

INTERIM REPORT

As Required by

THE ENDANGERED SPECIES PROGRAM

TEXAS

Grant No. TX E-120-HP

Endangered and Threatened Species Conservation

Southern Edwards Plateau Habitat Conservation Plan

Prepared by:

County of Bexar and Loomis Partners, Inc.



Carter Smith
Executive Director

Clayton Wolf
Director, Wildlife

18 October 2012

INTERIM REPORT

STATE: Texas **GRANT NUMBER:** TX E-120-HP

GRANT TITLE: **Southern Edwards Plateau HCP**

REPORTING PERIOD: 1 Oct 11 to 30 Sep 12

OBJECTIVE(S):

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).

Segment Objectives:

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

Task 2: Summary of Legal Requirements

Task 3: Formation of Citizens Advisory Committee (CAC)

Task 4: Formation of Biological Advisory Team (BAT)

Task 5: Develop Public Outreach/Participation Process

Task 6: Baseline Data Acquisition and Preliminary Analysis

Task 7: Methodology to define the suitable habitat areas

Task 8: Initial Strategy/Framework Development

Phase 2: Preliminary Draft HCP

Phase Deliverables: Summary of Preliminary Alternatives; Preliminary Draft HCP

Task 9: Preliminary Alternatives

Task 10: Develop summary of initial recommendation (for CAC and BAT approval)

Task 11: Prepare Preliminary Draft 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.

Task 13: Final Draft HCP. Present First Revised Draft HCP to CAC, BAT, FWS, Texas Parks and Wildlife Department (TPWD), etc.

Phase 4: Environmental Impact Statement (EIS)

Phase Deliverables: Summary of scoping comments, Preliminary Draft EIS, Draft EIS, Final EIS

Task 14: Initiate NEPA process

Task 15: Prepare Draft EIS (DEIS)

Task 16: Publish Notice of Availability (NOA) of regional HCP/DEIS application

Task 17: Publish NOA of DEIS/ NOR of application (30 days)

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

Task 23: Issuance of ROD, SOF and Final TPWD Grant Report

Significant Deviations:

None.

Summary Of Progress:

Please see Attachment A.

Location: Bexar, Medina, Bandera, Kerr, Kendall, Blanco and Comal counties, Texas.

Cost: Costs were not available at time of this report, they will be available upon completion of the Final Report and conclusion of the project.

Prepared by: Craig Farquhar

Date: 18 October 2012

Approved by: 
C. Craig Farquhar

Date: 18 October 2012

ATTACHMENT A

Texas Parks and Wildlife Department Interim Report for Section 6 Projects

Title of Section 6 Grant:

Southern Edwards Plateau Habitat Conservation Plan
(E-120-HP)

Principal Investigator(s):

County of Bexar, Texas
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Reporting Period: October 1, 2011 through September 30, 2012

**TPWD Interim Section 6 Report: Southern Edwards Plateau Habitat Conservation Plan
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SUMMARY OF PROGRESS

Grant Approval Date: December 14, 2009

The project approach described in the grant includes 23 tasks, divided into 5 project phases. Progress made towards tasks during the previous and current reporting periods is summarized in the following table. Grant scheduled completion dates are taken from the TPWD – Bexar County interlocal cooperation contract (December 14, 2009)

Work completed during this reporting period included tasks in Phases 3, 4, and 5 of the project, including drafting the HCP (Tasks 12 and 13), drafting the EIS (Task 15), submitting the application package for Service review (Task 20), and addressing USFWS Austin Field Office comments on the draft documents (Task 19).

Attached to this report is a detailed project work plan, using a different system of phases and tasks which better reflect the current and planned activities.

Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
Phase 1: Project Development and Community Guidance				
Task 1	Project Organization	August 2009	Completed grant contracting and engaged the consultant team. Conducted initial project management discussions. Conducted early coordination with agencies, stakeholders, and biologists.	Completed November 2009
			Outlined preliminary purpose, goals, and objectives. Identified major framing issues. Developed detailed work plan, schedule, and budget.	Completed January 2010
			Engaged independent legal counsel.	Completed July 2010
Task 2	Summary of Legal Requirements	November 2009	Summarized legal requirements and posted to project website.	Completed December 2009
Task 3	Formation of CAC	November 2009	Commissioners' Court appointment of CAC members.	Completed December 2009
Task 4	Formation of BAT	November 2009	Commissioners' Court appointment of CAC members.	Completed February 2010
Task 5	Develop Public Outreach / Participation Process	December 2009	Designed and launched project website. Created email distribution list. Developed initial public materials for the project for web posting.	Completed December 2009

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
			Established protocol for status updates.	Completed April 2010
			Public outreach and participation continues on a regular basis (ongoing).	Ongoing
Task 6	Baseline Data Acquisition and Preliminary Analysis	February 2010	Prepared draft Baseline Resources Assessments for County and committee consideration (under revision).	Completed June 2010
			Prepared Population, Housing, and Land Development Projections for County and committee consideration (under revision).	Completed September 2010
Task 7	Methodology to Define the Suitable Habitat Areas	February 2010	Reviewed 6 different GCW habitat models (initiated work in May 2010).	Completed December 2010
			Obtained new data on GCW habitat (initiated discussions in September 2010)	Completed December 2010
			Reviewed cave data and estimated karst (cave) abundance.	Completed September 2010
			Reviewed BCV habitat estimates.	Completed June 2010
Task 8	Initial Strategy / Framework Development	March 2010	Worked with committees and County to identify and evaluate alternatives and recommendations for:	
			Plan Area	Completed February 2010
			Covered Species	Completed June 2010
			Covered Activities	Completed June 2010
			Permit Duration	Completed July 2010
			Broad community goals and objectives	Completed August 2010
			Specific biological goals and objectives for covered species (initiated discussions with	Completed December 2010

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
			committees in July 2010)	
			Conservation Measures (initiated discussions with committees in September 2010)	Completed December 2010
Phase 2: Preliminary Draft HCP				
Task 9	Preliminary Alternatives	April 2010	Prepared annotated outline for HCP, including notes for how previously completed work will be used in the draft.	Completed September 2010
			Prepared summary of substantive components for County review and guidance. Developed framework HCP (substantive components).	Completed January 2011
			Prepared models for estimating plan costs.	Completed March 2011
Task 10	Develop Summary of Initial Recommendations for CAC and BAT Approval	July 2010	BAT recommendations for various plan components.	Completed November 2010
			Facilitated committee discussions and small group workshops for CAC to explore range of possible alternatives to take, mitigation, and plan administration from December 2010 through July 2011. CAC was not able to pass a motion on a recommended plan alternative.	Completed July 2011
Task 11	Prepare Preliminary Draft HCP	August 2010	Prepared First Draft HCP.	Completed April 2011
Phase 3: Committee / Agency Review and HCP Completion				
Task 12	First Revised Draft HCP	September 2010	First Draft HCP presented to CAC on April 22, 2011. Comment period open through June 10, 2011. Prepared Second Draft HCP addressing comments received from County, committees, agencies, and individuals.	Completed November 2011

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
Task 13	Final Draft HCP	January 2011	Prepared Third (Application) Draft HCP and submitted to Service with permit application.	Completed December 2011
			<p>Additional revisions to the Application Draft are being made in consultation with the Service. Fourth (Service Review) Draft completed August 2012. Additional comments from Service received in October 2012. Expect to revise draft HCP again and submit for further review and comment by USFWS Austin Field Office.</p> <p>Revised schedule for formal USFWS Region 2 review of draft documents and preparation of the Final Draft HCP is January 2013.</p>	In progress
Phase 4: Environmental Impact Statement				
Task 14	Initiate NEPA Process	February 2011	Notice of Intent to Prepare EIS published April 27, 2011. NEPA Scoping meetings (5 meetings total) held in June 2011. Comment period through July 27, 2011. Prepared scoping summary report August 2011.	Completed August 2011
Task 15	Prepare Draft EIS	April 2011	Prepared Administrative Draft EIS and submitted to Service for review with permit application.	Completed December 2011
			Review and address comments from Service on Administrative Draft EIS and revise document based on comments and changes to draft HCP.	In progress
Task 16	Publish Notice of Availability of regional HCP/DEIS	June 2011	Revised schedule March 2013	
Task 17	Publish NOA of DEIS/NOR of application	July 2011	Revised schedule March 2013	
Task 18	Prepare Final EIS (FEIS)	August 2011	Revised schedule July 2013	

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
Phase 5: Permit Processing				
Task 19	Review and approval of application documents by applicant agencies	September 2011	Bexar County approved submittal of Application Draft HCP, permit application form, and application fee on December 6, 2011.	Completed December 2011
			Applicant approval of Final HCP pending outcome of review process (expected July 2013).	
Task 20	Submit application package (Final Draft HCP, PDEIS, application form, application fee)	October 2011	Submitted complete application package to USFWS Austin Field Office.	Completed December 2011
Task 21	Public Hearing on HCP (required by Texas Parks & Wildlife code)	November 2011	Revised schedule March 2013	
Task 22	Coordinate with USFWS on Biological Opinion, ROD, SOF, permit terms and conditions	December 2011	Revised schedule July 2013	
Task 23	Issuance of ROD, SOF, and Final TPWD Grant Report	February 2012	Revised schedule September 2013	

SIGNIFICANT DEVIATIONS

The interlocal agreement between Bexar County and the Texas Parks and Wildlife Department that initiated grant funding for the Southern Edwards Plateau Habitat Conservation Plan was signed December 14, 2009. Loomis was authorized to begin work on the project on November 14, 2009, with a contract period ending September 13, 2012. Bexar County has requested an extension of the federal grant funding the SEP-HCP through September 2013. The Service has indicated that it will grant the extension, and Bexar County and Texas Parks and Wildlife Department are currently revising the related contract documents to implement the extension.

Major tasks described in the interlocal agreement that were planned during the reporting period but that were either not completed or have been completed off schedule are summarized below.

Task 13: Final Draft HCP

The Application Draft HCP was completed approximately 1 year behind the original schedule anticipated in the grant application. Delays were due to extended committee deliberation on a recommended plan alternative. Extended Service review of the Application Draft HCP has also delayed preparation of a Final Draft HCP for formal public review and comment under NEPA and Texas Parks and Wildlife Code. The Service has cited issues with prior and current workload as a factor in their review process. The Service has requested additional rounds of draft HCP review at the field office and regional office levels, with the most recent round of comments received on October 9, 2012 and expectations of additional review and comment to come. We are currently working with the Service to address their comments and expect to have a Final Draft HCP prepared by the end of 2012.

Task 15: Prepare Draft EIS

Delays in preparation of the Draft EIS are related to the preparation of the Final Draft HCP, discussed above. We are currently working with the Service to address their comments and expect to assist the Service with completion of the Draft EIS by the end of 2012.

Tasks 16 & 17: Publish NOA of regional HCP/DEIS and NOR of application

Completion of Final Draft documents is expected by the end of 2012. We estimate the Service will publish the NOI in March 2013.

Task 18: Prepare Final EIS (FEIS)

We expect the NOA comment period to close in July 2013. We will address comments on the Final Draft HCP and Draft EIS after that time, and expect to prepare final documents in July 2013.

Task 19: Review and approval of application documents by applicant agencies

Bexar County approved submittal of application documents to the Service, approximately three months behind the anticipated schedule. Delays affecting HCP preparation are discussed above. Approval of final documents by the applicants is pending outcome of the permit application review process (expected July 2013).

Task 20: Submit application package (Final Draft HCP, PDEIS, application form, application fee)

Preparation of the Final Draft HCP and PDEIS are pending Service review of draft documents. Expect final drafts for formal public comment in January 2013.

Task 21: Public Hearing on HCP (required by Texas Parks & Wildlife code)

Delayed pending Service review and preparation of final draft documents for public comment. Expected in March 2013.

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Task 22: Coordinate with USFWS on Biological Opinion, ROD, SOF, permit terms and conditions

Delayed pending NEPA public comment period and preparation of final documents. Expected in July 2013.

Task 23: Issuance of ROD, SOF, and Final TPWD Grant Report

Delayed pending preparation of final documents. Expected in September 2013.