

CITIZENS ADVISORY COMMITTEE OF THE SOUTHERN EDWARDS PLATEAU HABITAT CONSERVATION PLAN MINUTES

DATE: February 21, 2011
TIME: 6:00 pm
LOCATION: Casa Helotes Senior Citizens Center
12070 Leslie Road, Helotes, Texas 78023

1. Call to order – Jonathan Letz or Kirby Brown (CAC Co-chairs)

Kirby Brown called the meeting to order at 6:04pm.

2. Public comment (3 minutes per speaker)

Kirby Brown called for public comments. None were received.

Deirdre Hisler (CAC member) asked when during the meeting should CAC members give comments or ask questions, noting that there was not an item on the agenda for such comments or questions. Kirby Brown answered that CAC members will have an opportunity after reconvening from the subgroup discussions to ask questions and share comments, as they relate to the sub-group discussions.

3. Review and approval of draft minutes from the February 7, 2011 meeting – Jonathan Letz or Kirby Brown (CAC Co-chairs)

Kirby Brown asked for any comments or edits to the draft minutes from the February 7, 2011 CAC meeting. A spelling correction was suggested to change a public commenter's name from Ms. Bishan to Ms. Bushong. No additional comments were offered. MOTION (Delmar Cain): Approve the draft minutes with corrected name spelling. SECOND (Randy Johnson). VOTE: Voice vote carried without opposition.

4. Update from Texas Parks and Wildlife Department – Richard Heilbrun

Richard Heilbrun was not present, so there was no update from Texas Parks and Wildlife Department.

5. CAC sub-group work sessions for the GCW and BCV conservation program (working through spreadsheet presented at January 10, 2011 meeting)

Kirby Brown explained the sub-group work session tasks and covered the work session ground rules (included in back-up materials). Kirby Brown explained that the six discussion questions and four GCW/BCV conservation variables (included in back-up materials and based on the spreadsheet presented at the January 10, 2011 meeting) will be the basis for the sub-group work session, and the goal of the work session is to use the discussion questions to create preferred scenarios. Sub-group results will then be presented to the whole committee. If questions about other topics are raised during the sub-group work sessions, Kirby Brown asked that committee members save them for the whole committee discussion at the end of the meeting. The sub-group work sessions were facilitated by Amanda Aurora, Clifton Ladd, Jean Krejca, and Laura Zebehazy. Kirby Brown reminded committee members that the goal of this exercise is to come up with real answers and decisions.

Jonathan Letz (CAC Co-chair) asked that the BAT members present (Jayne Neal, Julie Groce, and Valerie Collins) to join the sub-groups and to be available to answer biological questions. Bob Liesman (CAC member alternate) asked if we were looking for a definitive answer from each group. Kirby Brown answered that was the desired outcome. Clifton Ladd (Loomis Partners) clarified that the variables in the spreadsheet are what need answers, while the discussion questions are designed to assist members in arriving at an outcome for the problem. Both Commissioner Letz and Clifton Ladd encouraged members of each sub-group to work towards consensus.

Kirby Brown asked the CAC members to split into their respective sub-groups and to sit at their assigned tables with their facilitator.

6. Discussion of sub-group scenarios and ideas – Jonathan Letz or Kirby Brown (CAC Co-chairs)

After the sub-group discussions, the whole committee reconvened to present and discuss their ideas.

Group 4 – Bebe Fenstermaker, Ian Cude, Bob Liesman, Jennifer Nottingham, and Juan Sandoval. (Facilitated by Amanda Aurora)

- Priorities – large preserve with a lot of preserve land in Bexar County
- Agreed that fees must be amount market can bear between \$6,000 to \$8,000/acre of habitat lost
- Agreed to have substantial public funding because of public benefit of preserve land in/near Bexar County. Caveat: Not all money streams are equal; Okay to have tourist tax fund it, but not okay to have ad valorem tax fund it.

Top scenario out of two:

- Mitigation
 - GCW
 - 3:1 Bexar County,
 - 2:1 outside Bexar County
 - 1:1 BCV anywhere
- Distribution
 - GCW
 - 60 Bexar /40 other
 - 0/100 outside Bexar County
 - 0/100 BCV
- Participation Fee \$2,500/mitigated acre
- GCW 11,000 ac Bexar County and 24,000ac outside, for total of 35,000 ac
- \$572M/over 30 years with a 20% private / 80% public split

Group 3 – Ann Dietert, Gary Schott, Annalisa Peace, Frosty Forster, and Eric Lautzenheiser. (Facilitated by Jean Krejca)

- Priorities – low public funding obligation and parity to other regional HCP's

Outcomes:

- Participation rate: 12,000 ac GCW and 4,000 ac BCV (BAT's recommendation)
- Mitigation
 - 1.5:1 (1 vote)
 - 2:1 (1 vote)

- 3:1 (3 votes)

Agreed if mitigation number set, same for all (in/out Bexar County, GCW, BCV)

- 60% in Bexar County is too high, and looked at 0-50%
- Fees: zero out of public contribution (maybe up to 5%)
- Looked at \$12-\$25,000/acre for mitigation, and as much as \$40,000/acre
- How much in Bexar County was discussed and looked at zero in Bexar County, so cost remains low

Group 2 – Michael Moore, Randy Johnson, Delmar Cain, Tom Hornseth, and BAT member Valerie Collins. (Facilitated by Clif Ladd)

- Group was consistent in stating if the plan is going to work, then the participation rate and cost have to be low. The higher the cost, then the lower participation.
- High mitigation ratio, then less participation

Q: how does this compare to other HCP's?

- Developers finding way around using plan, then indicative of not a good plan and no participation
- Fees range from \$2,500/acre up to \$5,000/credit and \$7,500 for 1:1
- Ratios
 - 1:1 workable at \$7,500/acre
 - 2:1 more acceptable at \$5,000/acre (than 3:1)
- Explored idea of on-site mitigation in certain circumstances
- Distribution was a big driver for cost; 20% for Bexar County was looked at and anything over 20% increased the public contribution 10-fold.
- If public wants it in Bexar County, then Bexar County needs to pay for it
- At least one member of the group wanted to go with the BAT recommendation of 3:1 with no changes.

Group 1 – Lottie Millsaps, Bob Fitzgerald, Mary Fenstermaker, Jonathan Letz, and Deirdre Hisler. (Facilitated by Laura Zebehazy.)

Q: is a large preserve size even possible in Bexar County only?

Priorities – limited habitat loss, low public funding obligation, and no scattered pieces (should be contiguous).

- Group seemed to be realistic about development that is going to happen

Q: is it possible to create zones for mitigation ratios? Discussed that this approach may cause friction between landowners and developers.

Bexar County around Camp Bullis is the most important area

Q: is Government Canyon included in available habitat?

Q: How effective are other HCP's?

Q: Are karst species included in other plans? What is participation rate?

Agreed on 60/40 private:public fees

- As little habitat loss as possible regardless of plan numbers

- 7,000+ acres for take authorization is a lot
- support BAT's recommendation because they are the scientists

Q: How do we get developers to participate?

- Concern that conservation easements have too little return considering they are being held in perpetuity.
- Idea to create a monetary hardship so land is not lost
- Conservation easements cost increases the BCV. (Management costs on CEs with BCV habitat may be higher due to habitat restoration needed.)
- Take authorization likely lower in Bexar County with other counties "opting out"

CAC Questions and Comments

- What amount is the county willing to accept (a range would be fine)?
- Look at this range and see how it applies to public contribution.
- How much do other HCP's cost? What are the levels of participation?
- Information with scenarios in spreadsheets needs to be available to the CAC ahead of the next meeting.

Amanda Aurora (Loomis Partners) offered to answer CAC members questions regarding the variables by phone prior to the next meeting.

7. Announcements, next meeting, future meeting schedule, and requested agenda items – Jonathan Letz or Kirby Brown (CAC Co-chairs)





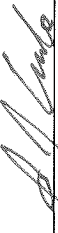




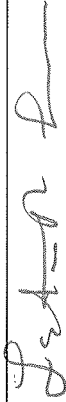








Kirby Brown reminded CAC members that the next meeting is scheduled for March 7, 2011.


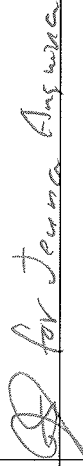
Jonathan Letz asked the members if the format of working in small groups was desirable or if they wanted to conduct the next meeting working as the entire committee. CAC members discussed working in small groups or as the whole committee. Mr. Brown suggested the next meeting focus on group consensus for a preferred scenario using the dot exercise.

8. Adjourn – Jonathan Letz or Kirby Brown (CAC Co-chairs)

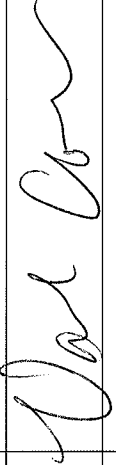

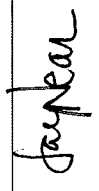
Kirby Brown adjourned the meeting at 8:08pm.

CAC MEMBER SIGN-IN SHEET

CAC MEMBERS		CAC ALTERNATE (FOR VOTING PURPOSES)	
NAME	SIGNATURE (IF PRESENT)	ALTERNATE NAME (PRINTED)	ALTERNATE SIGNATURE
1 Bradshaw, Mary (Bexar County landowner)			
2 Brown, Kirby (Texas Wildlife Association)		<i>Lottie Millsaps</i>	
3 Cain, Delmar (Kendall County landowner)			
4 Cude, Ian (Cude Engineering)			
5 Diert, Ann (Kerr County landowner)			
6 Fenstermaker, Bebe (Bexar County landowner)			
7 Fenstermaker, Mary (Hill Country Planning Association)			
8 Fitzgerald, Bob (Medina County landowner)		LESTER LANDRUM	
9 Forster, Charles ("Frosty") (Pape-Dawson Engineers)			
10 Hisler, Deirdre (Texas Parks and Wildlife Department)			
11 Hornseth, Tom (Comal County)			
12 Jenkins, Sandy (City of San Antonio)		<i>E. Lautenheiser</i>	
13 Johnson, Randy (Bexar County landowner)			
14 Letz, Jonathan (Kerr County)			
15 McFarlen, Gerald (Cibolo Nature Center)			
16 Moore, Michael (Ironstone Development)			
17 Nottingham, Jennifer (City of Grey Forest)			
18 Peace, Annalisa (Greater Edwards Aquifer Alliance)	<input checked="" type="checkbox"/> did not sign here + participated		

19	Schott, Gary (Bexar County landowner)		Madelyn Schott	
20	Terrez, Jenna (CPS Energy)		Bob L... Then standard signed public	 for Jenna Terrez
21	Wright, Susan (Susan Wright & Associates)		Bob L...	

BAT MEMBER SIGN-IN SHEET

BAT MEMBERS		SIGNATURE (IF PRESENT)
	NAME	
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
Clifton Cadd	Loomis	on file		
Aurora Wink	Bexar Co	on file		
GENE RICHARDSON	Toxa Farm Bureau	grichardson@trfb.org	254-498-8818	
Amanda Aurora	Loomis	aurora@loomis-partners.com	512- 512 -8977	
Christopher Allison	M.E. Allington	callison@mcallison.com	210-930-4000	
Jayne Neal	SAPAR-	on file		
Mike Luckey	Rendell Co.	on file	on file	
Charles Hepker	" "	cmhepker@cutc.com	—	
Bob Beach	Betz Co	RBeach@BETZ.com	335-1285	
Juan Sandoval	CPS Energy	JuSandoval@cpsenergy.com	353-6510	

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
Paul Starberg	Blanco County	blcomm4@txwinet.com	830-835-1077	
Doreen L. Lux	Kendall County		830-326-2881	
Evea Ovaline	AAMU	ovaline@midpina.com		
Jane Bushong Brown	Kerr County	janebrown@hctc.net	830-640-3254	
Joan Bushong	Real & Kerr Counties	cedarspring@hctc.net	830-640-3388	
Randy Dulvest	Zendon-Bandera	rpschoth@outdr.net		
Kyle Cunningham	COJA-SMAA	kyle.cunningham@sanantonio.gov	532-5765	
Franky Sherman	COJA-AMH	on file		
Megan Bluntzer	Jackson Walker LLP	mbluntzer@jw.com	210-978-7786	

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
Rennier Karen Schneider		kds@gvtc.com	830-229-545	
Margaret Pennington			830 249-0855	
Margaret				