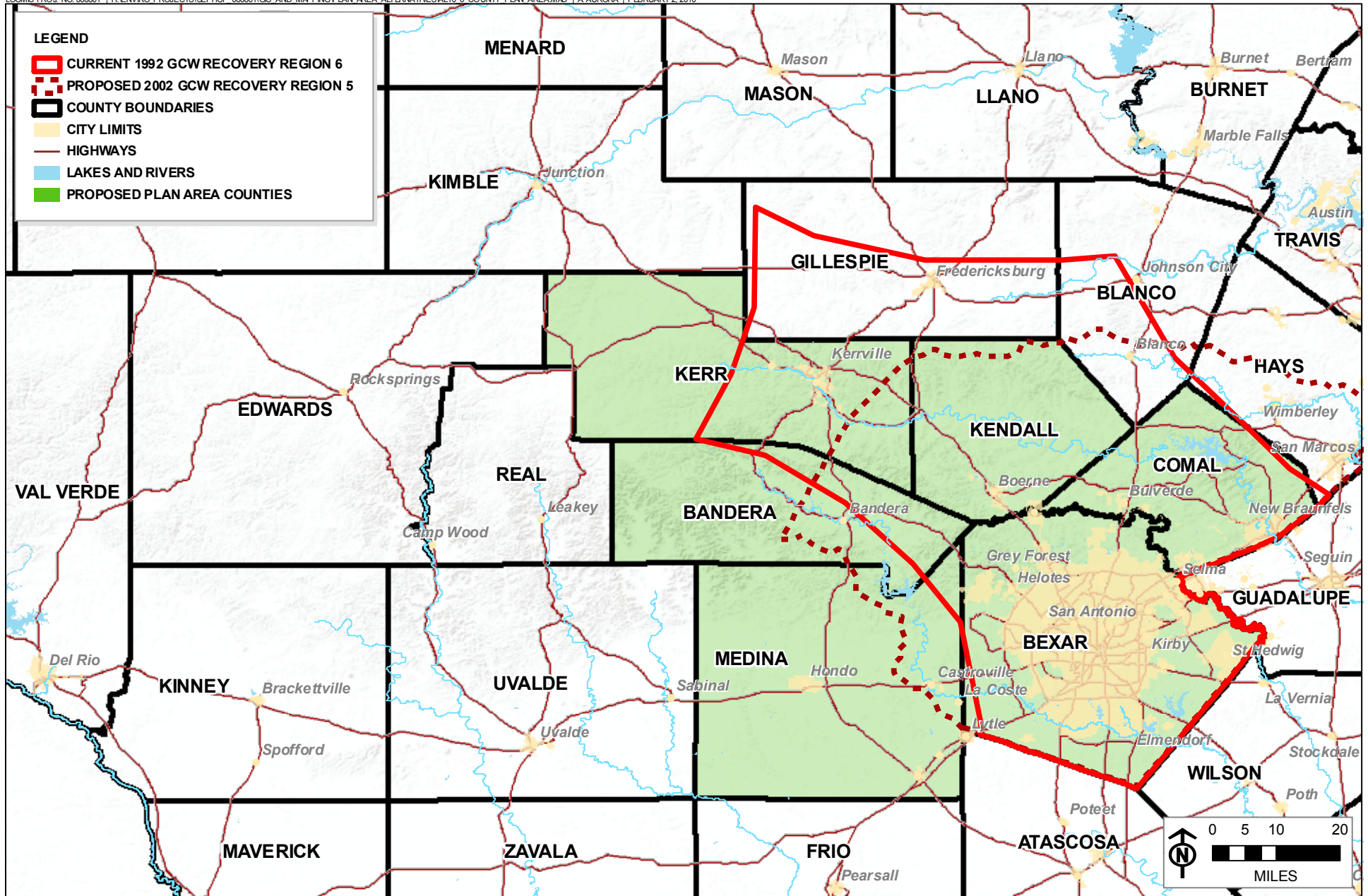
Alternative 4 (8 County Plan Area) – Plan Area to include the entire extent of Bexar, Medina, Bandera, Kerr, Kendall, Gillespie, Blanco, and Comal counties. Corresponds to all counties that are included in the current or proposed southeastern GCW recovery regions.

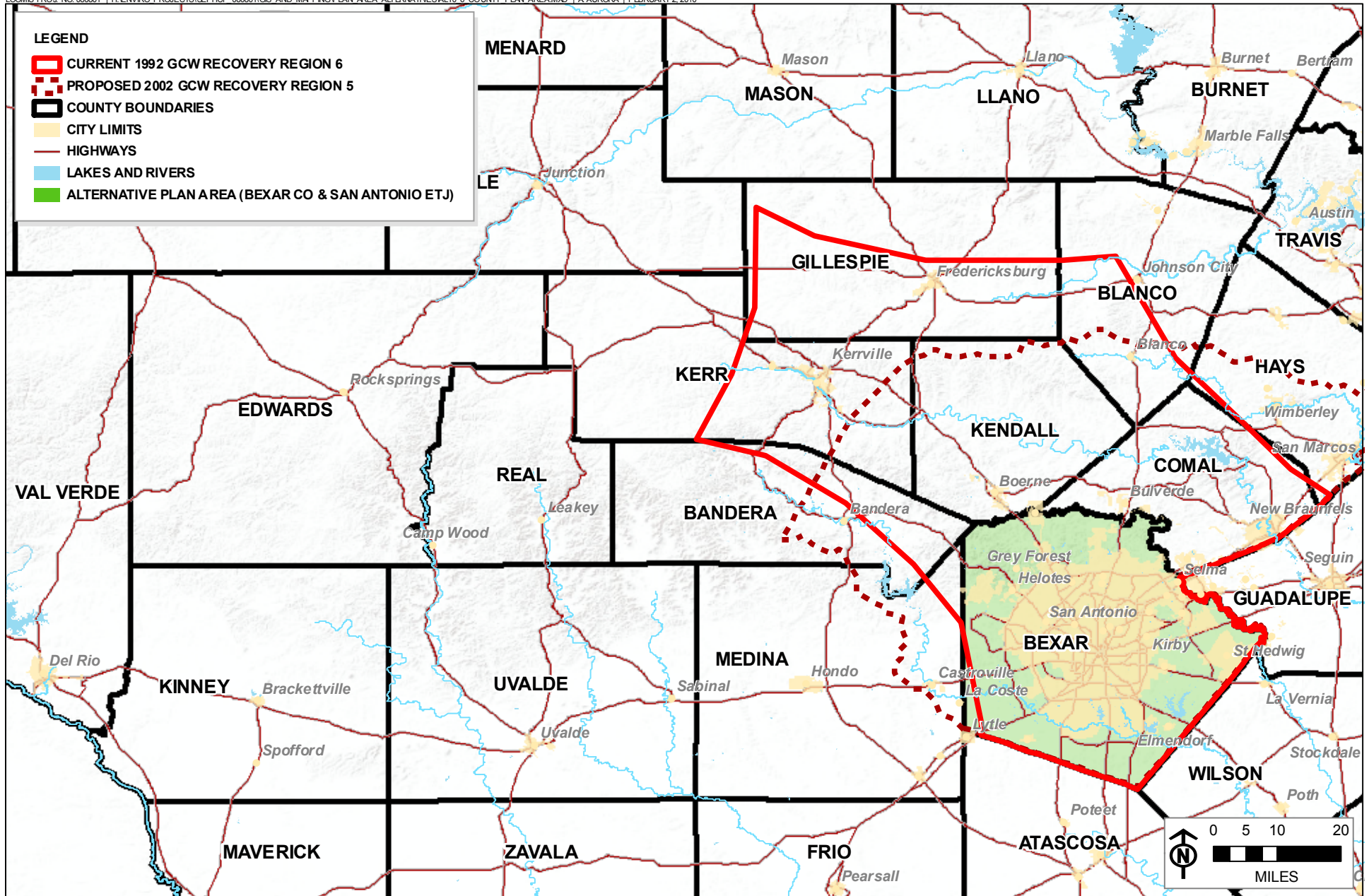
- Pros:
 - Is somewhat consistent with the scope of the grant application (Gillespie County is not mentioned in the grant application either by name or by references to the proposed GCW recovery region 5).
 - Covers a larger region that is currently not served by a regional habitat conservation plan for endangered species.
- Cons:
 - Begins to expand beyond the southern edge of the Edwards Plateau and mitigation could be more distant from the most of the anticipated impacts.
 - Blanco and Gillespie counties, as well as the distant portions of Medina, Bandera, and Kerr counties, may not be as directly influenced by regional economic growth and development from the San Antonio area.
 - Is somewhat beyond the scope of the grant application and current interlocal agreements, and would require reconsideration of the project scope, schedule, and budget.

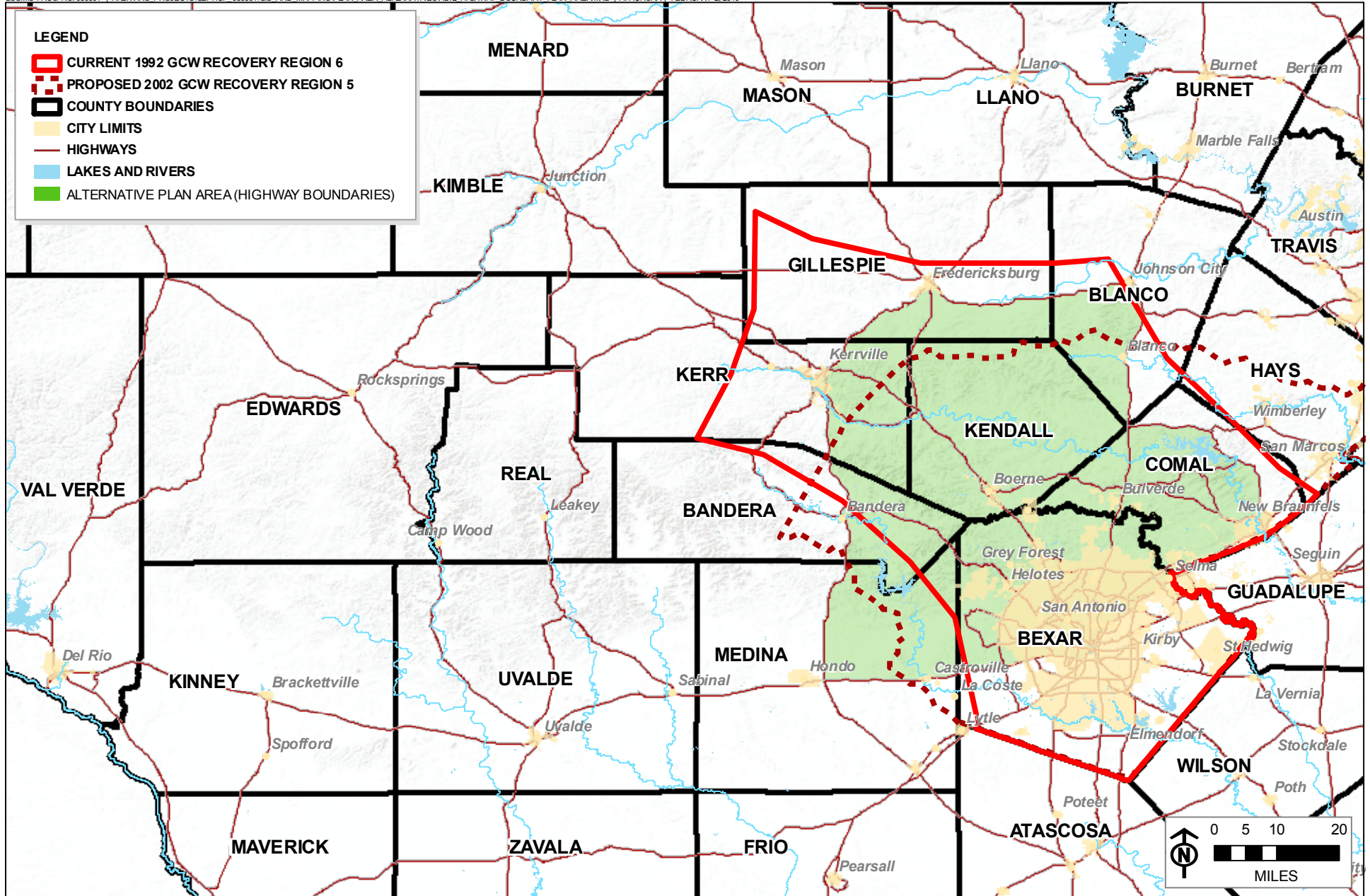
Alternative 5 (13 County Plan Area) – Plan Area to include the entire extent of Bexar, Medina, Uvalde, Kinney, Bandera, Real, Edwards, Comal, Kendall, Kerr, Blanco, Gillespie, and Kimble

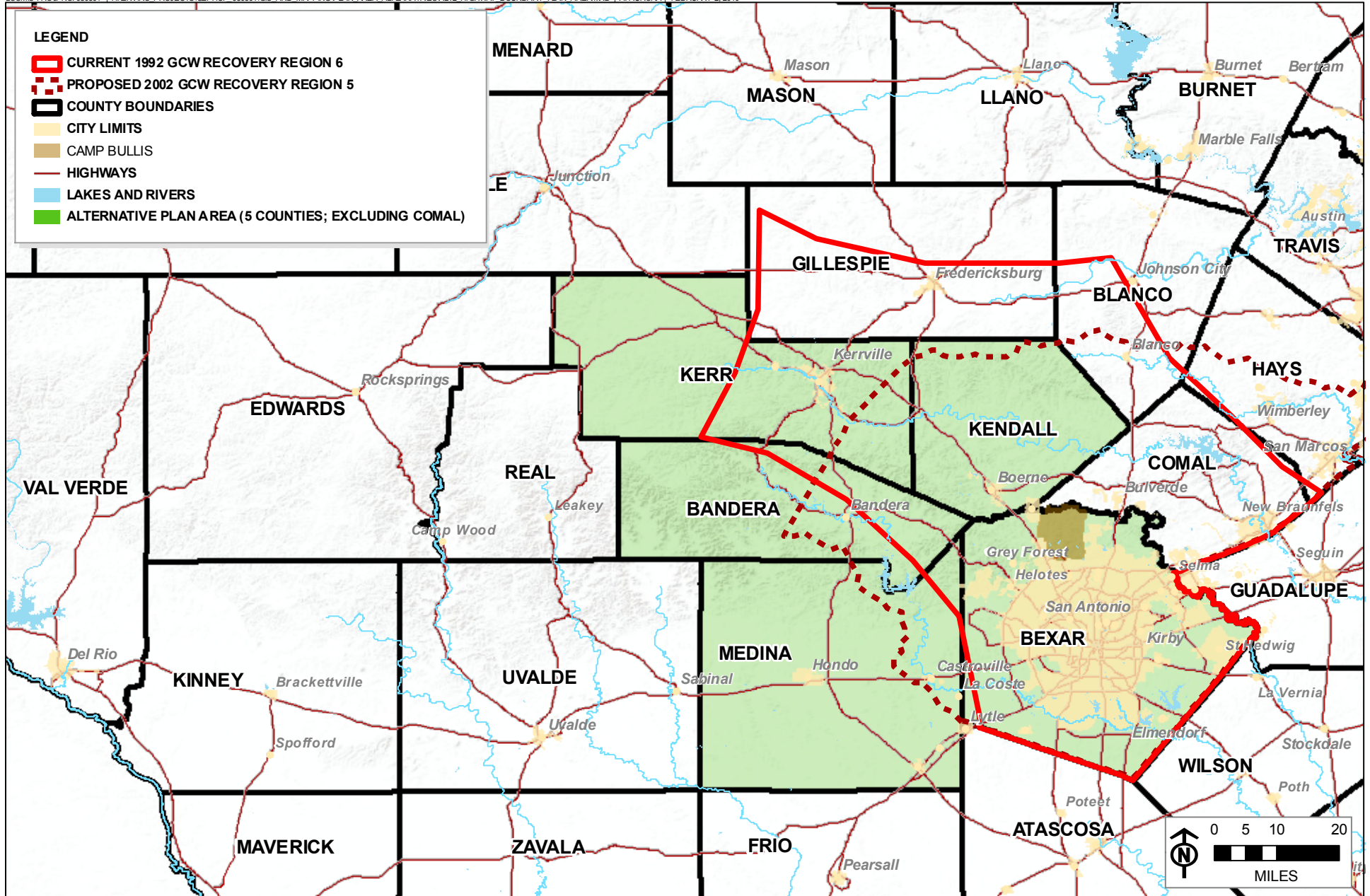
counties. Corresponds to all counties along the southern edge of the Edwards Plateau and the approximate southern 1/3 of the GCW breeding range (current GCW Recovery Regions 6, 7, and 8).

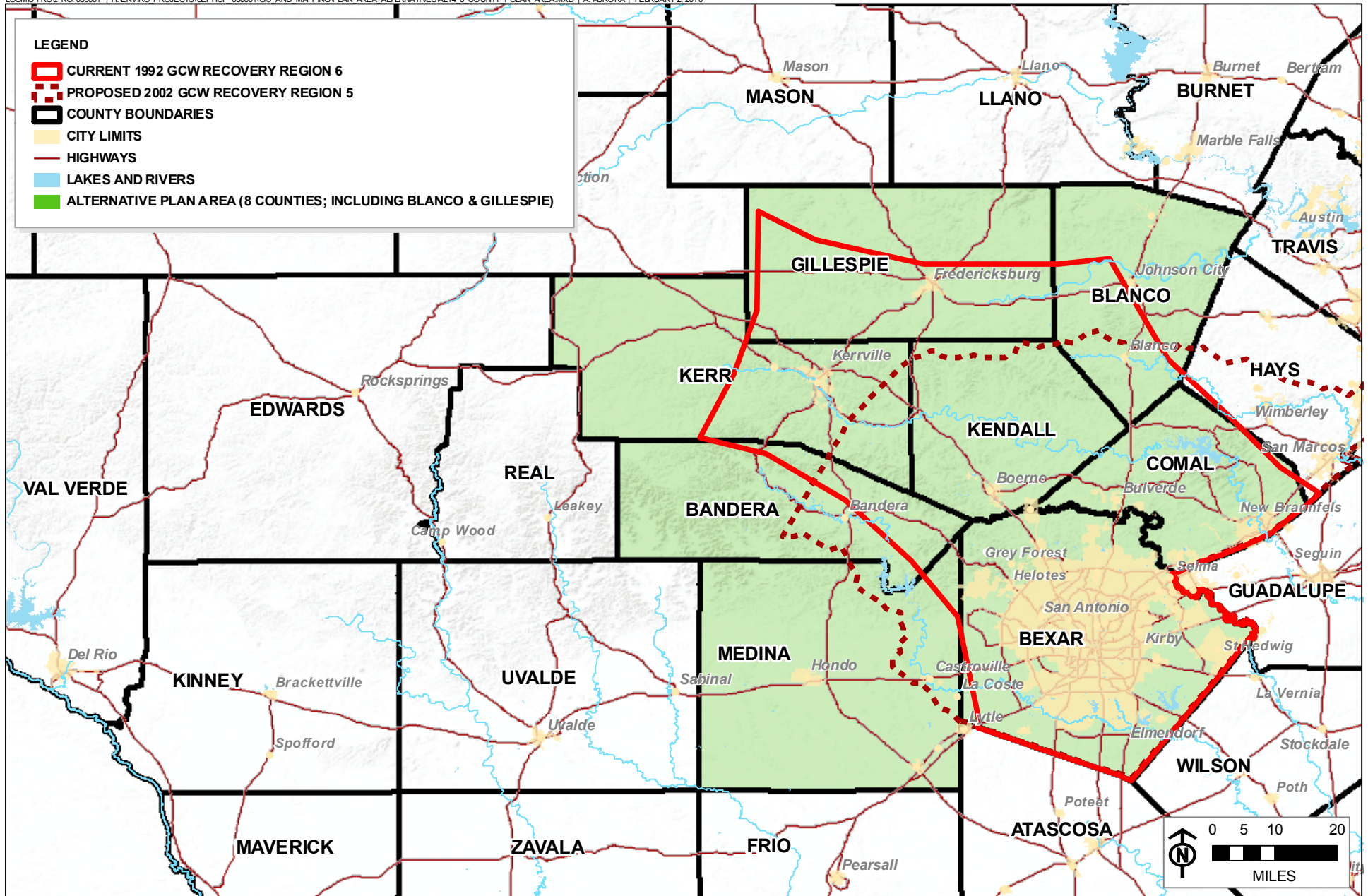
- Pros:
 - A very large-scale regional plan including many areas not currently served by a regional habitat conservation plan for endangered species.
 - Could include an unconfirmed location for one karst invertebrate species in Uvalde County, but would be distant from Bexar County impacts.
- Cons:
 - Beyond the scope of the grant application and current interlocal agreements, and would require reconsideration of the project scope, schedule, and budget.
 - Many counties/cities/communities were not included in the preliminary outreach efforts. Committees might need to be expanded and/or restructured to accommodate the expanded planning area.
 - Formal interlocal agreements might be necessary to ensure that possible public financing options for plan implementation benefit the local communities that contribute the funds.
 - Mitigation might be very distant from impacts.

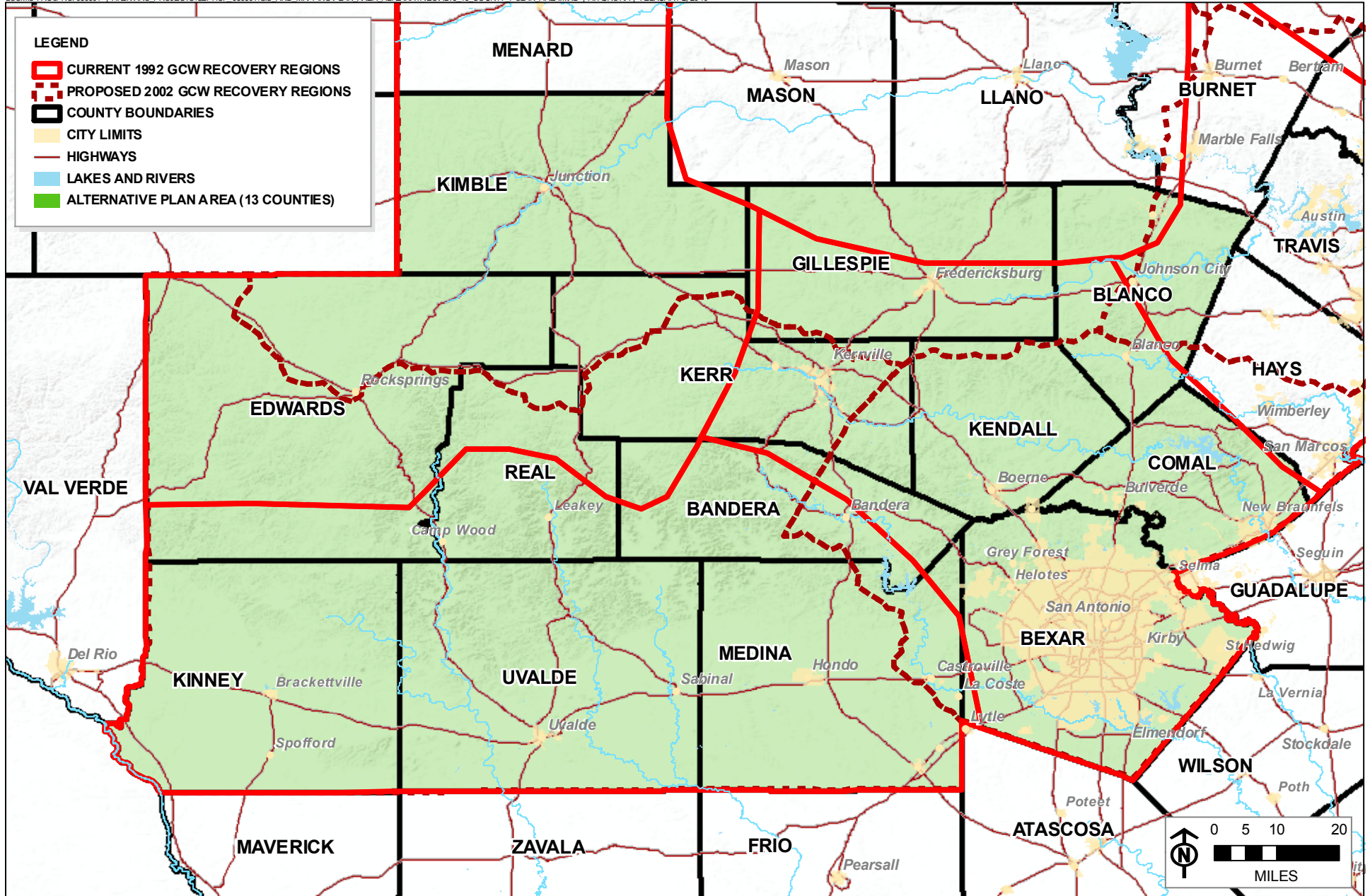












SEP-HCP COVERED SPECIES

Considerations, Draft Recommendations, and Alternatives for Discussion

1.0 General Considerations

In the customary terminology used in ESA Section 10(a) permitting, "Covered Species" are those species for which incidental take coverage will be sought.

- Incidental take authorization under the ESA is only needed for federally listed species.
- HCPs can cover non-listed species as long as they are treated as if they were listed.

The grant application anticipated coverage of all listed species in Bexar County. The grant application referenced 13 terrestrial species for possible coverage under the SEP-HCP.

Number of species covered will affect the complexity of the conservation plan, which has implications for the project scope and schedule.

To obtain incidental take coverage for a species:

- Must have sufficient information to:
 - perform a quantitative take and impacts analysis
 - design effective conservation actions with measurable benefits (avoid, minimize, mitigate)
- Conservation actions for the covered species must be practicable to implement.
- Requested take must not jeopardize the survival and recovery of the species in the wild.

Plants are treated differently than wildlife under the ESA.

- Section 9 of the ESA does not prohibit the incidental taking of listed plants on non-Federal property, unless such taking would violate state law. (Texas affords no special protection for federally listed plants.) Therefore, the USFWS can not issue an incidental take permit for plants in Texas, nor is one required under the ESA.
- However, issuance of an incidental take permit must not jeopardize the continued existence of a listed plant species or result in the destruction or adverse modification of designated critical habitat for a plant species (otherwise the permit can not be issued).

Chapter 83 Texas Parks and Wildlife Code Considerations and Questions:

- Section 83.011(2) defines "endangered species" as a species listed by the United States Department of the Interior as endangered or threatened under the federal act.
- Section 83.013(e) states that government entities may not implement a plan or apply for a federal permit for endangered species that become delisted.
- Section 83.015(a) requires that a regional habitat conservation plan, including any mitigation fee, shall be based on the amount of harm to endangered species protected by the plan.

2.0 Starting List for Covered Species: Federally Listed Species in Bexar County

(per TPWD County Lists of Rare Species, last revised October 6, 2009)

1	ARACHNIDS	Robber Baron Cave meshweaver	<i>Cicurina baronia</i>
2	ARACHNIDS	Madla Cave meshweaver	<i>Cicurina madla</i>
3	ARACHNIDS	Bracken Bat Cave meshweaver	<i>Cicurina venii</i>
4	ARACHNIDS	Govt. Canyon Bat Cave meshweaver	<i>Cicurina vespera</i>
5	ARACHNIDS	Government Canyon Bat Cave spider	<i>Neoleptoneta microps</i>
6	ARACHNIDS	Cokendolpher Cave harvestman	<i>Texella cokendolpheri</i>
7	BIRDS	Golden-cheeked Warbler	<i>Dendroica chrysoparia</i>
8	BIRDS	Black-capped Vireo	<i>Vireo atricapilla</i>
9	BIRDS	Whooping Crane	<i>Grus americana</i>
10	BIRDS	Interior Least Tern	<i>Sterna antillarum athalassos</i>
11	INSECTS	A ground beetle	<i>Rhadine exilis</i>
12	INSECTS	A ground beetle	<i>Rhadine infernalis</i>
13	INSECTS	Helotes mold beetle	<i>Batrisodes veniyivi</i>
14	MAMMALS	Gray wolf	<i>Canis lupus</i>
15	MAMMALS	Red wolf	<i>Canis rufus</i>

3.0 Considerations for Removing Species from the Starting List

Likely Jeopardy Conflicts: Zara Environmental reviewed the list of federally endangered karst invertebrates in Bexar County (see attached report dated January 6, 2010), and found that six of these species are known from less than five different localities, including:

- Robber Baron Cave meshweaver (*Cicurina baronia*)
- Bracken Bat Cave meshweaver (*Cicurina venii*)
- Government Canyon Bat Cave meshweaver (*Cicurina vespera*)
- Government Canyon Bat Cave spider (*Neoleptoneta microps*)
- Cokendolpher Cave harvestman (*Texella cokendolpheri*)
- Helotes mold beetle (*Batrisodes veniyivi*)

Obtaining incidental take coverage for these 6 species would likely not be possible, since (based on currently available information) any take of these species could result in a jeopardy determination by the USFWS. (Note: A possible synonymy between *Cicurina madla* and *Cicurina vespera* has been suggested by Paquin and Hedin (2004), which if confirmed could allow the SEP-HCP to also cover *C. vespera*).

Extirpation from Texas: Two of the federally listed species for Bexar County are thought to be extirpated from Texas, including:

- Gray wolf (*Canis lupus*)
- Red wolf (*Canis rufus*)

Since these species are no longer expected to occur in Texas, seeking incidental take authorization for these species may not be warranted.

Incidental Take Authorization Not Warranted: Incidental take coverage for the following species may not be warranted:

- Whooping crane (*Grus americana*) -- The whooping crane is a seasonal migrant in the region and is not known to habitually make stop-overs in this area, making the need for incidental take authorization unlikely.
- Interior least tern (*Sterna antillarum athalassos*) -- According to the TPWD, breeding sites for the interior least tern are currently known to occur at only a handful of locations in Texas along the Rio Grande, the Canadian River, the Red River, and the Prairie Dog

Town Fork of the Red River, and the species winters along the Texas Gulf Coast (Campbell 2003).

4.0 Considerations for Adding Species to the Starting List

- Is take authorization warranted? (are impacts likely? is a permit needed?)
- Is obtaining take authorization possible? (no jeopardy, no plants, Chapter 83 issues)
- Do we have enough information to quantify take and impacts?
- Do we have enough information to design effective mitigation measures?
- Are effective mitigation measures practicable? (does the permit holder have the authority and ability to implement effective mitigation measures?)

Likely candidates for future listing during the anticipated duration of the SEP-HCP may include those that have already been petitioned (list filtered from file provided by Julie Groce and cross-referenced with TPWD lists for species occurring in this region).

- Petitioned Species with Ranges Covering Bexar County:

AMPHIBIANS	Texas salamander	<i>Eurycea neotenes</i>
AMPHIBIANS	Comal blind salamander	<i>Eurycea tridentifera</i>
FISHES	Widemouth blindcat	<i>Satan eurystomus</i>
FISHES	Toothless blindcat	<i>Trogloglanis pattersoni</i>
MOLLUSKS	Texas fatmucket	<i>Lampsilis bracteata</i>
MOLLUSKS	Mimic cavesnail	<i>Phreatodrobia imitata</i>
MOLLUSKS	Golden orb	<i>Quadrula aurea</i>
MOLLUSKS	Texas pimpleback	<i>Quadrula petrina</i>
MOLLUSKS	False spike mussel	<i>Quincuncina mitchelli</i>
PLANTS	Big red sage	<i>Salvia pentstemonoides</i>

- Petitioned Species with Ranges Covering Medina, Bandera, Kerr, Kendall, and Comal counties:

FISHES	Edwards Plateau shiner	<i>Cyprinella lepida</i>
INSECTS	Edwards Aquifer diving beetle	<i>Haideoporus texanus</i>

- Petitioned Species with Ranges Covering other Southern Edwards Plateau Counties:

MOLLUSKS	Salina mucket	<i>Potamilus metnecktayi</i>
MOLLUSKS	Smooth pimpleback	<i>Quadrula houstonensis</i>
MOLLUSKS	Mexican fawnsfoot mussel	<i>Truncilla cognata</i>
MOLLUSKS	Texas fawnsfoot	<i>Truncilla macrodon</i>
PLANTS	Don Richard's spring moss	<i>Donrichardsia macroneuron</i>

5.0 Considerations and Alternatives for Addressing Additional Species in the SEP-HCP

Jeopardy Avoidance

SEP-HCP may need to include targeted conservation measures for other listed species not covered by the SEP-HCP to avoid a jeopardy determination by the USFWS (jeopardy determinations only apply to federally listed species). Possible species to consider include:

- Federally listed plants
- Federally listed aquatic or aquifer species outside of Bexar County

Incidental Conservation Benefits

SEP-HCP may want to catalog incidental benefits to other rare or declining species that could accrue from conservation measures for the Covered Species.

6.0 References

- Campbell, L. 2003. Endangered and threatened animals of Texas: their life history and management. Texas Parks and Wildlife Department, Austin, Texas.
- Paquin, P., and M. Hedin. 2004. The power and perils of 'molecular taxonomy': a case study of eyeless and endangered *Cicurina* (Araneae: Dictynidae) from Texas caves. *Molecular Ecology* 13 (10): 3239–3255.

Bexar County Federally Listed Karst Species Recommended for Inclusion in
Southern Edwards Plateau HCP
6 January 2010, Zara Environmental LLC

Critical designation (G1) is given to species occurring in five or fewer localities. Thus species occurring in five or fewer localities are ‘automatically’ in jeopardy and no take can be permitted. Based on the information in Table 1 (obtained primarily from USFWS 2008), we recommend the following three species for inclusion in the SEP HCP:

--*Rhadine exilis*
--*Rhadine infernalis*
--*Cicurina madla*

*It should be noted that a possible synonymy between *Cicurina madla* and *Cicurina vespera* has been suggested by Paquin and Hedin (2004). These findings were based on phylogenetic analyses of mitochondrial DNA sequence data of immature *Cicurina* specimens. Further analyses of adult specimens are needed for confirmation.

Table1. Nine federally listed Bexar County karst invertebrates and # of known localities.

Species	Common Name	# of Known Localities	Recommended for SEP HCP Inclusion (Y/N)
<i>Rhadine exilis</i>	Unnamed ground beetle	45	Y
<i>Rhadine infernalis</i>	Unnamed ground beetle	26	Y
<i>Batrisodes venyivi</i>	Helotes mold beetle	2	N
<i>Texella cokendolpheri</i>	Cokendolpher cave harvestman	1	N
<i>Neoleptoneta microps</i>	Government Canyon Bat Cave spider	2	N
<i>Cicurina baronia</i>	Robber Baron Cave meshweaver	1	N
<i>Cicurina madla</i>	Madla Cave meshweaver	8**	Y
<i>Cicurina venii</i>	Bracken Bat Cave meshweaver	1	N
<i>Cicurina vespera</i>	Government Canyon Bat Cave meshweaver	2	N

**This is the number of localities verified by morphology. There are additional localities for the species based on mitochondrial DNA.

Paquin, P., and M. Hedin. 2004. The power and perils of 'molecular taxonomy': a case study of eyeless and endangered *Cicurina* (Araneae: Dictynidae) from Texas caves. *Molecular Ecology* 13 (10): 3239–3255.

USFWS (U.S. Fish and Wildlife Service). 2008. Bexar County Karst Invertebrates Draft Recovery Plan. U.S. Fish and Wildlife Service, Albuquerque, NM.



**INFRASTRUCTURE SERVICES DEPARTMENT
ENVIRONMENTAL SERVICES DIVISION**

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August 27, 2008

Dr. Craig Farquhar
Endangered Species Grants Coordinator
Wildlife Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

RE: Submission of Southern Edwards Plateau HCP Grant Application
Deadline for TPWD receipt of proposals is 1 September 2008.

Dr. Craig Farquhar,

Enclosed is the Southern Edwards Plateau Habitat Conservation Plan grant application. This submission for FY2009 Habitat Conservation Planning Assistance Program Funds is a joint application from Bexar County and the City of San Antonio; however, the proposal is to develop a regional HCP that will cover the entire Recovery Unit 6 for the Golden Cheeked Warbler. We are working through the Alamo Area Council Of Governments to include all the adjoining counties and cities within Recovery Unit 6 and will pass along resolutions of support from those communities when they are passed by their government entities.

Sincerely,

Renee D. Green, P.E.
County Engineer

COUNTY OF BEXAR §
STATE OF TEXAS §

Resolution regarding the Bexar County Southern Edwards Plateau Habitat Conservation Plan (SEPHCP) Grant Application

WHEREAS, Bexar County has seen exponential growth in the past decade and contributions of the United States Military are at the core of that history of success; and,

WHEREAS, Urbanization and development around our military bases is impacting the missions and core functions of those bases as well as the 13 Federally listed threatened or endangered Species; and,

WHEREAS, Habitat Conservation Plans (HCP), also known as Regional Habitat Conservation Plans (RHCP) allow a community to proactively develop solutions to their endangered species issues while providing for responsible development; and,

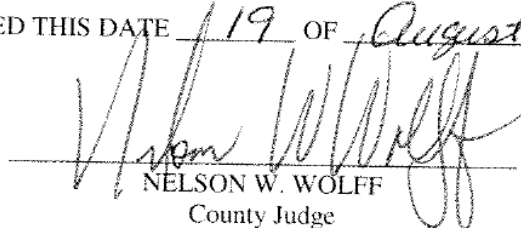
WHEREAS, a HCP will minimize impacts to surrounding military installations, help protect other natural resources such as water quality, aquifer recharge, and preserve the natural and cultural heritage of Bexar County;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS


That a Habitat Conservation Plan (HCP) assistance grant proposal for the Southern Edwards Plateau Habitat Conservation Plan (SEPHCP) be submitted to the United States Fish and Wildlife Service.

AND IT IS SO RESOLVED:

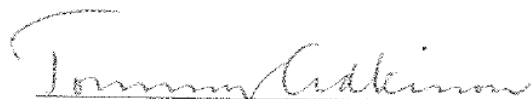
PASSED AND APPROVED THIS DATE 19 OF August, 2008.


NELSON W. WOLFF
County Judge


SERGIO "CHICO" RODRIGUEZ
Commissioner Precinct 1


PAUL ELIZONDO
Commissioner Precinct 2


LYLE LARSON
Commissioner Precinct 3


TOMMY ADKISSON
Commissioner Precinct 4

**HABITAT CONSERVATION PLANNING
ASSISTANCE GRANT PROPOSAL:
for the
SOUTHERN EDWARDS PLATEAU
HABITAT CONSERVATION PLAN**

1.0 Contact Information

BEXAR COUNTY:

Andrew Winter, PE (Primary Contact)
Environmental Engineer
(210) 335-6487
awinter@bexar.org

CITY OF SAN ANTONIO:

Jesus Garza (Alternate Contact)
Planning and Community Development Department
(210) 207-7950
jesus.garza@sanantonio.gov

2.0 Need

Bexar County and the City of San Antonio are located in the south-central part of Texas, which is the only remaining major urban center of Texas with more than 10 endangered species and no regional Habitat Conservation Plan (HCP) (Figure 1). Growth from the City of San Antonio strongly influences four adjacent counties (Bandera, Kendall, Kerr, and Medina) that share two endangered bird species. The dry, soft hilltops of the Edwards Plateau lead to steep, moist canyons that plunge into some of the deepest caves along the Balcones Escarpment. This variety of habitat supports dense woodlands and open savannas of oak and Ashe juniper, and are home to thirteen federally threatened and endangered terrestrial species, including two birds, the golden-cheeked warbler (GCW, *Dendroica chrysoparia*) and black-capped vireo (BCV, *Vireo atricapilla*), and nine karst invertebrates, including the beetles *Rhadine exilis*, *Rhadine infernalis* and *Batrises ventyvi*, the harvestman *Texella cokendolpheri*, and the spiders *Neoleptoneta microps*, *Cicurina baronia*, *Cicurina madla*, *Cicurina venii* and *Cicurina vespera*. Springs from the Edwards Plateau feed streams in these counties that flow overland to recharge into the Edwards Aquifer. From there, the aquifer generally flows north to discharge at large springs that support eight listed endangered aquatic species. More information regarding the endangered species directly and indirectly supported by this five county area can be found in Appendix A.

The City of San Antonio in Bexar County is the largest city in the world to rely entirely on subterranean water. Drillers opened the largest freshwater well in the world in Bexar County, and the residents of San Antonio are proud of this enormous natural resource. The voters of San Antonio have approved tax measures generating over \$200 million to acquire open space over the Edwards Aquifer Recharge Zone, demonstrating local pride in this incredible natural resource. This City of San Antonio Natural Areas Land Use Management Plan ensures the effective management of 7,000 acres of conservation land. Those City propositions included funds to create a decision matrix for prioritizing properties with both endangered bird and karst species and recharge value (Stone and Schindel 2002).

In spite of current local efforts for conservation, the pace of development is advancing more quickly than the planning for conservation. The U.S. Fish and Wildlife Service is investigating multiple possible violations of the Endangered Species Act, both for birds and karst invertebrates, from the development community. Bexar County must serve the needs of its growing constituency for responsible economic development, sufficient public infrastructure, open space recreation opportunities, and the increasing needs of military training in the area (e.g., Camp Bullis and other installations). The City and County recognize that a coordinated HCP would be the most efficient and effective way to meet the varied needs of both people and sensitive wildlife.

Proceeds of the requested HCP Planning Assistance grant would initially be used to develop a recommendation for a locally appropriate regional conservation plan, particularly in relation to the inclusion of up to four other nearby counties that are part of recovery region 6 (proposed region 5) for the golden-cheeked warbler: Bandera, Kendall, Kerr, and Medina. Proceeds would also be used to evaluate whether to include other federally listed taxa as “covered species” (see Appendix A, item 1) and the potential for including other rare species in the HCP as “species of concern” or “evaluation species” (see Appendix A). Further, grant funds would be used for vetting the analysis and recommended conservation strategies with stakeholders, seeking additional biological review, and developing a complete habitat conservation plan (HCP) and National Environmental Protection Act (NEPA) documentation. The package would be submitted with an application for an Endangered Species Act (ESA) section 10(a) incidental take permit to cover the aforementioned thirteen species and other species of concern in Bexar County. While the HCP will be focused primarily on terrestrial species, conservation actions under the HCP would have collateral benefits to some of the listed and of concern aquatic species, and these potential benefits will be analyzed and maximized where practicable. The HCP would provide for conservation of the covered species, and would create a streamlined process for landowners and public entities to deal with complex endangered species issues, thereby providing more options, better compliance, and more certainty in conservation planning in this very sensitive and fast-growing region.

3.0 Objective

To bring all stakeholders (San Antonio, Helotes, Gray Forest, Fair Oaks, Bexar County, Bandera County, Comal County, Kendall County, Kerr County, Medina County, and Camp Bullis) to the table and develop a comprehensive HCP and associated NEPA documentation over the next three years (2009-2011) for effective conservation of covered terrestrial species in Bexar County and Golden-cheeked Warbler Recovery Unit 6 (proposed unit 5).

4.0 Expected Results and Benefits

The City and County believes that the development of an HCP in Bexar County and possibly adjacent counties provides a high degree of benefit to endangered species, ecosystem conservation, facilitating desirable economic growth, and being a responsible steward of resources. Specific benefits include:

- Creating a structure that could incorporate community open space goals, such as endangered species-compatible recreation opportunities, scenic and cultural values, and water quality protection.
- Ensuring the survivability of the military training missions within the area.
- Increasing communication and cooperation among all stake holders and government entities.
- Reducing the burden of ESA compliance on public and private individuals and entities, as well as public institutions, by creating a streamlined permitting process.
- Protecting and maintaining mature juniper-oak woodlands and oak savannas for the golden-cheeked warbler, black-capped vireo, and other native species that depend on these habitats (Appendix A).
- Protecting and maintaining karst habitat, surface and subsurface drainage basins and surface vegetative community for nine federally listed karst invertebrates.
- Complimenting existing conservation efforts by other entities within Region 6 including the Edwards Aquifer Authority Recovery Implementation Plan and the Comal County RHCP.
- Contributing to the recovery of the golden-cheeked warbler by establishing a large-scale conservation plan in Recovery Unit 6 and to the recovery of nine karst species (USFWS 2008);
- Facilitating the protection of endangered species habitat within a plan area of at least 800,000 acres in a rapidly developing area of south central Texas. Along with Medina County, this plan area is large enough to contain all of the likely karst geology (Veni 1994), critical habitat for the nine listed species (USFWS 2003), and most, if not all, of the naturally occurring ecological processes that are necessary to sustain habitat for the golden-cheeked warbler and black-capped vireo.
- Creating opportunities for coordinated conservation efforts aimed at securing large blocks of endangered species habitat that also protect other important ecosystem functions, such as water quality and quantity in the Edward's Aquifer system, with a real benefit to eight endangered species that occur at sites such as San Marcos and Comal (Appendix A, item 4).

5.0 Approach

The City and County wish to obtain federal HCP Planning Assistance funding to develop a HCP and associated NEPA documentation for an application to the Service for an ESA section 10(a)(1)(B) incidental take permit. The following sets forth specific actions for HCP development and processing the permit application, assuming the grant is awarded by September 2009.

Phase 1: Project Development and Community Guidance

Phase Deliverables: Detailed project work plan, schedule and budget; Stakeholder outreach summary; Legal requirements summary; Establishment of Advisory Committees; Establishment of Public Outreach and Participation Program; Initial Strategy/Framework for HCP

- Task 1 Project Organization
 Engage consultant team
 Early coordination with USFWS, TPWD, other agencies

- Early coordination with stakeholders (potential CAC & BAT members)
Compilation of studies and literature
- Task 2 Summary of Legal Requirements
- Task 3 Formation of Citizens Advisory Committee (CAC)
Identify potential members of CAC - such as San Antonio, Helotes, Gray Forest, Fair Oaks, Bexar County, Bandera County, Comal County, Kendall County, Kerr County, and Medina County
Develop protocol for CAC participation (organization, purpose statement, procedures, etc.)
Appointment of CAC members
- Task 4 Formation of Biological Advisory Team (BAT)
Identify potential members of BAT
Develop protocol for BAT participation (organization, purpose statement, procedures, etc.)
Appointment of BAT members
- Task 5 Develop Public Outreach/Participation Process
Develop protocol and format for public outreach program (website, postings, meetings, minutes)
Prepare initial materials about project for general distribution and website (fact sheet, project summary, etc.)
- Task 6 Baseline Data Acquisition and Preliminary Analysis
Gather and prepare baseline information
 Gather baseline data (GIS, socioeconomic, land use, ownership, spp occurrences/habitat, future development)
 Collect current state of the species information; study area information
 Identify existing conservation programs and regulatory mechanisms for conservation.
Identify potential covered activities and develop initial estimate of take/impacts to covered species
 Identify covered public and private activities likely to result in take and to be covered by HCP
 Describe and model anticipated take/impacts from covered activities.
 Identify other projects contributing to cumulative impacts; estimate cumulative impacts to species
Prepare summary of baseline data and preliminary analysis
- Task 7 Methodology to define the suitable habitat areas
Develop methodology protocol on how to define suitable habitat areas within the study area
Test and validate the methodology
Refine the methodology
Apply the methodology
Develop a map of suitable habitat within the study area
- Task 8 Initial Strategy/Framework Development

- Identify HCP goals and objectives/purpose and need
 - Conservation goals and objectives; biological goals and objectives; purpose and need
 - Project scope (permit area, permit duration, permit applicants/partners)
 - Legal and political framework
 - Relationship and coordination with other regional programs
- Prepare initial recommendations for conservation program
 - Identify and analyze opportunities for protection/enhancement/creation of habitat-related resources
 - Identify and analyze opportunities for avoidance and minimization of impacts

Phase 2: Preliminary Draft HCP

Phase Deliverables: Summary of Preliminary Alternatives; Preliminary Draft HCP

- Task 9 Preliminary Alternatives
 - Identify and describe range of alternatives
 - Analyze potential cost of HCP implementation
- Task 10 Develop summary of initial recommendation (for CAC and BAT approval)
- Task 11 Prepare Preliminary Draft HCP
 - Plan introduction (goals/objectives, purpose/need, legal framework, plan area/permit duration, process, etc.)
 - Environmental setting
 - Covered species
 - Covered activities
 - Expected take and impacts
 - Conservation Program
 - Implementation
 - Funding
 - Alternatives (prelim impacts, etc...)
 - Coordination, Preparers, References, Appendices, Glossary, etc...
 - Financial impacts and funding plan for HCP

Phase 3: Committee/Agency Review and HCP Completion

Phase Deliverables: Revised Draft HCP; Final Draft HCP

- Task 12 First Revised Draft HCP
 - Present Preliminary Draft HCP to CAC, BAT, FWS, TPWD, etc.
 - Committee/Agency review and comment
 - Revise covered activities, take/impacts, conservation program, implementation, funding
 - Reconcile comments and revise; prepare second revised draft HCP
- Task 13 Final Draft HCP
 - Present First Revised Draft HCP to CAC, BAT, FWS, Texas Parks and Wildlife Department (TPWD), etc.
 - Committee/Agency review and comment
 - Revise covered activities, take/impacts, conservation program, implementation, funding
 - Reconcile comments and revise; prepare final draft HCP (for permit application)

Phase 4: Environmental Impact Statement (EIS)*Phase Deliverables: Summary of scoping comments, Preliminary Draft EIS, Draft EIS, Final EIS*

- Task 14 Initiate NEPA process
 Notice of Intent to Prepare EIS (60 day comment period)
 NEPA Scoping Meeting
 Summarize scoping comments
 Publication of Notice of Intent to Prepare EIS in Federal Register(60 day comment period)
 NEPA Scoping Meeting
 Summarize scoping comments
- Task 15 Prepare Draft EIS (DEIS)
 Revise PDEIS based on USFWS and applicant comments
 Prepare DEIS
- Task 16 Publish Notice of Availability (NOA) of regional HCP/DEIS application
 NEPA Public Meeting (this may be combined with HCP Public Hearing as required under Chapter 83, Texas Parks and Wildlife Code)
 NEPA Comment Period (likely 90 days)
- Task 17 Publish NOA of DEIS/ NOR of application (30 days)
 Respond to public comments
- Task 18 Prepare Final EIS (FEIS)

Phase 5: Permit Processing*Phase Deliverables: Permit; Final TPWD Grant Report*

- Task 19 Review and approval of application documents by applicant agencies
- Task 20 Submit application package (Final Draft HCP, PDEIS, application form, application fee)
- Task 21 Public Hearing on HCP (required by Texas Parks & Wildlife code)
- Task 22 Coordinate with USFWS on Biological Opinion, Record of Decision, Statement of Findings, permit terms and conditions
 Prepare Interlocal Agreements, if necessary
- Task 23 Issuance of ROD, SOF and Final TPWD Grant Report

6.0 Key Project Personnel**City of San Antonio**District 8 Councilwoman Diane G. Cibrian, Phone: (210) 207-7086, Email: district8@sanantonio.govDistrict 2 Councilwoman Sheila D. McNeil, Phone: (210) 207-7278, Email: district2@sanantonio.gov**Bexar County**Bexar County Precinct 3 Commissioner Lyle Larson, Phone: (210)335-2613 Email: llarson@co.bexar.tx.usRenee D. Green, PE, County Engineer, Phone: (210) 335-6707, Email: rgreen@bexar.org

Andrew Winter, PE, Bexar County Environmental Services, Phone: (210) 335-6487, Email: awinter@bexar.org

Jesus Garza, City of San Antonio Planning Department, Phone: (210) 207-7950, Email: jesus.garza@sanantonio.gov

Eric Lautzenheiser, Natural Area Superintendent, Phone: (21) 372-9124 Email: Eric.Lautzenheiser@sanantonio.gov

Other Organizations

John Karger, Last Chance Forever, Phone: (210) 499-4080, Email: raptor@ddc.net

7.0 Location

The proposed permit area to be included in the HCP is Bexar County, including the City of San Antonio (Figure 1). The City and County may seek to mitigate impacts to the golden-cheeked warbler that occur within Bexar County by purchasing mitigation credits from conservation banks in surrounding counties within Recovery Region 6 that may contain higher-quality habitat for that species. It is our intent to expand the HCP development and “take” permit to include all of the currently-approved GCW Recovery Unit 6 (proposed unit 5). Therefore the location should eventually include the adjacent counties of Medina, Bandera, Kerr, Kendall, Blanco and perhaps Comal.

8.0 Estimated Cost

The City and County proposes to provide \$298,750 each for a total of \$597,500 (at least 25% cost share) for completing the HCP, NEPA documentation (presumably an Environmental Impact Statement, EIS), and Section 10(a) permit application, with the federal government providing \$1,792,500 (no more than 75% in grant funds).

The grant applicants believe that partial funding for this project would be practicable (as discussed on page 10 of the “Notice of Availability of Federal Assistance”), provided the initial funding was sufficient to cover Phases 1, 2, and 3. This would amount to a Federal Share of \$1,020,000, a Non-Federal Share of \$340,000, for a total of \$1,360,000.

Phase	Estimated Budget (\$)		
	Federal Share	Non-Federal Share ¹	Total
Phase 1: Project Development and Community Guidance	240,000	80,000	320,000
Phase 2: Preliminary Draft HCP	345,000	115,000	460,000
Phase 3: Committee/Agency Review and HCP Completion	435,000	145,000	580,000
Phase 4: Environmental Impact Statement	712,500	237,500	950,000
Phase 5: Permit Processing	60,000	20,000	80,000
Total	1,792,500	597,500	2,390,000
Percent	75%	25%	100%

¹ Bexar County and the City of San Antonio will provide part of the non-federal cost share in the form of work performed by County and City employees.

9.0 Milestone Schedule

Full development of the HCP will be completed by October 2011. A schedule of project milestones that are associated with the tasks described in Section 4 of this grant proposal are listed below.

Phase/Task	Completion
Phase 1: Project Development and Community Guidance	
Task 1 Project Organization	October 2009
Task 2 Summary of legal requirements	November 2009
Task 3 Formation of CAC	January 2010
Task 4 Formation of BAT	January 2010
Task 5 Develop Public Outreach/Participation Process	January 2010
Task 6 Baseline Data Acquisition and Preliminary Analysis	February 2010
Task 7 Methodology to define the suitable habitat areas	February 2010
Task 8 Initial Strategy/Framework Development	March 2010
Phase 2: Preliminary Draft HCP	
Task 9 Preliminary Alternatives	March 2010
Develop summary of initial recommendation (for CAC and BAT approval)	April 2010
Task 11 Prepare Preliminary Draft HCP	September 2010
Phase 3: Committee/Agency Review and HCP Completion	
Task 12 First Revised Draft HCP	December 2010
Task 13 Final Draft HCP	March 2011
Phase 4: Environmental Impact Statement	
Task 14 Initiate NEPA process	September 2010
Task 15 <u>Prepare Draft EIS (DEIS)</u>	December 2010
<u>Publish Notice of Availability (NOA) of regional HCP/DEIS application</u>	March 2011
Task 16 <u>application</u>	
Task 17 Publish NOA of DEIS/ NOR of application (30 days)	April 2011
Task 18 Prepare Final EIS (FEIS)	August 2011
Phase 5: Permit Processing	
Review and approval of application documents by applicant agencies	June 2011
Task 19 Submit application package (Final Draft HCP, PDEIS, application form, application fee)	July 2011
Task 20 Public Hearing on HCP (required by Texas Parks & Wildlife code)	August 2011
Coordinate with USFWS on Biological Opinion, ROD, SOF, permit terms and conditions	August 2011
Task 22 Issuance of ROD, SOF, and Final TPWD Grant Report	October 2011

10.0 References

- Campbell, L. 1996. Endangered and Threatened Animals of Texas - Their Life History and Management: Black-capped vireo. Texas Parks and Wildlife Press, Austin, Texas. pp. 29 – 36.
- Ladd, C., and L. Gass. 1999. Golden-cheeked warbler (*Dendroica chrysoparia*). In The Birds of North America, No. 420 (A. Poole and F. Gill, eds.). The Birds of North America, Inc., Philadelphia, Pennsylvania. 24 pp.

- Stone, D., and G.M. Schindel. 2002. The application of GIS in support of land acquisition for the protection of sensitive groundwater recharge properties in the Edwards Aquifer of south-central Texas. *Journal of Cave and Karst Studies* 64(1): 38-44.
- USFWS (U.S. Fish and Wildlife Service). 2003. Designation of Critical Habitat for Seven Bexar County, TX, Invertebrate Species, Final Rule. *Federal Register* 68(67).
- USFWS (U.S. Fish and Wildlife Service). 2008. Bexar County Karst Invertebrates Draft Recovery Plan. U.S. Fish and Wildlife Service, Albuquerque, NM.
- Veni, G. 1994. Geologic controls on cave development and the distribution of endemic cave fauna in the San Antonio, Texas, region. Report prepared for Texas Parks and Wildlife Department and U.S. Fish and Wildlife Service.

List of Figures

Figure 1 – Location of Bexar County in Recovery Unit 6 (proposed unit 5)

Figure 2 – Parcel Boundaries and Oak-Juniper Woodland and Savanna Cover in Bexar County

List of Appendices

Appendix A – Endangered, Threatened, and Other Rare Species Resources Located in Bexar County, Texas and adjacent counties

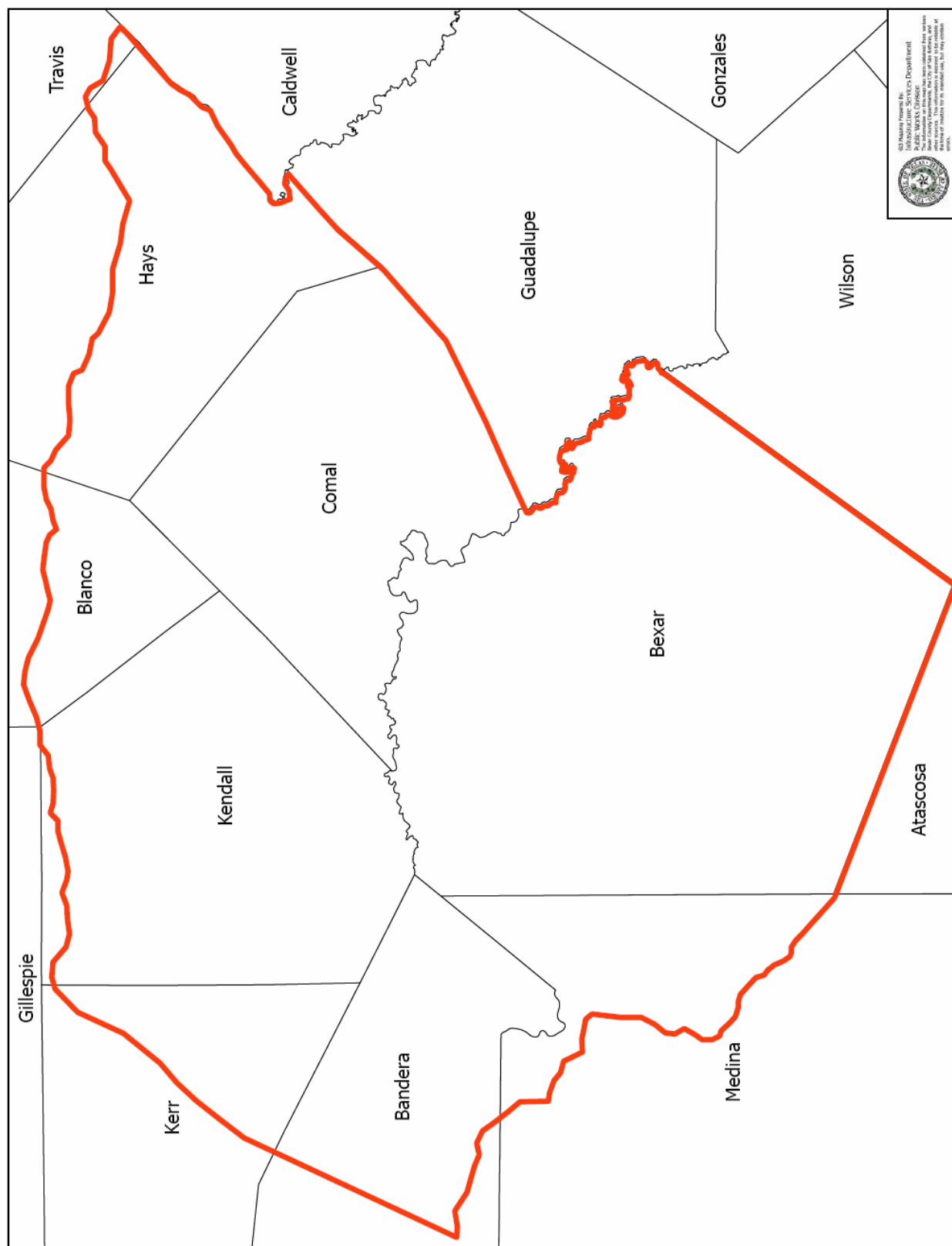


Figure 1

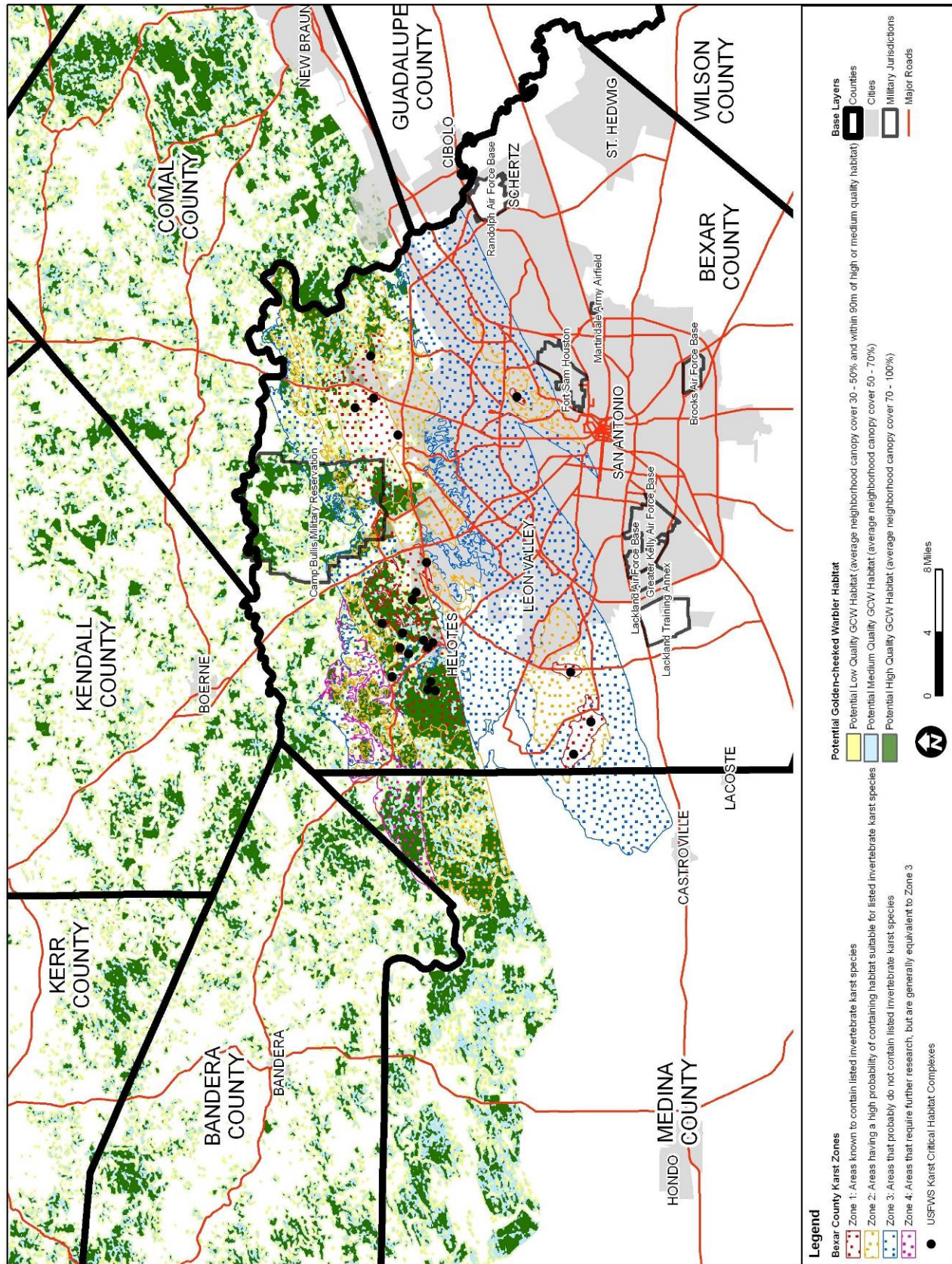


Figure 2

APPENDIX A

Endangered, Threatened, and Other Rare Species in Bexar County and adjacent Bandera, Kendall, Kerr, and Medina counties, Texas

The endangered golden-cheeked warbler (*Dendroica chrysoparia*) utilizes densely canopied juniper-oak woodlands that contain a variety of deciduous tree species and mature Ashe juniper trees. The warbler nests only in central Texas, and Bexar County is one of only 25 counties where the species is currently known to breed (Figure 1) (Ladd and Gass 1999).

The endangered black-capped vireo (*Vireo atricapilla*) in Bexar County utilizes patchy woodlands and savannas that have a dense layer of shrubby broadleaf vegetation from ground level to approximately six feet. The vireo nests in Texas, Oklahoma, and Coahuila, Mexico. Within the U.S., the vireo nests mostly in 37 central and western Texas counties, including Bexar County on the eastern edge of its Texas range (Figure 1) (Campbell 1996).

Karst habitat in Bexar County covers four geologic areas, the Stone Oak, Helotes, Alamo Heights and Culebra Anticline. Within these areas cavernous bedrock includes the Edwards Limestone, upper member of the Glen Rose Formation, the Austin Chalk and Pecan Gap Chalk (Veni 1994). These formations contain sinkholes and sinking streams, and caves with deep shafts that access the Edwards Aquifer. The karst features provide habitat for nine listed karst species (See below). The habitat is typified by physical characteristics of the underground: darkness, stable temperatures, high humidity, and an energy regime directly connected to a healthy plant and animal surface community. Many of these species are only known to occur within Bexar County.

Numerous other rare animal and plant species depend on associated habitat in this highly sensitive region (see below).

1. Federally Listed Threatened or Endangered Species in Bexar County

- Black-capped vireo (*Vireo atricapilla*)
- Braken Bat Cave meshweaver (*Cicurina venii*)
- Cokendolpher Cave harvestman (*Texella cokendolpheri*)
- Golden-cheeked warbler (*Dendroica chrysoparia*)
- Government Canyon Bat Cave meshweaver (*Cicurina vespera*)
- Government Canyon Bat Cave spider (*Neoleptoneta microps*)
- Helotes mold beetle (*Batrisodes venyivi*)
- Interior Least Tern (*Sterna antillarum athalassos*)
- Madla Cave meshweaver (*Cicurina madla*)
- Rhadine exilis (*no common name*)
- Rhadine infernalis (*no common name*)
- Robber Baron Cave meshweaver (*Cicurina baronia*),
- Whooping Crane (*Grus americana*)

2. Additional Species for Bexar County, Texas, as identified by TPWD²

- A cave obligate crustacean (*Monodella texana*)
- American Peregrine Falcon (*Falco peregrinus tundrius*)
- Cascade Caverns salamander (*Eurycea latitans*)
- Comal blind salamander (*Eurycea tridentifera*)
- Peregrine Falcon (*Falco peregrinus*)
- Texas salamander (*Eurycea neotenes*)
- Western Burrowing Owl (*Athene cunicularia hypugaea*)
- White-faced Ibis (*Plegadis chihi*)
- Wood Stork (*Mycteria americana*)
- Zone-tailed Hawk (*Buteo albonotatus*)

3. Additional Listed and Rare Species in Bandera, Kendall, Kerr and Medina counties, as identified by TPWD²

- A mayfly (*Baetodes alleni*)
- A mayfly (*Plauditus futilis*)
- American Peregrine Falcon (*Falco peregrinus anatum*)
- Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
- Baird's Sparrow (*Ammodramus bairdii*)
- Bald Eagle (*Haliaeetus leucocephalus*)
- Black bear (*Ursus americanus*)
- Blanco River springs salamander (*Eurycea pterophila*)
- Cascade Cave amphipod (*Stygobromus dejectus*)
- Cave myotis bat (*Myotis velifer*)
- Edwards Plateau shiner (*Cyprinella lepida*)
- Ezell's cave amphipod (*Stygobromus flagellatus*)
- Frio pocket gopher (*Geomys texensis bakeri*)
- Ghost-faced bat (*Mormoops megalophylla*)
- Guadalupe bass (*Micropterus treculii*)
- Guadalupe darter (*Percina sciera apristis*)
- Headwater catfish (*Ictalurus lupus*)
- Leonora's dancer damselfly (*Argia leonorae*)
- Long-legged cave amphipod (*Stygobromus longipes*)
- Mountain Plover (*Charadrius montanus*)
- Nueces roundnose minnow (*Dionda serena*)
- Rawson's metalmark (*Calephelis rawsoni*)
- Sage sphinx (*Sphinx eremitoides*)
- Texas austrotinodes caddisfly (*Austrotinodes texensis*)
- Texas salamander (*Eurycea neotenes*)
- Valdina Farms sinkhole salamander (*Eurycea troglodytes complex*)
- Western Burrowing Owl (*Athene cunicularia hypugaea*)

4. Eight federally listed species that occur in springs downgradient from the study area that would benefit from the protection and management of upstream recharge areas (e.g. San Marcos Springs, Comal Springs)

- Comal Springs dryopid beetle (*Stygoparnus comalensis*)
- Comal Springs riffle beetle (*Heterelmis comalensis*)
- Fountain darter (*Etheostoma fonticola*)
- Peck's Cave amphipod (*Stygobromus pecki*)
- San Marcos Gambusia (*Gambusia georgei*)
- San Marcos salamander (*Eurycea nana*)
- Texas blind salamander (*Eurycea rathbuni*)
- Texas wild rice (*Zizania texana*)

²Species information obtained from the Texas Parks and Wildlife Department (TPWD) annotated county list of rare species for Bandera, Kendall, Kerr, and Medina counties.

AN ORDINANCE 2008-08-07-063:

AUTHORIZING THE SUBMISSION OF A U.S. FISH & WILDLIFE
SECTION 6 GRANT APPLICATION TO THE TEXAS PARKS &
WILDLIFE DEPARTMENT AND ACCEPTANCE, UPON AWARD, OF
UP TO \$2.5 MILLION TO UNDERTAKE A REGIONAL HABITAT
CONSERVATION PLAN; AND AUTHORIZING THE REQUIRED 25%
LOCAL MATCHING CONTRIBUTION UPON AWARD OF GRANT
FUNDS.

* * * * *

WHEREAS, the US Fish & Wildlife Service (FWS) is an agency of the US Department of the Interior and makes funds available to state wildlife agencies through the Cooperative Endangered Species Conservation Fund from Section 6 of the Endangered Species Act to undertake Regional Habitat Conservation Plans (RHCP); and

WHEREAS, RHCPs are undertaken to manage and mitigate all federally listed endangered species within a FWS recovery area; and

WHEREAS, eleven (11) federally listed endangered species can be found within Bexar County and undertaking a RHCP would facilitate local development by not requiring individual Habitat Conservation Plans (HCPs) for each development; and

WHEREAS, upon the completion of a RHCP, the City and/or County shall become the permitting agencies for FWS, thereby facilitating incidental takes and mitigating habitat to ensure the survival of federally listed endangered species; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or a designated representative is authorized to submit, in conjunction with Bexar County, a U.S Fish & Wildlife Section 6 grant application to the Texas Parks & Wildlife Department requesting grant funds in an amount not to exceed \$2.5 million and to accept such funds upon award.

SECTION 2. The City Manager or her designee is authorized to execute any and all documents necessary to effectuate the intent and purpose of this ordinance.

SECTION 3. The City's local match contribution is estimated to be between \$250,000.00 and \$312,500.00. Staff will coordinate with Bexar County to be a co-applicant for the RHCP and to develop the grant application, including budget and City portion of the matching contribution.

SECTION 4. Fund No. 26052000, entitled "Texas Parks & Wildlife Department," is hereby designated for use in the accounting for the fiscal transaction in the acceptance of this grant should funding be awarded. Any sum from the disbursement of grant funds from the Texas Parks & Wildlife Department will be appropriated in said fund. A formal final budget which will include Internal Order numbers and General Ledger numbers will be submitted by the department upon award.

SECTION 5. The financial fiscal allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This ordinance shall be effective immediately upon eight (8) affirmative votes and after the tenth (10th) day from passage upon fewer than eight (8) affirmative votes.

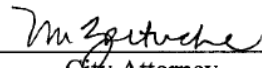
PASSED AND APPROVED this 7th day of AUGUST 2008,


M A Y O R
PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney