

BIOLOGICAL ADVISORY TEAM
OF THE
SOUTHERN EDWARDS PLATEAU
HABITAT CONSERVATION PLAN

MINUTES

DATE: July 28, 2010
LOCATION: Pape Dawson Engineers, Inc.
502 East Ramsey
San Antonio, Texas 78216

All items are subject to potential ACTION after suitable discussion.

1. Call to order - Richard Heilbrun, Texas Parks and Wildlife Department (TPWD)

Richard Heilbrun called the meeting to order at 9:05am.

2. Review and approve minutes, with appropriate changes, from June 18, 2010 BAT meeting and July 7, 2010 BAT meeting.

Richard Heilbrun asked BAT members for comments or suggestions on the draft minutes from the June 18, 2010 meeting. Jayne Neal and Andy Gluesenkamp (BAT members) suggested clarifications pertaining to how conflicting comments on the draft Resource Assessments will be addressed and possible revisions to species list for the plan.

MOTION (Jayne Neal): Adopt the draft minutes from the June 18, 2010 BAT meeting, as revised. SECOND (Justin Driebelbis). VOTE: Voice vote carried without opposition.

Mr. Heilbrun asked BAT members for comments or suggestions on the draft minutes from the July 7, 2010 meeting. Jayne Neal proposed clarifications pertaining to possible karst mitigation standards.

MOTION (Jayne Neal): Adopt the draft minutes from the June 18, 2010 BAT meeting, as revised. SECOND (Andy Gluesenkamp). VOTE: Voice vote carried without opposition.

3. Public comments (3 minutes per speaker)

Richard Heilbrun introduced Kerr County Commissioner Jonathan Letz (CAC co-chair). He also introduced Jerry Webberman and Megan Bluntzer (Jackson Walker, LLP) as the independent legal counsel hired by Bexar County to assist on the plan. There were no public comments.

4. Discussion and possible action on Conservation strategies, goals and objectives

Richard Heilbrun began discussion on a draft proposal for the species-specific biological goals and objectives for the plan.

Mr. Heilbrun suggested edits emphasizing the recovery aspect of the biological goals for the covered species, and Tom Hayes (BAT member) suggested that jeopardy avoidance be included in the goals.

The BAT discussed specific biological objectives for the golden-cheeked warbler (GCW) and recommended that mitigation ratios be based on the degree of impact to the species. Allison Arnold (USFWS) stated that the USFWS will typically require a mitigation ratio that is greater than 1 acre of protected habitat per acre of impact and that the mitigation ratios approved for other regional plans may not be relevant for the SEP-HCP, given that the risk and threats to the species are more severe in the SPE-HCP Plan Area than elsewhere. BAT members discussed a base mitigation ratio of 2 acres of habitat protected for each acre of direct impact. BAT members asked the consultant team to develop alternatives for establishing variable mitigation ratios for the GCW, which could include considerations of habitat quality, patch size and distance criteria, and habitat occupancy. Allison Arnold suggested that the Camp Bullis Biological Opinion prepared by the USFWS could provide guidance for mitigation ratios. Tom Hayes offered to prepare a proposal for GCW mitigation ratios. Valerie Collins asked the consultant team to provide a summary of mitigation ratios used in other regional plans.

Richard Heilbrun emphasized the need for the consultant team to complete preparation of the impacts assessment, so that this information can be considered in the conservation planning, particularly for determining the total amount of mitigation needed for the GCW. Amanda Aurora (Loomis Partners) responded that this analysis should be completed within the next several weeks.

BAT members discussed how to account for existing protected lands in the Plan Area. Richard Heilbrun noted that these lands might be important for considering progress towards species recovery, but might not be considered as mitigation under the plan. Clifton Ladd suggested that the plan might be able to partly count some of these lands as mitigation, if additional protections are achieved.

Jonathan Letz asked if preserves acquired by conservation easement were different biologically than those acquired in fee simple. Amanda Aurora responded that the biological value of a preserve would depend on the allowable uses and management of the parcel under each scenario. Justin Dreibelbis noted that the BAT previously determined that they had no preference for one of these acquisition tools over the other.

The BAT discussed the recommended minimum size for a GCW preserve. Amanda Aurora noted that the USFWS generally considers 500 acres as the minimum required for an isolated GCW preserve to have long-term conservation value. Julie Groce (BAT member) said that GCWs have been known to reproduce in patches of habitat of approximately 20 acres and that species occupancy is almost guaranteed in habitat patches of at least 160 hectares. Tom Hayes stated that research has shown that 250 hectares is the minimum needed for GCW conservation and offered to provide citations in support of that estimate.

Valerie Collins was concerned that there may be opportunities to protect smaller parcels, but that these opportunities would be excluded from consideration as part of the preserve. BAT members discussed options for how smaller parcels might be included in the preserve system, such as if they are adjacent to other protected lands, if conservation credit was withheld until a cluster of adjacent parcels comprising the minimum acreage was protected, or if they were protected for the benefit of one of the other covered species. Amanda Aurora stated that small parcels are generally not good for long-term GCW conservation. Allison Arnold and Christina Williams (USFWS) stated that the USFWS would not be likely to allow conservation credit for an isolated preserve that did not have long-term conservation value.

BAT members discussed the proposed objective to create a distributed system of larger focal preserves that were larger than the recommended minimum size for an isolated preserve. Amanda Aurora clarified that this would not necessarily require the creation of a focal preserve in each county. Tom Hayes stated that he was concerned about preserving the landscape matrix between focal areas and Allison Arnold noted that this objective would require consideration of growth projections over time. Ms. Arnold also indicated that the USFWS would prefer to have preserves in Bexar County.

The BAT discussed the proposed objective for creating a new focal preserve near Camp Bullis, including the possibility for restoring low quality habitat or creating new habitat in this area. Tom Hayes described that his work on GCW habitat loss indicates that Camp Bullis is isolated from other prime habitat. Allison Arnold noted that the Camp Bullis Biological Opinion currently allows the military to seek mitigation for habitat impacts within its local recovery region, but that the USFWS prefers such mitigation to be as close as possible. Richard Heilbrun noted that it would be important to avoid creating conservation criteria that would not be achievable or that single out specific properties for preserve acquisitions. Valerie Collins and Andy Gluesenkamp indicated that creating a focal area with restored or new habitat would be beneficial for the plan.

BAT members discussed how objectives related to management of preserves could be made to be measurable. Amanda Aurora suggested that each preserve would likely have its own specific management plan developed after it is acquired. Tom Hayes suggested that monitoring objectives should be applied to the entire Plan Area and not limited to the preserve system. Christina Williams stated that the USFWS would be responsible for assessing the status of the species overall. Richard Heilbrun suggested that an objective be added pertaining to increasing the state of knowledge of the species.

The BAT took up discussion of biological objectives for the black-capped vireo (BCV). Allison Arnold stated that the recommended mitigation ratios for the BCV should be the same as for the GCW. BAT members were uncertain whether 100 acres was an acceptable minimum size for a BCV preserve, and Christina Williams stated that the USFWS would provide guidance on the recommended minimum preserve size for the BCV.

BAT members agreed that it was not necessary to prioritize protection of BCV habitat that was associated with habitat for the other covered species. BAT members also agreed that management, monitoring, and research objectives for the BCV should be simplified and similar to objectives for the GCW.

The BAT discussed objectives for karst invertebrate conservation and recommended separating objectives for Category 1 and Category 2 karst species. Allison Arnold stated that all take of karst invertebrates would need USFWS approval on a case-by-case basis. Jean Krejca (Zara

Environmental) described that the Category 1 karst species were known from more localities that are needed to achieve recovery, so incidental take should be possible for these species without jeopardizing the recovery of the species. BAT members discussed the possibility of setting a threshold for conservation before take of the covered species would be allowed. Allison Arnold suggested that any pre-take conservation threshold be low enough to enable participation relatively early in the plan so that mitigation funds could be generated for additional karst conservation.

BAT members also discussed the draft recovery criteria for the covered karst invertebrates and agreed that the biological objectives for the Category 1 and 2 karst species should be consistent with these criteria. Jean Krejca suggested that committing to achieving recovery for these species might simplify issues pertaining to assessing incidental take where actual habitat and species distribution is highly uncertain. Allison Arnold indicated that achieving species recovery might not be sufficient to allow take of all remaining habitat. Ms. Krejca also indicated that achieving recovery would require the protection and long-term management and monitoring of specific habitat quality types. She also noted that achieving recovery might not be possible for some karst species. Allison Arnold suggested that the plan could incentivize karst species surveys on private lands to generate more information on these species. BAT members also agreed to add objectives for management, monitoring, and research to the recommendations for the Category 1 and 2 karst species. Christina Williams indicated that the threshold for allowing take for a Category 2 karst species would be the identification of more localities than would be needed for recovery.

Allison Arnold stated her concerns that the BAT was spending too much time on the details of the biological goals and objectives and should be focusing on developing specific conservation strategies for these species.

The BAT discussed objectives for Category 3 and 4 species. The BAT generally agreed with expanding proposed objectives for monitoring to the entire Plan Area, instead of just the preserve system. However, Julie Groce cautioned that this might reduce the intensity of monitoring on the preserves.

The BAT agreed that the preliminary work on draft biological goals and objectives should be shared with the CAC.

Richard Heilbrun asked the BAT for comments and suggestions for the CAC to consider on a broader set of proposed community goals and objectives. Allison Arnold objected to language pertaining to seeking consistency with other approved plans since the USFWS may not agree that the degree of threats relevant to the SEP-HCP are similar to those in other areas. The BAT agreed to recommend striking this language. Jonathan Letz stated that some CAC members may object to focusing on the protection of juniper-oak woodlands, since other native habitats (like grasslands) are also important. BAT members agreed to broaden the objective to include all sensitive native habitat types. BAT members also agreed to broaden objectives pertaining karst species, instead of focusing on just listed karst species. The BAT decided to not take a formal vote on the broader community goals and objectives, but to simply send their recommended revisions to the CAC for consideration.

Andy Gluesenkamp requested that the consultants revise the species list to reclassify some salamanders and other karst aquatic species as Category 3 or 4 species.

5. Discussion and possible action on Preserve strategies

Preserve strategies were discussed in concert with Agenda Item 4.

6. Discussion and possible issues surrounding management and monitoring

Management and monitoring issues were discussed in concert with Agenda Item 4.

7. Report from consultant team.

Clifton Ladd stated the consultant team did not have anything to report other than what had already been discussed for other agenda items.

8. Future agenda items and next meeting - Richard Heilbrun, TPWD

Richard Heilbrun proposed to send out an internet poll to establish preferred dates for upcoming BAT meetings and recommended that the BAT hold two meetings per month through September.

9. Adjourn

Richard Heilbrun adjourned the meeting at 12:53pm.

BAT MEMBER SIGN-IN SHEET

BAT MEMBERS		
	NAME	SIGNATURE (IF PRESENT)
1	Heilbrun, Richard (CHAIR - Texas Parks & Wildlife Department)	
2	Collins, Valerie (Pape-Dawson Engineers)	
3	Dreibelbis, Justin (Texas wildlife Association)	
4	Gluesenkamp, Andy (Texas Parks & Wildlife Department)	
5	Groce, Julie (Texas A & M University)	
6	Hayes, Tom (Greater Edwards Aquifer Alliance)	
7	Neal, Jayne (City of San Antonio)	
8	Poole, Jackie (Texas Parks & Wildlife Department)	

GENERAL SIGN-IN SHEET

NAME	AFFILIATION	EMAIL ADDRESS	PHONE NUMBER	PLEASE NOTE IF YOU WOULD LIKE TO SPEAK DURING THE PUBLIC COMMENT PORTION OF THE AGENDA
Amanda Aurora	Loomis Partners	aaurora@loomis-partners.com	512-672-8977	
Christina Williams	USFWS	Christina.Williams@fws.gov		
Megan Bluntzer	Jackson Walker	mbluntzer@jw.com	210-978-7780	
Judith Green	TPWD	Judith.Green@prod.state.tx.us	688-6444	
Allison Arnold	USFWS	on-file		
Christy Gonzalez	KCBTexas	christyg@kcbtexas.com		
Clifton Ladd	Loomis Partners	cladd@loomis-partners.com	512-672-8967	
Jerry Webberman	Jackson Walker	jwebberman@jw.com	512-236-2270	
JEAN KRESKA	ZARA	jean@zaraenv.com	512-291-4555	
Auson Alvarado	USFWS			

GENERAL SIGN-IN SHEET

NAME	AFFILIATION	EMAIL ADDRESS	PHONE NUMBER	PLEASE NOTE IF YOU WOULD LIKE TO SPEAK DURING THE PUBLIC COMMENT PORTION OF THE AGENDA
Sonathan Letz	CAC			
Niki Lake	TPWD	niki.lake@tpwd.state.tx.us	51266670786	