

# DRAFT November 25, 2008

## BIOLOGICAL ADVISORY TEAM "BAT" MEETING Hays County Regional Habitat Conservation Plan

### MINUTES

When: November 18, 2008; 9:00 a.m.

Where: Texas Rivers Center, Room 107, 951 Aquarena Springs Drive, San Marcos, TX  
78666

#### Attendance:

##### BAT Members

- Craig Farquhar (Chair)
- Lee Elliott
- Linda Laack
- Garry Stephens
- Terri Siegenthaler

##### HCP Consultant Team

- Clifton Ladd, Amanda Aurora (Loomis Partners)
- Melinda Taylor (Smith/Robertson)

##### Other Attendants:

- Tom Hayes (Greater Edwards Aquifer Alliance)

1. Call to order – The meeting was called to order at 9:55 am.
2. Approve minutes from September 16, 2008 BAT meeting—Terri Siegenthaler identified a typo in Item #4. Minutes were approved as corrected.
3. Citizens' comments – Tom Hayes contributed several comments on the draft RHCP, including concerns regarding the lack of funding to acquire a large acreage of preserve land in the early years of the plan and protect them from future fragmentation. Dr. Hayes also commented on the historic context of Ashe juniper clearing and recolonization, including problems associated with soil loss/decreased soil quality and the regrowth of hardwoods and other species. Dr. Hayes noted that the Greater Edwards Aquifer Alliance has compared the Diamond GCW Habitat Model C with 2008 aerial imagery to identify an approximately 8 percent loss of high quality (Rank 4) habitat in Hays County since approximately 2001. Dr. Hayes also commented that preserve acquisitions should be targeted to connect habitat in Hays County along the Blanco River to habitat in Comal County.
4. Review project schedule and major milestones – Clifton Ladd reported that the CAC recommended that the Commissioners' Court take up the draft RHCP for consideration as the basis for an application to the U.S. Fish and Wildlife Service for an incidental take permit. With a similar recommendation from the BAT, the Commissioners' Court may be able to take up the RHCP during their December 9<sup>th</sup> session. The consultant team anticipates that the RHCP and PDEIS will be ready for submittal to the Service by the

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end of January or early February. The consultant team agreed to inform the BAT of any upcoming Commissioners' Court sessions regarding the RHCP and any public comment periods/public hearings related to the RHCP.

5. Review comments and responses on Second Draft Hays County RHCP, and review Third Draft Hays County RHCP – The consultant team summarized some of the important changes to the RHCP between the second and third drafts, such as the adoption of a simple rolling conservation banking strategy and the funding plan. Dr. Hayes commented that the funding plan needs to include the creation of an endowment fund for the permanent management and monitoring of preserves. Melinda Taylor suggested that the Service is likely to require such an endowment and that future drafts will likely include such provisions. Dr. Hayes also commented that the habitat determination process should include considerations of habitat quality, more precise direction for completing habitat determinations, and that mitigation should be provided at a 2:1 ratio. The BAT discussed the habitat assessment criteria and debated whether the Texas Parks and Wildlife Department description of warbler habitat was sufficient for identifying habitat. The BAT expressed their preference for more clarification in Section 7.2.2 of the RHCP regarding on-site habitat determinations for preserves and for take assessments and to provide flexibility for requiring a greater than 1:1 mitigation ratio for participation in certain circumstances. The consultant team agreed to review to Section 7.2.2 and revise as needed based on the discussion at the meeting and any specific individual comments from BAT members on this section. Dr. Hayes suggested that the County convene an independent committee to review all habitat determinations; however, Melinda Taylor indicated that this would likely be too onerous for the County to implement. The BAT also wished to remain a standing committee with the option of reviewing and commenting on subsequent drafts of the RHCP and EIS. The BAT unanimously passed the following motion: “The Biological Advisory Team recommends that the Hays County Commissioners’ Court approve for further processing with the U.S. Fish and Wildlife Service a draft of the Hays County Regional Habitat Conservation Plan in a form substantially similar to the third draft dated November 3, 2008. The Biological Advisory Team believes that the draft plan is based on the best available science and has biological integrity with regard to the conservation of the covered species. It is also the recommendation of the Biological Advisory Team that Hays County move with all deliberate speed, with all resources reasonably at its disposal, to acquire and conserve as much endangered species habitat as possible.”
6. Discuss and take appropriate action on agenda items for next meeting – No additional meetings were scheduled for the BAT. The BAT passed a motion allowing the BAT Chair to approve the minutes from the November 18, 2008 meeting. The BAT agreed to provide comments on the third draft RHCP by December 31, 2008.
7. Adjourn – The meeting was adjourned at 12:00pm.