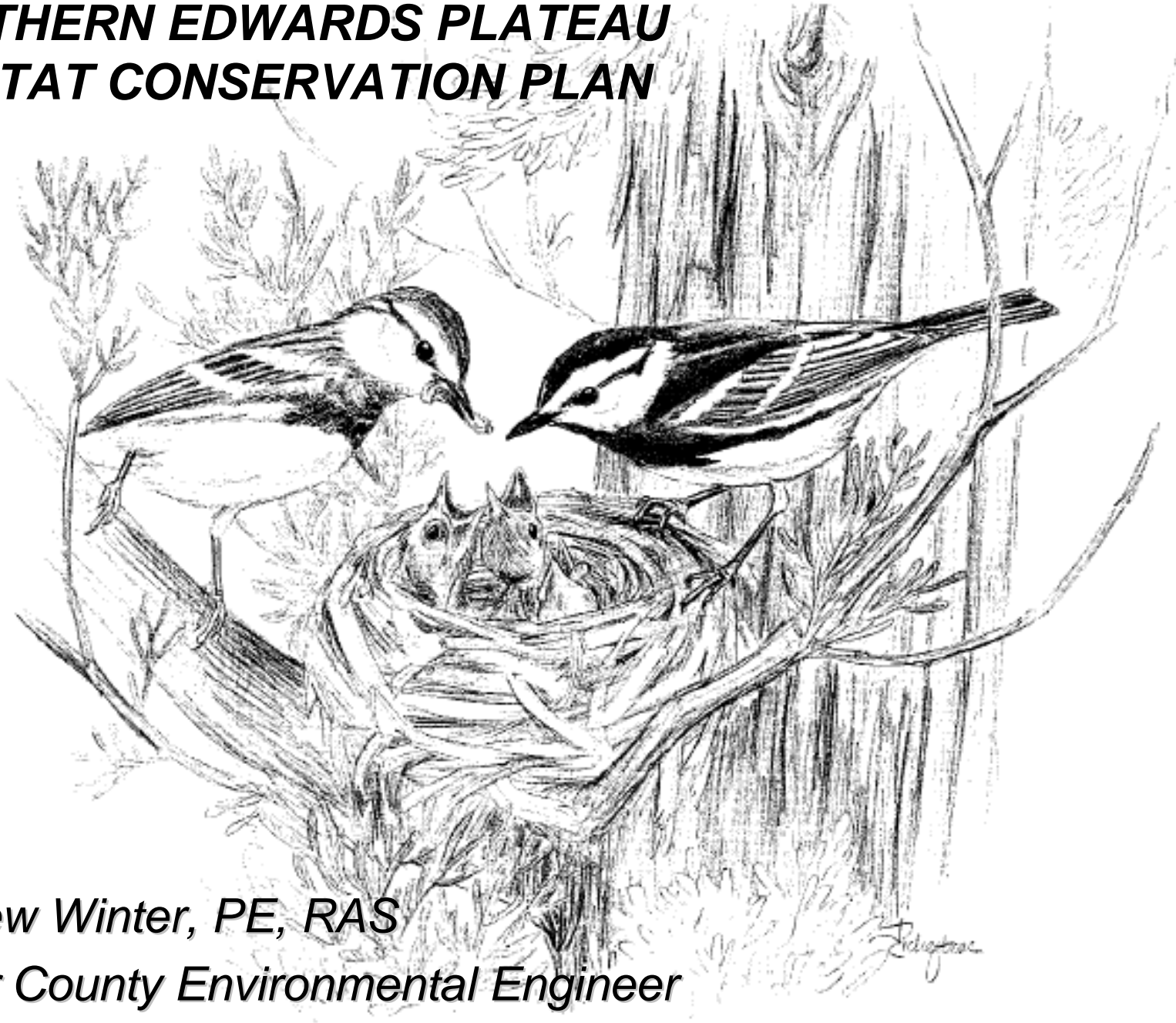




## ***SOUTHERN EDWARDS PLATEAU HABITAT CONSERVATION PLAN***



*Andrew Winter, PE, RAS*  
*Bexar County Environmental Engineer*

# What an HCP is not

- Participation is VOLUNTARY not mandatory
- The HCP is not another government program
- Participants use standard real estate transactions
- The HCP has NO eminent domain authority
- The HCP is not a land use or zoning plan - nor can it be used that way
- The HCP is not intended to control or hamper development – it is a tool to encourage compliant development
- The HCP will not recover the species
  - it will only offset for habitat loss
- The HCP has no enforcement authority



Mormoops megalophylla Ghost Faced

# What is an “HCP”?

- A habitat conservation plan or "HCP" is a planning document that is a mandatory component of an application for incidental take of a listed species under the Endangered Species Act and regulations.
- The applicant's (Bexar County, The City of San Antonio, and other interested parties) HCP must describe
  - the impacts likely to result from activities the applicant plans to undertake or authorize
  - the measures the applicant will undertake to avoid, minimize, and mitigate to the maximum extent practicable for those impacts
- Issuance criteria must be met before the FWS can issue an incidental “take” permit.





# What is an “HCP”? (cont)

- The 10(a)(1)(B) permit authorizes the incidental take of a listed species and will allow “the entity (at that point the Permittee)” to authorize Participants (i.e., Developers) to conduct covered activities that will cause incidental take, so long as the Participants conform to the terms of the HCP and permit (i.e., mitigation of the “take”).
- NOTE: The HCP is the plan of action - the permit is the legal instrument that usually incorporates the HCP by reference.
- This process ensures adequate minimization and mitigation of the effects of the authorized incidental take to the maximum extent practicable.
- Permit duration of 30 years
- Participation is completely voluntary



Tobusch fishhook cactus

# Why an HCP?

- Balance development and conservation
- Development provides funding for conservation
- Provides a tool for developers and landowners to easily and cost effectively comply with Federal Law
- Provides certainty by streamlining the approvals for public and private projects
- Reduces time and cost associated with Endangered Species Act compliance
- Allows us to control our own economic growth
- Ensures preservation of open space and the natural character of the County
- For San Antonio, provides protection of our sole source of water – the aquifer
- In Bexar County aquifer protection coincides with endangered species protection
- Facilitates recovery of listed species
- Allows for public participation in the process



*Neoleptoneta myopica*



# What is a “Take”?

- "Take" is defined in the Endangered Species Act as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species.
- Harm may include habitat modification that impacts a listed species through impairment of essential behavior (e.g., nesting or reproduction).



# The Endangered Species Act (ESA)

- The U. S. Congress recognized and set out to halt the rapid loss of plants and animals that make up our nation's natural heritage in 1973
- It was determined that these species are valuable to the Nation (aesthetic, ecological, educational, historical, recreational, and scientific)
- The US Fish and Wildlife Service is the federal agency charged with administration and enforcement. USFWS had to develop a conservation strategy to include States and other interested parties with the goal being to conserve ecosystems upon which threatened and endangered species depend
- An amendment to the Act in 1982 created Habitat Conservation Plans that allow development while protecting rare species by ensuring mitigating conservation measures.
- Under the ESA, any activities that result in "take" of listed species or their habitat requires consultation with the USFWS
- Water resource issues must also be resolved in conjunction with species conservation

# ENDANGERED SPECIES ACT PROVISIONS

- Section 9 prohibits “take” of listed wildlife species
- Section 10(a) permits authorize “take” for non-federal actions
- 10(a) Permit Process
  - Preparation of habitat conservation plan (HCP)
  - National Environmental Policy Act (NEPA)
  - Citizen Advisory Committee
  - Biological Advisory Team
  - Public comment
- Required elements of an HCP
  - Identification of impacts
  - Steps applicant will take to minimize and mitigate the impacts
  - Funding sources
  - Biological goals and objectives
  - Monitoring
  - Adaptive management



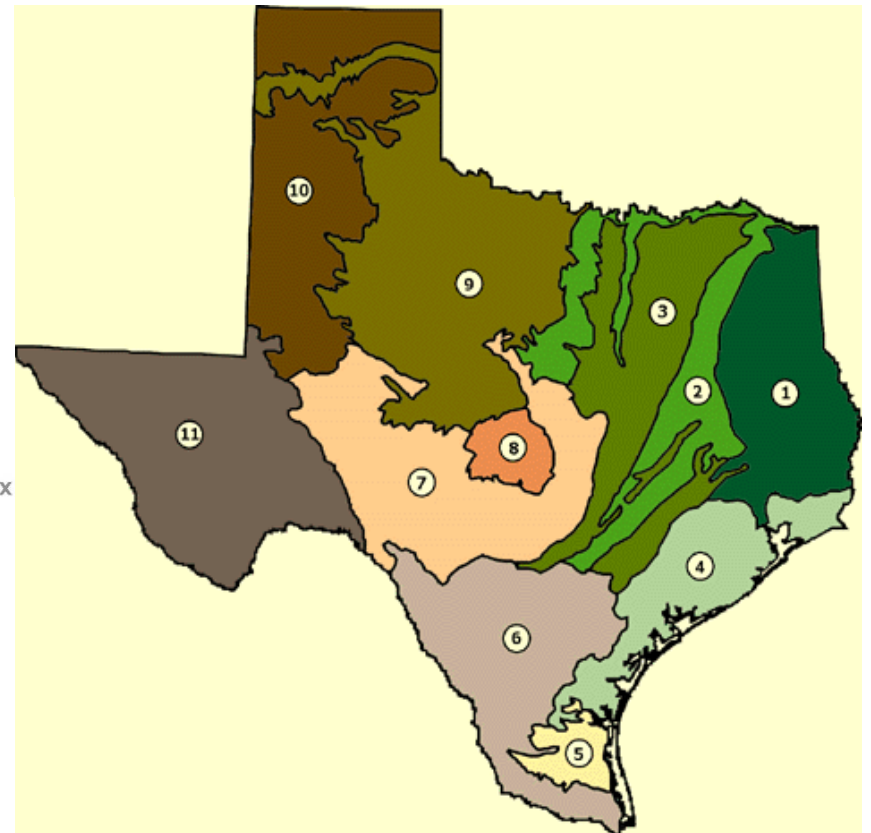
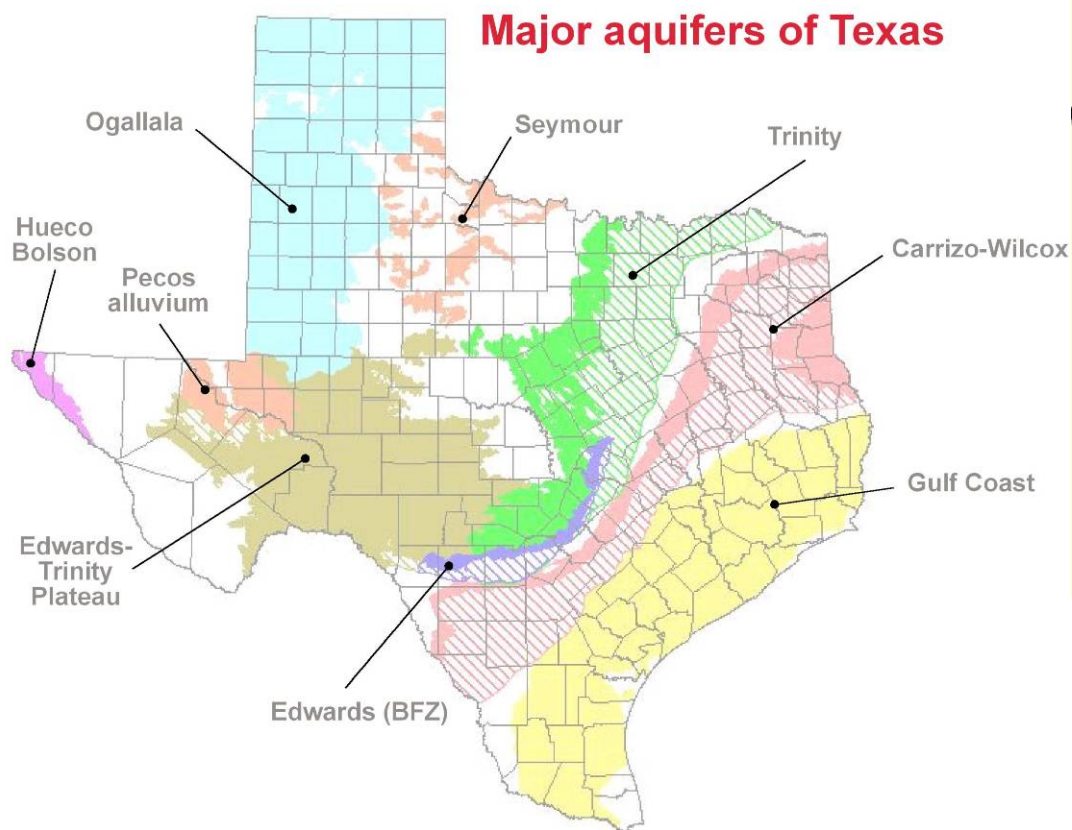


# Who must comply with the ESA?

- Any landowner or individual engaging in activities that result in “take” are required to comply with the law.
- This includes:
  - Private Landowners
  - Commercial Developers
  - Agricultural Users
  - Governmental Agencies
  - Infrastructure Providers

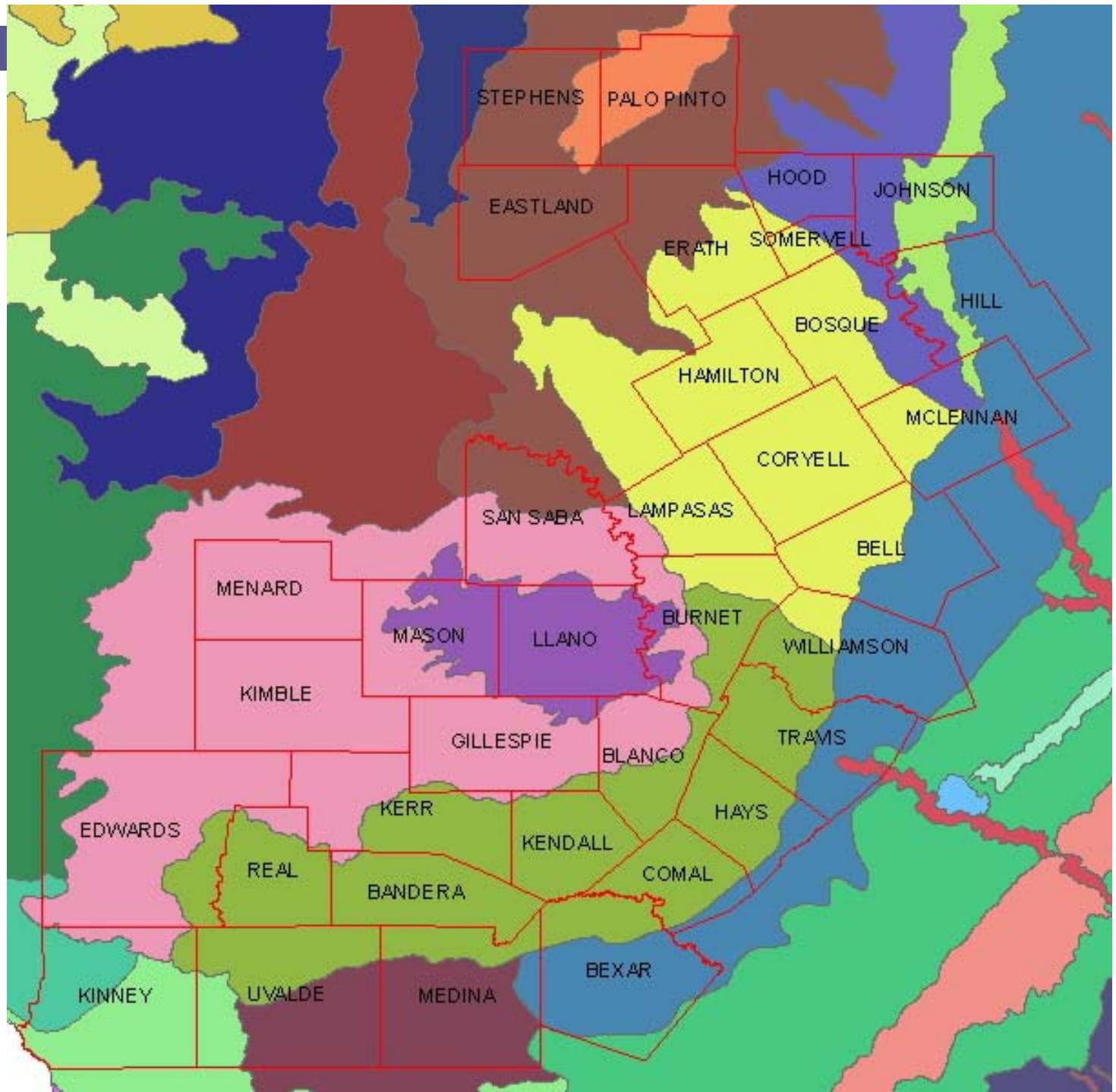


# Texas is the most Ecologically Diverse state in the nation

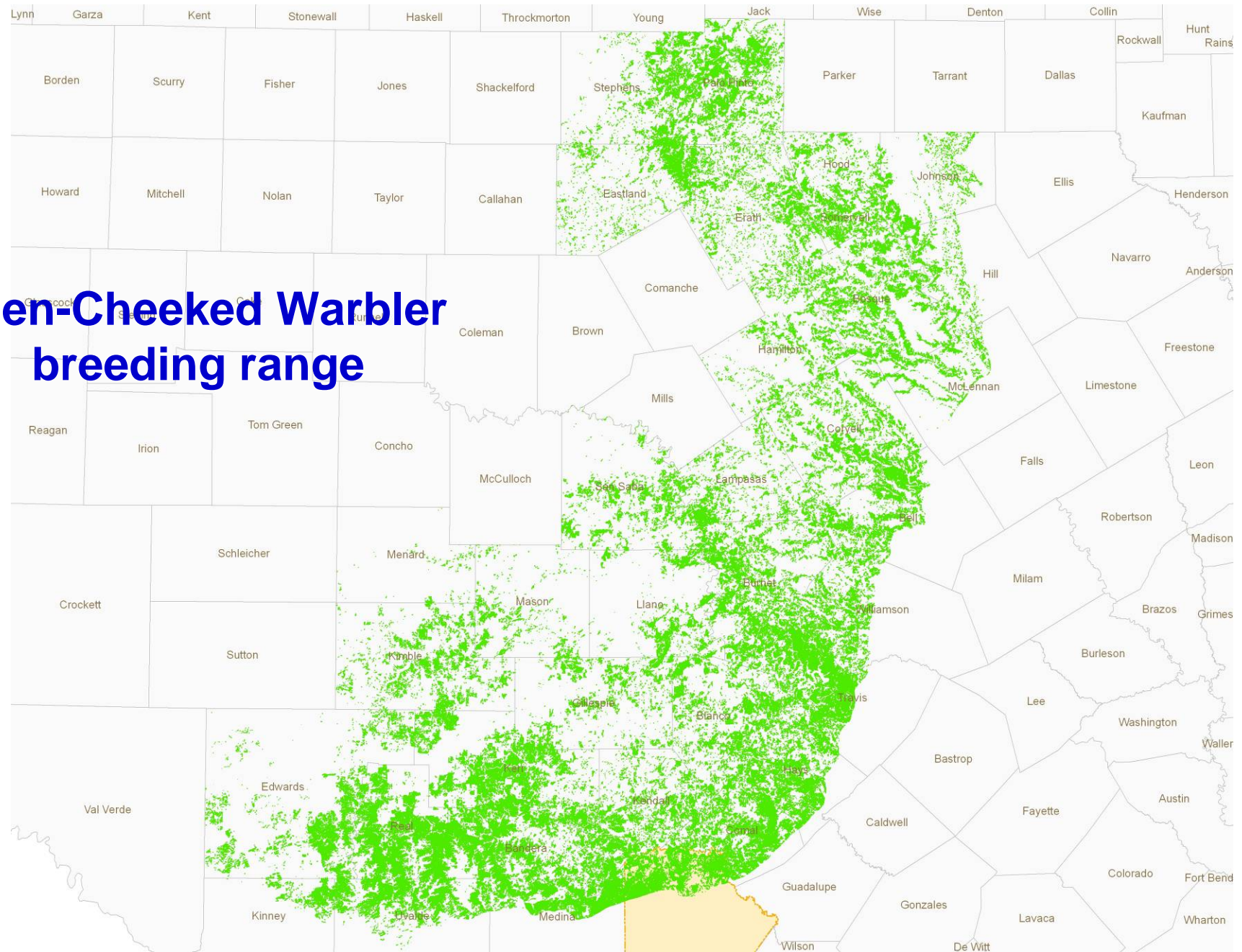


# Ecotypes Within GCWA Breeding Range

-  Balcones Canyonlands
-  Edwards Plateau Woodland
-  Limestone Cut Plain
-  Limestone Plains
-  Llano Uplift
-  Northern Blackland Prairie
-  Red Prairie
-  Semiarid Edwards Bajada
-  Semiarid Edwards Plateau
-  Western Cross Timbers

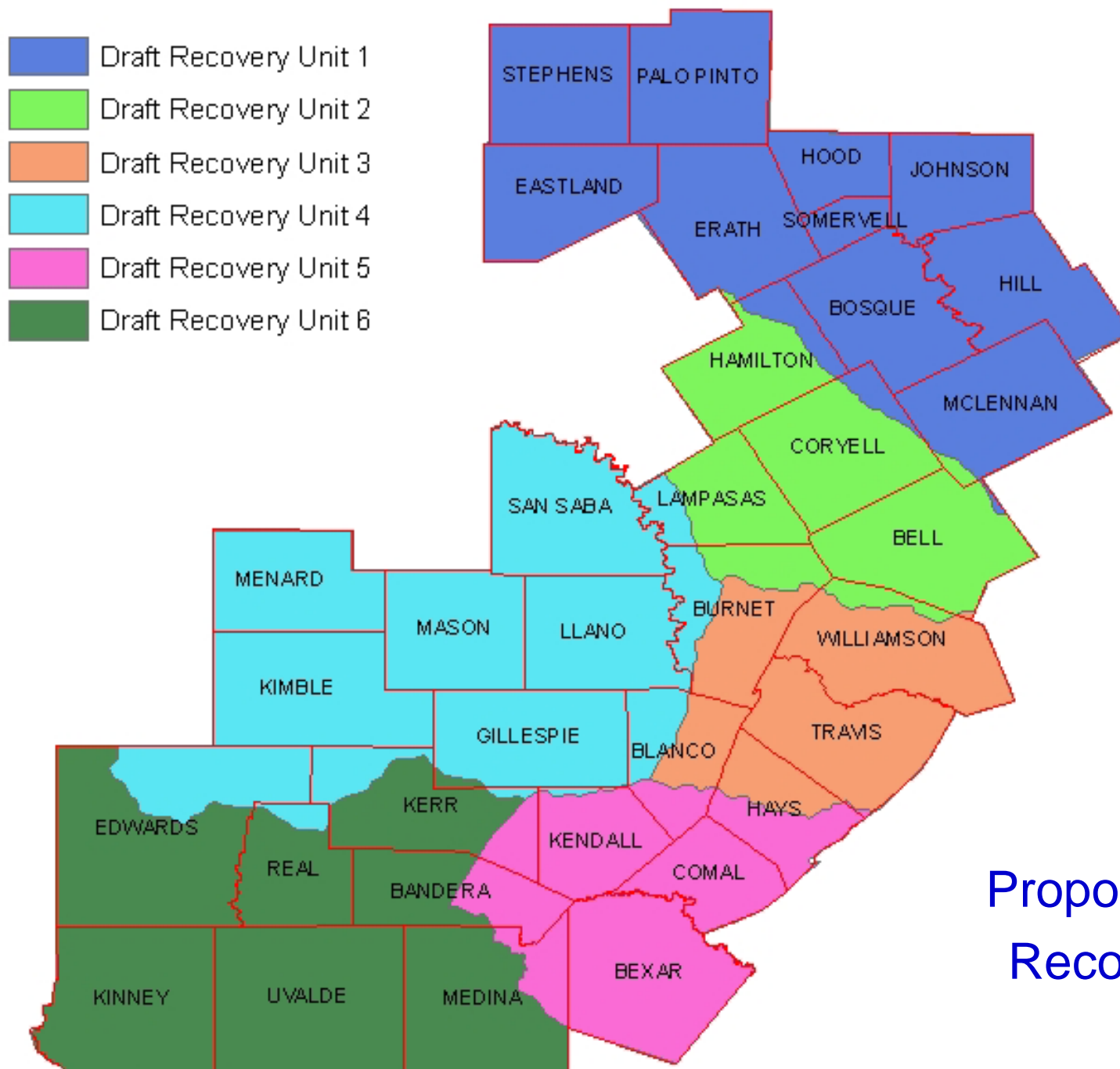














# Golden-Cheeked Warbler breeding range

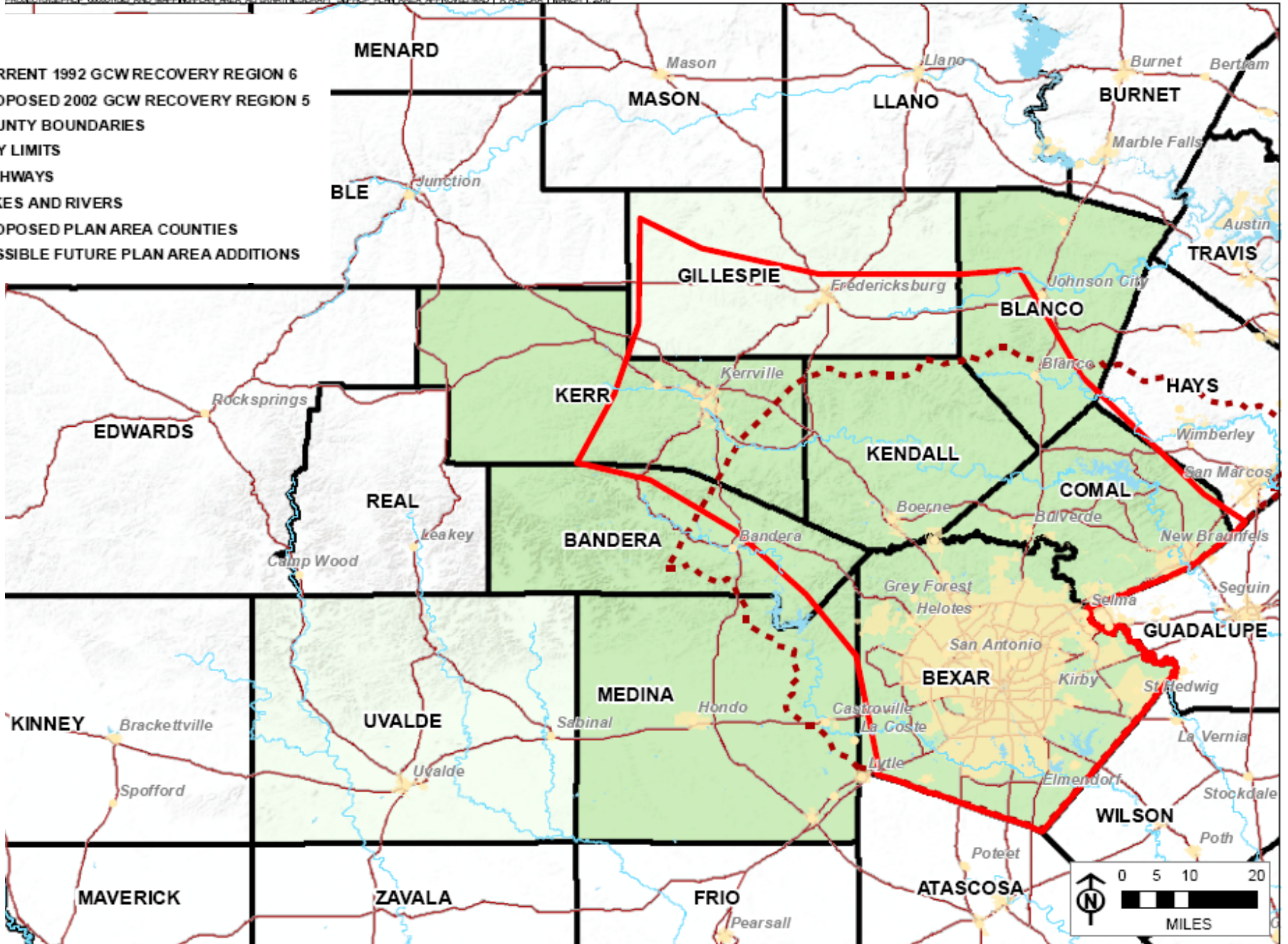


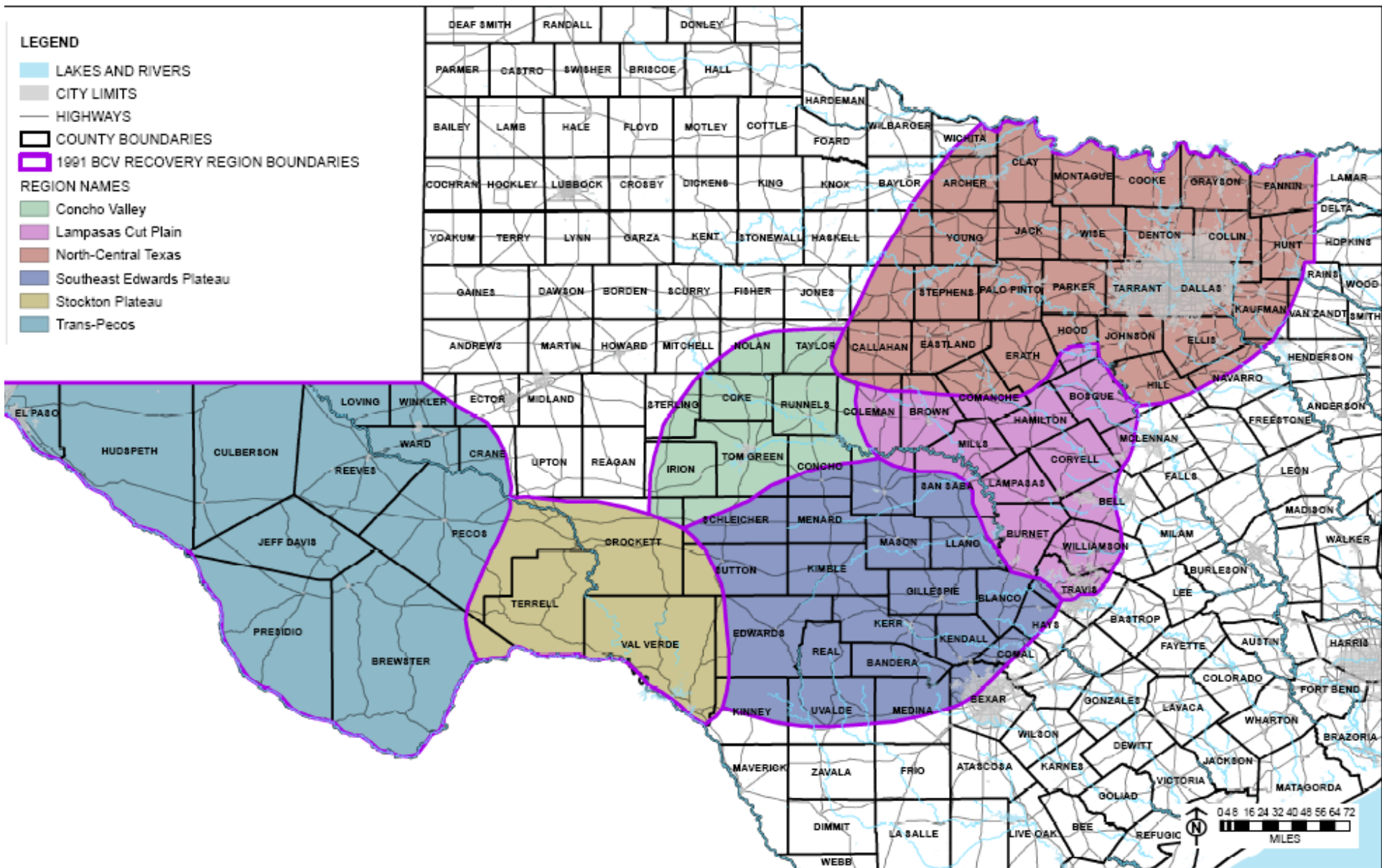


Proposed GCWA  
Recovery Units

# LEGEND

-  CURRENT 1992 GCW RECOVERY REGION 6
-  PROPOSED 2002 GCW RECOVERY REGION 5
-  COUNTY BOUNDARIES
-  CITY LIMITS
-  HIGHWAYS
-  LAKES AND RIVERS
-  PROPOSED PLAN AREA COUNTIES
-  POSSIBLE FUTURE PLAN AREA ADDITIONS

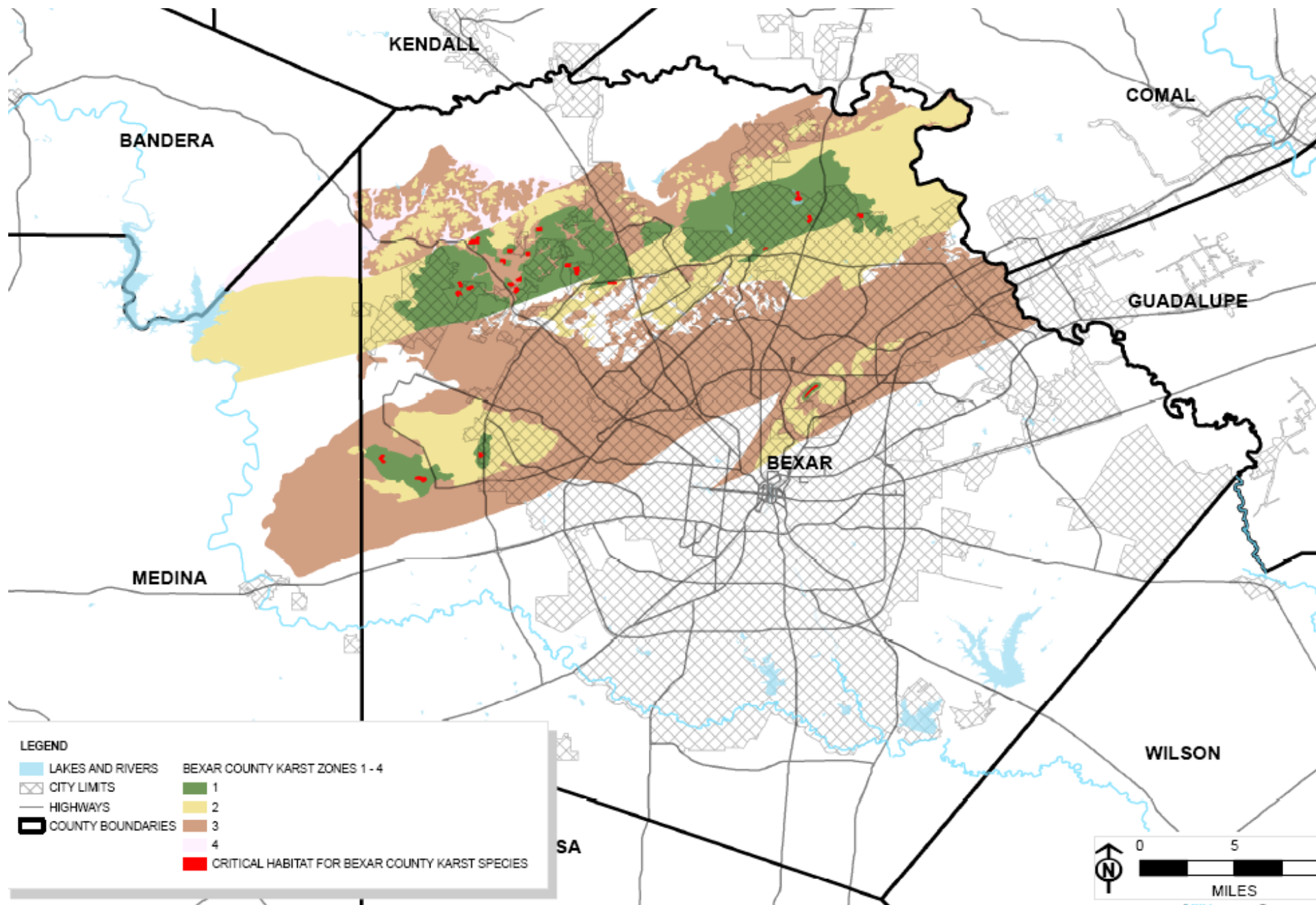




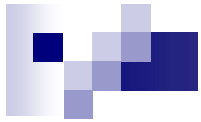
BCV TEXAS BREEDING RANGE & 1991 RECOVERY REGIONS

DRAFT FEBRUARY 8, 2010  
INFORMATION SUBJECT TO CHANGE

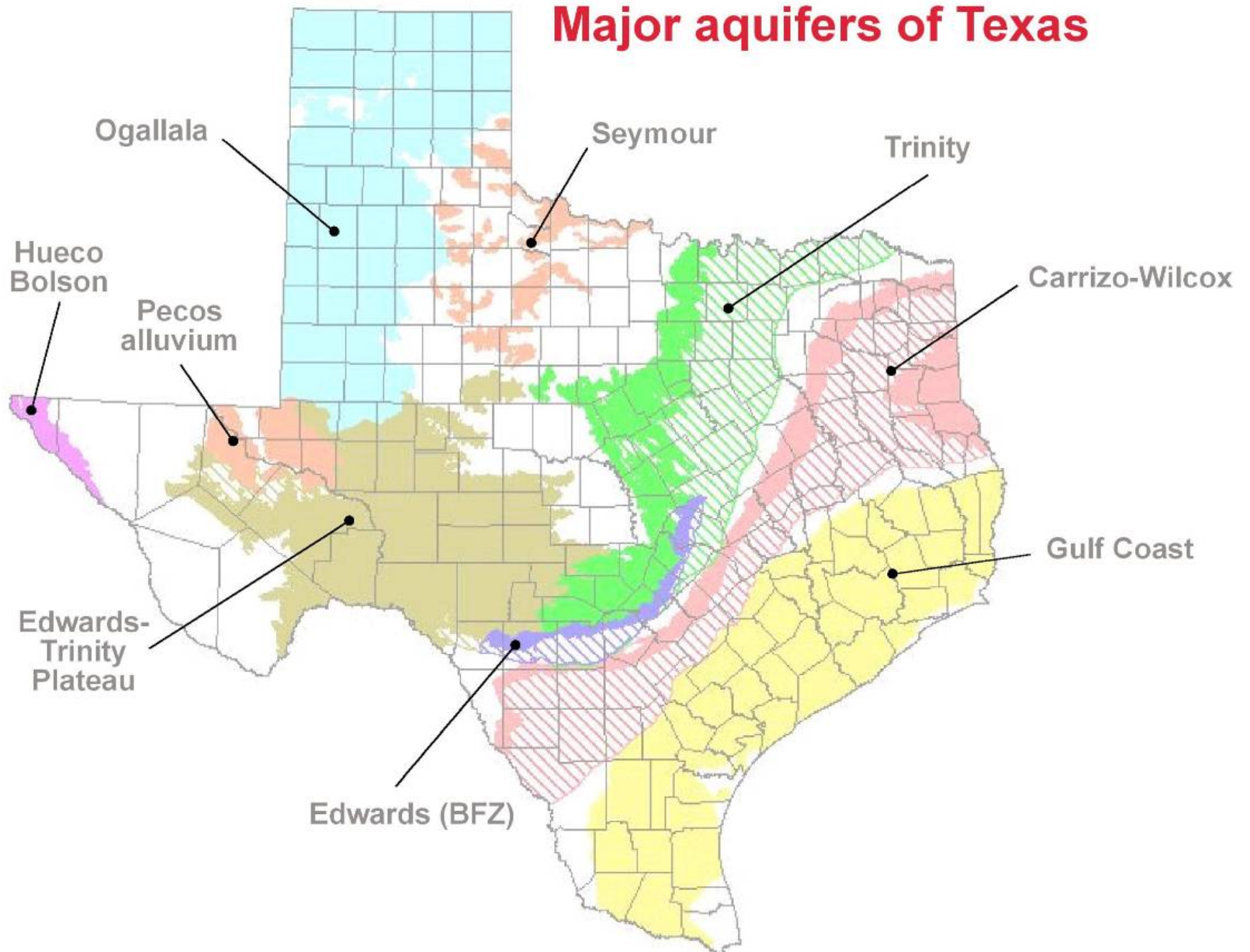




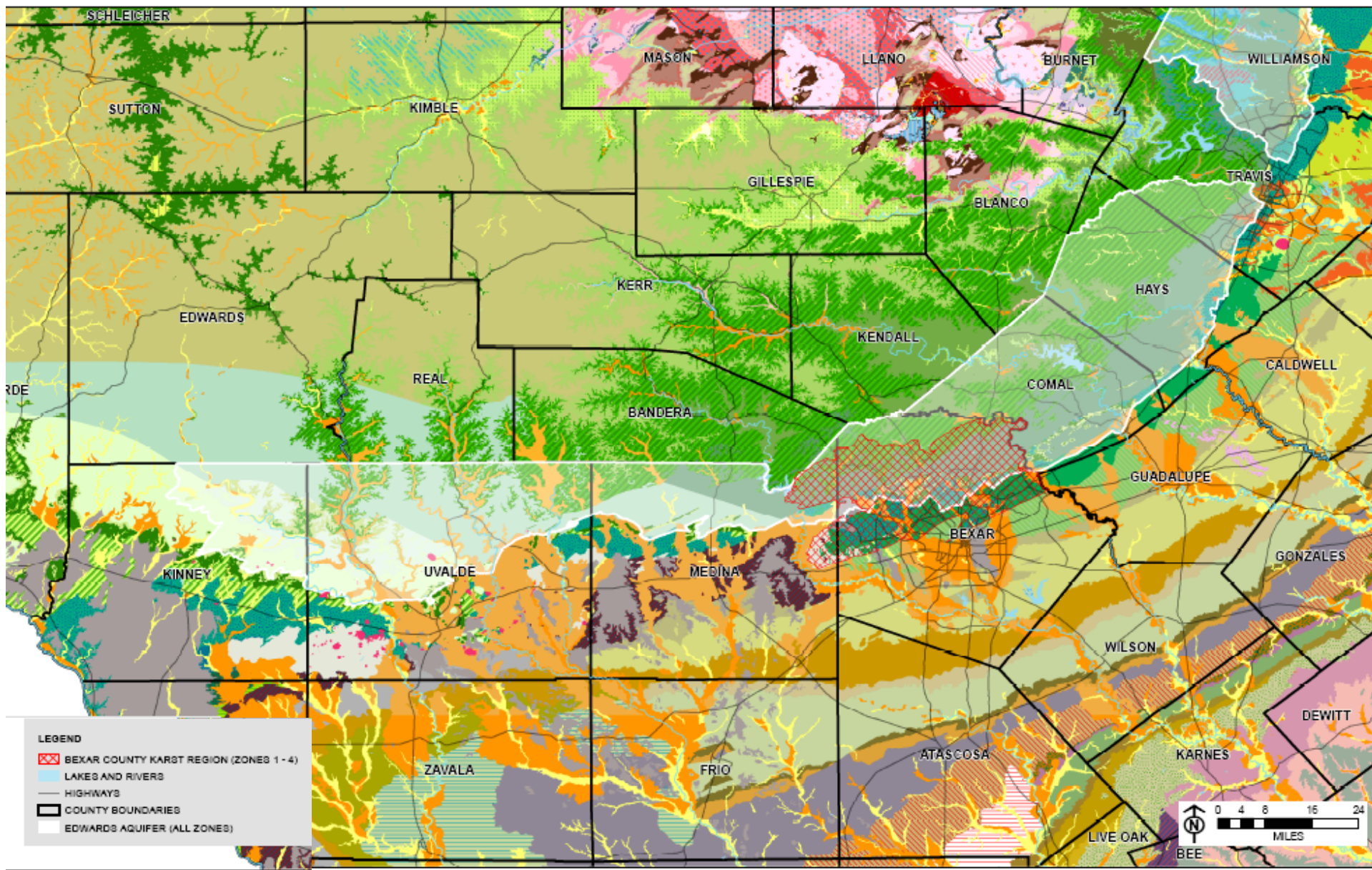




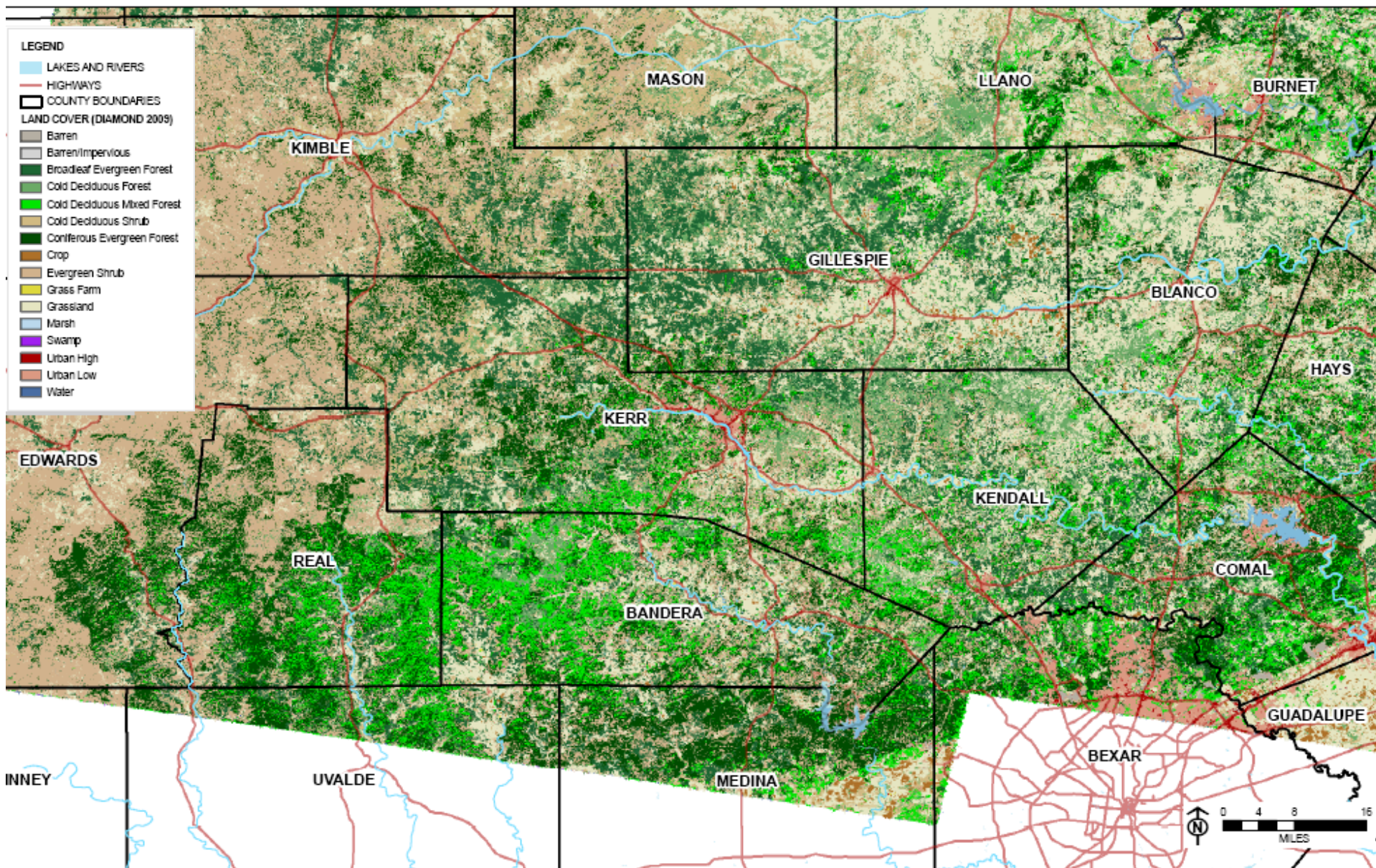
## Major aquifers of Texas













# SPECIES IN THE SEP-HCP

## 1. COVERED SPECIES

Species for which incidental take authorization will be obtained immediately upon permit issuance.

Golden-cheeked Warbler  
Black-capped Vireo

Madla Cave meshweaver  
*Rhadine infernalis*  
*Rhadine exilis*



*DRAFT PROPOSAL*





# SPECIES IN THE SEP-HCP

## 2. FUTURE COVERED SPECIES

Species that will be addressed in the SEP-HCP as if they were a Covered Species in anticipation of future listings or non-jeopardy determinations, but for which incidental take authorization may not be immediately available.

Robber Baron Cave meshweaver

Bracken Bat Cave meshweaver

Robber Baron Cave meshweaver

Government Canyon Bat Cave meshweaver

Government Canyon Bat Cave spider

Cokendolpher cave harvestman

Helotes mold beetle

*Cicurina baronia*

*Cicurina venii*

*Cicurina baronia*

*Cicurina vespera*

*Neoleptoneta microps*

*Texella cokendolpheri*

*Batrisodes venyivi*

*DRAFT PROPOSAL*

# SPECIES IN THE SEP-HCP

## 3. VOLUNTARILY CONSERVED SPECIES

Species for which incidental take coverage will not be sought, but for which additional conservation measures may be needed to assure a non-jeopardy determination or beneficial NEPA analysis (particularly for currently listed species that are not included as a “Covered Species”).

Whooping Crane

Big red sage

Tobusch fishhook cactus

Bracted twistflower

*Grus americana*

*Salvia pentstemonoides*

*Sclerocactus brevihamatus tobuschii*

*Streptanthus bracteatus*



DRAFT PROPOSAL



# SPECIES IN THE SEP-HCP

## 4. ADDITIONAL SPECIES

Other rare species, such as those on TPWD rare species lists, that are likely to incidentally benefit from the conservation measures implemented for the “Covered Species” and “Voluntarily Conserved Species.” Category to be used to catalog and emphasize the benefits of the conservation program on other rare species that might not have regulatory protection.

Cave myotis bat  
Longstalk heimia  
Correll's false dragon-head  
Canyon rattlesnake-root  
Indigo snake  
Texas tortoise  
Cagle's map turtle  
Spot-tailed earless lizard  
Texas horned lizard  
Texas garter snake

*Myotis velifer*  
*Nesaea longipes*  
*Physostegia correllii*  
*Prenanthes carrii*  
*Drymarchon corais*  
*Gopherus berlandieri*  
*Graptemys caglei*  
*Holbrookia lacerata*  
*Phrynosoma cornutum*  
*Thamnophis sirtalis annectens*

*DRAFT PROPOSAL*



# Funding



USFWS Grant . . . . .	\$1,340,691.00
Required 25% Local Match . . . . .	<u>\$ 446,897.00</u>
Total SEP-HCP funding . . . . .	\$1,787,588.00

Required 25% Local Match . . . . .	\$446,897.00
City Portion . . . . .	\$223,448.50
County Portion . . . . .	\$223,448.50



There is no financial commitment from other partners



# Karst Protection

**“Karst” refers to limestone caves and sinkholes with underground streams**

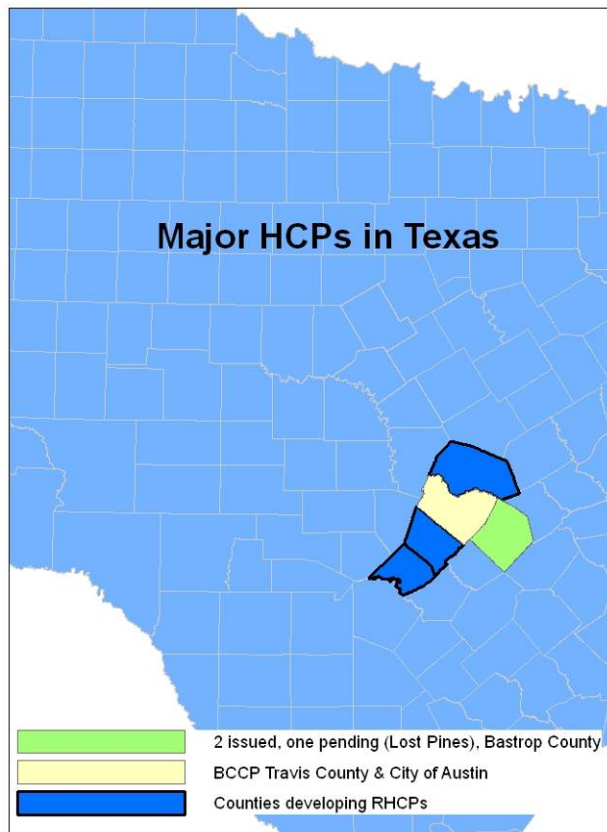
**The Edwards Aquifer is the primary drinking water source for millions of Central Texas residents**

**Protecting Karst Critters protects the aquifer**



*Texella tuberculata* 22 GCSNA

# Other HCPs in Texas



## RHCPs

- Williamson County
- BCCP (Travis County and City of Austin)
- Lost Pines

## RHCPs (under development)

- Hays
- Comal
- Barton Springs

Many small acreage HCPs throughout central Texas







## Contact Information

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**WWW.SEPHCP.COM**



Eastern Pipistrelle (Eastern Pipistrelle)