

Section 6 (Texas Non-traditional) Report Review

Attachment to letter dated (mm/dd/yyyy): 01/05/2016

TPWD signature date on report: 01/05/2016

Project Title: Southern Edwards Plateau Habitat Conservation Plan

Final or Interim Report? Final

Nontraditional Program (check one):

Grant #: TX E-120-HP

☐ Recovery Land Acquisition

☐ HCP Land Acquisition

Reviewer Station: Austin ESFO

☒ HCP Planning Assistance

Lead station was contacted and concurs with the following comments:

☐ Yes ☐ No ☒ Not applicable (reviewer is from lead station)

Interim Report (check one):

Final Report (check one):

☐ Acceptable (no comments)

☒ Acceptable (no comments)

☐ Needs revision prior to final report
(see comments below)

☐ Needs revision (see comments below)

☐ Incomplete (see comments below)

☐ Incomplete (see comments below)

Comments:

FINAL PERFORMANCE REPORT

As Required by

THE ENDANGERED SPECIES PROGRAM

TEXAS

TX E-120-HP

(F09AP00247)

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

5 January 2016

FINAL REPORT

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

GRANT TITLE: Southern Edwards Plateau HCP

REPORTING PERIOD: 14 September 2009 to 31 December 2015

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: 5 January 2016

Approved by:  **Date:** 5 January 2016

C. Craig Farquhar

Texas Parks and Wildlife Department Final Report for Section 6 Projects

Title of Section 6 Grant:

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

Principal Investigator(s):

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Reporting Period: December 14, 2009 through December 31, 2015

ABSTRACT

The primary goal of this project was to develop and submit a Habitat Conservation Plan as part of the application requirements for a U.S. Fish and Wildlife Service Incidental Take Permit associated with the impacts to several threatened and endangered species which are found in the Bexar County. In achieving that goal, Bexar County and the City of San Antonio were able to obtain Endangered Species Act Section 6 funds which are administered by the Texas Parks and Wildlife Department. The funding was used to select and retain environmental consultants to develop and prepare a Habitat Conservation Plan (HCP) and associated Environmental Impact Statement (EIS), a facilitator to assist stakeholders in reaching consensus on the elements of the SEP-HCP, and legal team to assist with ensuring the HCP and EIS were consistent with all applicable regulations.

OBJECTIVE

The objective of this study is to bring all stakeholders (San Antonio, Helotes, Gray Forest, Fair Oaks, Bexar County, Blanco 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).

TASKS INVOLVED IN REACHING OBJECTIVE

The project approach described in the grant includes 23 tasks, divided into 5 project phases. Accomplishments and progress made towards completing tasks during the duration of the grant are summarized in the following table. Grant scheduled completion dates are taken from the TPWD – Bexar County interlocal cooperation contract (December 14, 2009, revised July 13, 2013). Additionally, a no-cost extension to December 31, 2015 was granted in order to complete remaining tasks for the grant as of December 2014. This report addresses activities for entire grant. EIS and RHCP documents will be sent under separate cover.

Work completed during the duration of the grant included all 5 phases of the project, with completion dates summarized below in the following table.

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

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
			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
			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.	Completed June 2010
			Prepared Population, Housing, and Land Development Projections for County and committee.	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

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
			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 committees in July 2010)	Completed December 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	July 2010	BAT recommendations for various plan components.	Completed November 2010

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
	for CAC and BAT Approval		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
Task 13	Final Draft HCP	December 2011	Prepared Third (Application) Draft HCP and submitted to Service with permit application.	Completed December 2011
			Completed response to comments from the Service and prepared Fourth Draft Habitat Conservation Plan (Service Review).	Completed August 2012
			Completed response to comments from the Service and prepared Fifth Draft Habitat Conservation Plan (Service Review Draft 8/12-2013). Submitted USFWS Austin ESFO 8/14/2013	Completed August 2013
			Completed response to comments from the Service and prepared Sixth Draft Habitat Conservation Plan (Service Review Draft 12/20/2013). Submitted USFWS Austin ESFO 12/20/2013.	Completed December 2013

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
			Completed response to comments from the Service and prepared Seventh Draft Habitat Conservation Plan (Service Review Draft 2/25/2014). Submitted USFWS Austin ESFO 2/25/2014.	Completed February 2014
			Completed response to comments from the Service and prepared Eighth Draft Habitat Conservation Plan (Service Review Draft 3/5/2014). Submitted USFWS Austin ESFO 3/6/2014.	Completed March 2014
			Completed response to comments from the Service and public, and prepared Ninth Draft Habitat Conservation Plan (Final Draft 7/7/2014). Submitted USFWS Austin ESFO 7/7/2014.	Completed July 2014
			Completed response to comments from the Service and prepared Tenth Draft Habitat Conservation Plan (Final Draft Rev 7/31/2015). Submitted USFWS Austin ESFO 7/31/2015	Completed July 2015
			Completed response to comments from the Service and prepared Eleventh Draft Habitat Conservation Plan (Final Draft Rev 11/13/2015). Submitted USFWS Austin ESFO 11/13/2015	Completed November 2015
Phase 4: Environmental Impact Statement				
Task 14	Initiate NEPA Process	April 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	December 2011	Prepared Administrative Draft EIS and submitted to Service for review with permit application.	Completed December 2011

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
			Review and address comments from Service on Administrative Draft EIS and revise document based on comments and changes to draft HCP.	Completed August 2013
			Review and address comments from Service on Administrative Draft EIS and revise document based on comments and changes to draft HCP.	Completed September 2013
			Review and address comments from Service on Administrative Draft EIS and revise document based on comments and changes to draft HCP.	Completed February 2014
			Review and address comments from Service on Administrative Draft EIS and revise document based on comments and changes to draft HCP.	Completed April 2014
			Review and address comments from Service on Administrative Draft EIS and revise document based on comments and changes to draft HCP.	Completed October 2014
Task 16	Publish Notice of Availability of regional HCP/DEIS	March 2013	Revised schedule December 2014	Completed December 2014
Task 17	Publish NOA of DEIS/NOR of application	March 2013	Revised schedule December 2014	Completed December 2014
Task 18	Prepare Final EIS (FEIS)	July 2013	Revised schedule April 2015	Completed July 2015
Phase 5: Permit Processing				
Task 19	Review and approval of application documents by applicant agencies	December 2011	Bexar County approved submittal of Application Draft HCP, permit application form, and application fee on December 6, 2011.	Completed December 2011

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Phase / Task	Task Title	Grant Scheduled Completion Date	Progress	Actual Completion Date
			Applicant approval of Final HCP pending outcome of review process (expected January 2016).	
Task 20	Submit application package (Final Draft HCP, PDEIS, application form, application fee)	December 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)	March 2013	Revised schedule February 2015	Completed February 2015
Task 22	Coordinate with USFWS on Biological Opinion, ROD, SOF, permit terms and conditions	July 2013	Revised schedule January 2016	
Task 23	Issuance of ROD, SOF, and Final TPWD Grant Report	September 2013	Revised schedule January 2016	

SIGNIFICANT DEVIATIONS

Major tasks described in the interlocal agreement that were planned during grant but that were not completed by the expiration of the grant are summarized below.

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

Coordination with USFWS regarding the Biological Opinion was completed. Preparation of the ROD, SOF, and permit terms and conditions was delayed due to the delays in the Service's review of the Final Draft documents. We pushed for all of the Final documents to be prepared and ready for publication in the Federal Register no later than the end of October 2015 in order to maintain the current schedule for completion of the project and issuance of the Permit prior to the grant expiration on December 31, 2015, however, final documents were not published in the Federal Register until December 18, 2015. Coordination with the Service regarding the permit terms and conditions began upon publication of the FEIS and Final Draft HCP. We had anticipated coordination to be completed prior to grant expiration on December 31, 2015, however, review of the draft ROD and permit terms and conditions was still underway at the time of the grant expiration on December 31, 2015.

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

We initially anticipated completion prior to the expiration of the grant on December 31, 2015 with the completion of the project and submission of the Final TPWD Grant Report on or before December 31, 2015. We pushed for all of the Final documents to be prepared and ready for publication in the Federal Register no later than the end of October 2015 in order to maintain the schedule for completion of the project and issuance of the Permit prior to the expiration of the grant on December 31, 2015; however, Final documents were not published in the Federal Register until December 18, 2015. The ROD and SOF can be published by the Service 30 days after publication of the FEIS, and it is anticipated publication of the ROD will occur in January 2016.