

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

DATE: September 13, 2010

LOCATION: El Chaparral Restaurant
15103 Bandera Road
Helotes, Texas 78023

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

Kirby Brown called the meeting to order at 6:15pm.

2. Public comment (3 minutes per speaker)

Kirby Brown called for comments from the public. Betty Muyres voiced concern about plans for proposed San Antonio Water System (SAWS) wastewater lines in northwest Bexar County and the potential for environmental damage associated with installation of the lines in creeks. She noted that a group of concerned citizens and organizations filed a challenge to the proposal with the Texas Commission on Environmental Quality. She asked for help from the CAC with suggestions on how to prevent the installation of the wastewater lines. Jennifer Nottingham (CAC member) also noted that this infrastructure project had already been delayed a few times and that SAWS may be concerned about the potential impact of the SEP-HCP on construction plans.

3. Review and approve minutes, with any appropriate changes, from the August 2, 2010 meeting - Kirby Brown or Jonathan Letz (CAC Co-chairs)

Kirby Brown asked for any revisions or comments on the draft minutes from the August 2, 2010 meeting. None were received. MOTION (Michael Moore): Approve the draft minutes from the August 2, 2010 CAC meeting. SECOND (Tom Hornseth). VOTE: Voice vote carried without opposition.

4. Report from consultant team – Amanda Aurora (Loomis Partners)

Clifton Ladd (Loomis) stated that the other currently scheduled meetings for the CAC would be held at Casa Helotes Senior Center. He added that the consultant team has been working on land use and habitat loss projections and will present the findings of this analysis later in the meeting. Amanda Aurora (Loomis) reminded CAC members and visitors to sign in.

5. Presentation and discussion of human population and land use projections for the Plan Area – Wendell Davis (Wendell Davis and Associates) and Amanda Aurora (Loomis Partners)

Wendell Davis (Wendell Davis and Associates) presented the results of the human population and land use study completed for the SEP-HCP. See attached presentation slides. He noted that the objective of

his work was to provide reasonable scenarios for population, housing, and land use in the plan area over the planning horizon (2010 to 2040).

Mr. Davis described the data used in the analysis, including information from the U.S. Census Bureau, Texas State Data Center, Woods & Poole Economics, ESRI BIS, county appraisal districts, SA Research Corp, Loomis Partners, Federal Emergency Management Agency, and U.S. Geological Survey.

Mr. Davis explained some of the key factors considered in the population and land use analysis, including population trends, housing units and densities, major land uses, and inventories of vacant lands (platted and unplatted). He described that the analysis was based on geographic sectors at the sub-county level, with individual sectors based on the boundaries of Census Tracts or groups of Census Tracts. He also explained that the population and land use analysis only included the northern portion of Bexar County, since central and southeast Bexar County did not contain habitat for the endangered birds. Therefore, the "study area" for the land use analysis included all of Medina, Bandera, Kerr, Kendall, Comal, and Blanco counties, and approximately one-half of Bexar County.

Mr. Davis described a number of the assumptions that went into the projections, and noted that these assumptions could be changed or refined based on feedback from the committees. Among the major assumptions was that single family residential use was the primary driver of new land development in the region and that other types of land use (such as multi-family, commercial/industrial, and transportation rights-of-way) would increase proportionately with increases in single-family land use. County appraisal district data was the basis for describing the current distribution and density of various land uses in the plan area, and establishing relationships between single-family land use and other types of land uses. He estimated that single-family land uses represented approximately 52% of the total area of developed land in the study area.

Mr. Davis modeled housing demand in each of the sectors based partially on assumed or "optimal" densities for single-family housing that generally varied with the type of development anticipated. In urban areas, he assumed that single-family housing units were created at a higher density than in more rural areas. He explained that part of the rationale for these densities was the availability of (or possible suitability for) sewer service and the amount of "undevelopable" land, such as steep slopes and floodplains, in the area. Mr. Davis explained that the land use model assumes that demand for new housing is first satisfied by the existing inventory of vacant platted lots and then begins to affect other vacant or undeveloped lands. He clarified that developed lands include rights-of-way for roads and other infrastructure.

Mr. Davis noted that typical population projections are computed without regard to the capacity of a geographic area (particularly small areas) to provide sufficient housing for that population. He explained that the land use model accommodates this situation by shifting some population growth to adjacent sectors with additional capacity to meet the need for housing.

Mr. Davis summarized some of the key findings of his analysis, including current and projected future population growth, race and age distribution, employment and income distribution, and housing projections. He presented a map of the geographic sectors in the analysis classified by the percent of available land developed in 2040, and noted that many of the sectors in and adjacent to Bexar County are expected to be fully built out by the end of the planning horizon.

Delmar Cain (CAC member) asked if some trends can be altered in the future, such as how water availability might alter prior trends. Mr. Davis suggested that such adjustments could be made, but would be complicated to model without a clear understanding of what future policies or conditions might be. He noted that changes in how sewer service is provided would likely have a difference on how land is developed in the future.

Jesus Garza (City of San Antonio) questioned some of the housing projections and suggested that the projections might be too low for some areas. Mr. Davis agreed to review those numbers in more detail and refine the model as necessary.

Bob Liesman (CAC alternate) asked why habitat loss was such a concern if approximately three-quarters of the land in the plan area remained undeveloped in 2040. Allison Arnold (USFWS) responded that

development might affect important source populations for the birds (with disproportionately adverse effects to the species) or that we can not assume that the remaining habitat is of good quality.

Michael Moore (CAC member) questioned the assumed density limits and how sewer service might affect densities in certain areas. Mr. Moore suggested the absorption plan assumes that 65% of the new homes in the SMSA are under \$175K and that the growth in the northwest part of Bexar County may not reflect that. Mr. Davis suggested that he review his assumptions about where new sewer service might be available in the future.

Jonathan Letz (CAC co-chair) questioned whether the sector boundaries needed to follow Census Tract Boundaries and noted that the more development might be expected in northern Kerr and Kendall counties. Commissioner Letz also suggested that some of these more rural areas might also be candidates for new sewer service and provide for increased development density.

6. Presentation and discussion of projected habitat loss for the golden-cheeked warbler and black-capped vireo – Amanda Aurora (Loomis Partners)

Amanda Aurora (Loomis) described the process used to estimate habitat loss for the covered bird species in the plan area over the plan duration. She explained that a primary assumption of the habitat loss analysis was that new development would affect habitat in proportion to its availability on a local basis (i.e., at the sector or county level). She also explained that this preliminary analysis was based on the Loomis model of potential warbler habitat and county-level estimates of vireo habitat.

Ms. Aurora summarized the land development projections by county for each decade of the plan duration. Several CAC members questioned whether the land development data adequately fit recent trends and other observations of land development in the rural counties for certain time periods. Ms. Aurora and Wendell Davis agreed to review the land use model and explain the results and/or revise the model as appropriate.

Based on the preliminary land use projections and available habitat information, Ms. Aurora estimated that approximately 30,000 to 72,000 acres of warbler habitat and approximately 11,000 acres of vireo habitat could be lost within the plan area by 2040. She noted that the habitat loss estimates will be refined as the land use projections are refined.

Michael Moore voiced concerns about seeking to achieve recovery of the species vs. mitigation for impacts, and making the plan too expensive for people to use.

7. Discussion and possible action on conservation strategy and goals & objectives – Kirby Brown or Jonathan Letz (CAC Co-chairs)

Kirby Brown opened discussion on the general conservation strategy and community goals and objectives as a continuation of discussions from the prior meeting. Amanda Aurora noted that the consultant team did not receive any comments or suggestions on the draft proposal since the August 2, 2010 meeting, and that the BAT was still working on specific recommendations for the biological aspects of the plan (such as preserve size and mitigation ratios).

Kirby Brown asked Richard Heilbrun (BAT chair) for clarification on the minimum size for a preserve. Mr. Heilbrun responded that the BAT is still working on this issue, but that there may be a distinction between the minimum size for a preserve parcel and how mitigation credits are awarded for the plan.

Michael Moore asked about difference between recovery objectives and mitigation requirements for the covered species and raised concerns about obligating the plan to achieve recovery. He also expressed concerns about the potential costs associated by meeting a higher conservation standard than is required and suggested that if costs are too high, then participation in the plan may be very low. Kirby Brown noted that the general goals and objectives were listed in priority order, and that recovery-related objectives were less of a priority than mitigation for impacts. Bebe Fenstermaker (CAC member) expressed concern

about reducing the robustness of the conservation program by only considering a lower level of conservation. Mr. Moore also suggested that the plan focus on preserving only the highest quality habitats, instead of potentially more costly restoration or enhancement of low quality habitats. Kirby Brown suggested a revision to objective 1c that reads “as part of this document, the proposed activities of CAC should contribute to recovery of the species.” The suggestion was generally accepted by members of the CAC.

With respect to what the plan must achieve, Allison Arnold (USFWS) stated that the applicant’s would be responsible for meeting the actual terms and conditions of the permit, and that the USFWS needs to assess the overall conservation value of the plan when determining whether to issue the permit. She indicated that the USFWS will require a high level of conservation value for this plan.

Michael Moore advised the committee that negotiations are underway in the Hill Country for mitigation at \$2,000 per acre. Mr. Moore stated additional concerns about the potential cost of mitigation through the plan and issues with the wide variation in the cost of land in different parts of the plan area. He raised issues with individuals dealing directly with the USFWS potentially having different standards for mitigation, particularly with respect to how far away from the site of impact that mitigation would be allowed. Allison Arnold explained that the USFWS needs to be able to support the plan and that the CAC needs to find a price and mitigation level that is both commensurate with the degree of impact and that is practicable to achieve. She stated that the USFWS would not support a plan that allows for take of all of the remaining habitat in Bexar County with mitigation provided in Bandera County. She also stated that some preservation in Bexar County would be required.

Eric Lautzenhiser (CAC alternate) asked how private conservation banks can fully meet long term management and monitoring obligations with credit sales of only \$2,000 per acre and how the plan can compete with that cost when the cost of land in Bexar County is far more expensive than that. Allison Arnold noted that the USFWS has not established standard mitigation ratios for the region, other than for Camp Bullis, but that the SEP-HCP should propose something similar. Richard Heilbrun suggested that one option the BAT is considering is to base mitigation requirements on market values of land to account for differences in values across the plan area. Kirby Brown suggested that if the USFWS will require the SEP-HCP to mitigate with land in Bexar County, then the USFWS should require individual permittees to meet a similar standard. Other CAC members expressed concern that allowing individual permittees to mitigate for impacts in Bexar County with lands in more rural portions of the plan area would undermine participation in the SEP-HCP. Allison Arnold stated that current USFWS policy is to have mitigation be close to the site of the impact, but that exceptions to that requirement are possible. She also stated that the BAT is working on a recommended mitigation strategy for the CAC to consider. Richard Heilbrun suggested the plan may need to be adjusted to remain competitive with private conservation banks.

Bob Liesman (CAC alternate) asked for clarification on how preserving land near Camp Bullis benefits the species compared to preserving other lands. Richard Heilbrun responded that land protected near Camp Bullis can reduce the pressure for birds to be pushed onto habitats within the base.

Jennifer Nottingham (CAC member) asked about the phrase “extent practicable” in the proposed language. Kirby Brown noted that the phrase is used in the Endangered Species Act regulations. Amanda Aurora noted that most of these phrases were deleted from the text at the last meeting.

MOTION (Delmar Cain): Accept the draft “General Conservation Strategy” as revised during the August 2 and September 13 CAC meetings. SECOND (Bebe Fenstermaker). VOTE: Voice vote carried with no opposition.

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

Kirby Brown stated that the next CAC meeting would be held on October 4 and that the meeting may be extended to allow for additional deliberation.

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



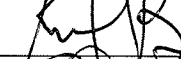
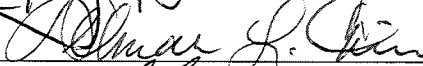
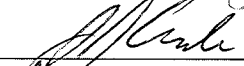

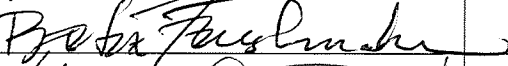



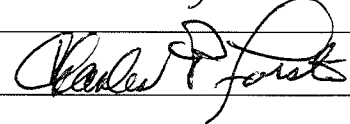
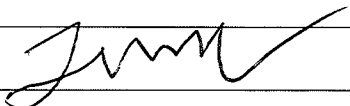
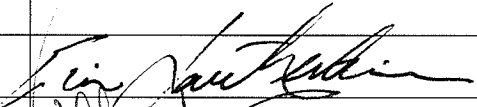
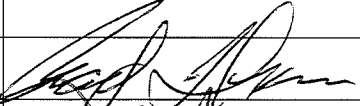
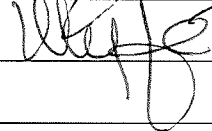
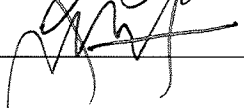
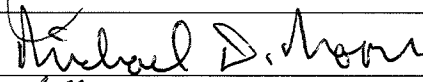
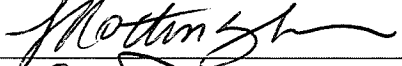

Kirby Brown adjourned the meeting at 8:14pm.

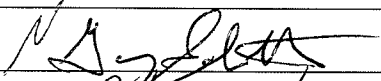
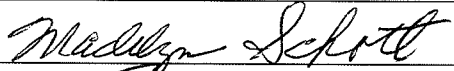
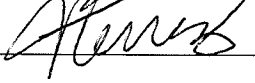

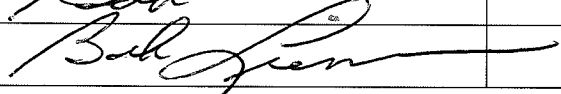
Attachments:

- Presentation by Wendell Davis regarding demographics and land use projections (with corrections and other notes from the CAC meeting indicated by *italics*).
- Handout by Loomis Partners regarding preliminary habitat loss estimates for the warbler and vireo.
- Approved draft of General Conservation Strategy (Community Goals and Objectives)

Attachments are included in the "Materials 3" link for the September 13, 2010 CAC meeting at <http://www.sephcp.com/committees.html>

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)		Lottie Millsaps	
2	Brown, Kirby (Texas Wildlife Association)			
3	Cain, Delmar (Kendall County landowner)			
4	Cude, Ian (Cude Engineering)			
5	Dietert, Ann (Kerr County landowner)			
6	Fenstermaker, Bebe (Bexar County landowner)			
7	Fenstermaker, Mary (Hill Country Planning Association)		Susan Beavin	
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)		Eric Lantzenkeiser	
13	Johnson, Randy (Bexar County landowner)		Wlyfe Moore	
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)			

19	Schott, Gary (Bexar County landowner)			
20	Terrez, Jenna (CPS Energy)			
21	Wright, Susan (Susan Wright & Associates)			

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 Ladd	Loomis			
Amanda Aurora	Loomis			
Charlotte Kucera	USFWS			
Allison Arnold	USFWS			
JESSICA GARZA	COSA			
Rebecca Black	TNC	rblack@tnc.org	979-777-1862	
Chris Harper	THE NATURE CONSERVANCY	charper@tnc.org		
Christopher Allison	M.E. Allison & Co	callison@mcallison.com		
Susan Owalline	AANW	owalline@midspring.com		
MIKE BARV	SAWS			

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
Betty C. Muiyres	HCPA	bettymuires@sbccglbc.org	210-695-8276	YES PLEASE
Andrew Wink	Bexar Co	awink@Bexar.org		
R. Nelson	TPWD	on-file		
Wendell Davis	WD & Assoc	wdavis@saneahomes.com	210-415-8214	
Scott R. Halty	SAWS	shalty@saws.org	233-3536	
Sonia Jimenez	Jimenez + Assoc	sjimenez@swbell.net	354-2925	
Leonard Vallinger	Jacobs	leonard.vallinger@jacobs.com	512/314 3100	No