

# Comal County Regional Habitat Conservation Plan: Initial Overview



Comal County, Texas  
November 2006

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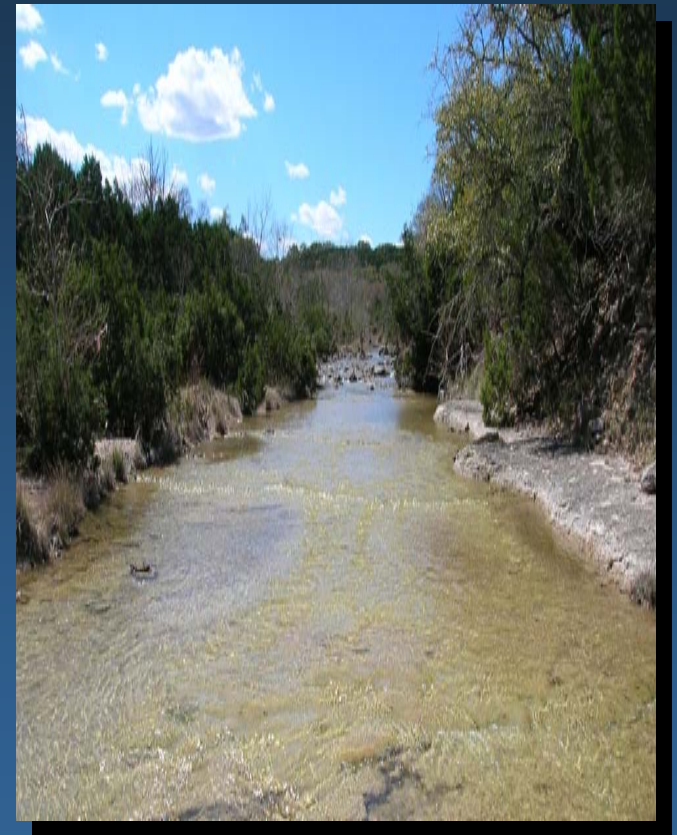


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# Outline

1. Purpose
2. Reasons for a County Plan
3. Endangered Species Act
4. Opportunities and Benefits
5. Work Plan Objectives
6. Core Team and Committees
7. Work Plan Components
8. Overall Budget
9. Project Oversight



# 1. Purpose

- Proactively develop local solutions to endangered species issues
- Achieve open space needs
- Provide a framework to attract potentially significant grant funds for County efforts
- Help protect natural resources, such as water quality and aquifer recharge
- Preserve natural and cultural heritage of Comal County

## 2. Reasons for a County Plan

- Rare Species and Natural Resources
  - 2 Endangered Birds
    - Golden-cheeked Warbler – inhabits large patches of mature juniper-oak woodlands
    - Black-capped Vireo – utilizes shrublands
  - 5 threatened or endangered aquatic species
  - Numerous other rare species, including 6 that depend on endangered bird habitat



U.S. Fish and Wildlife Service  
Steve Maslowski



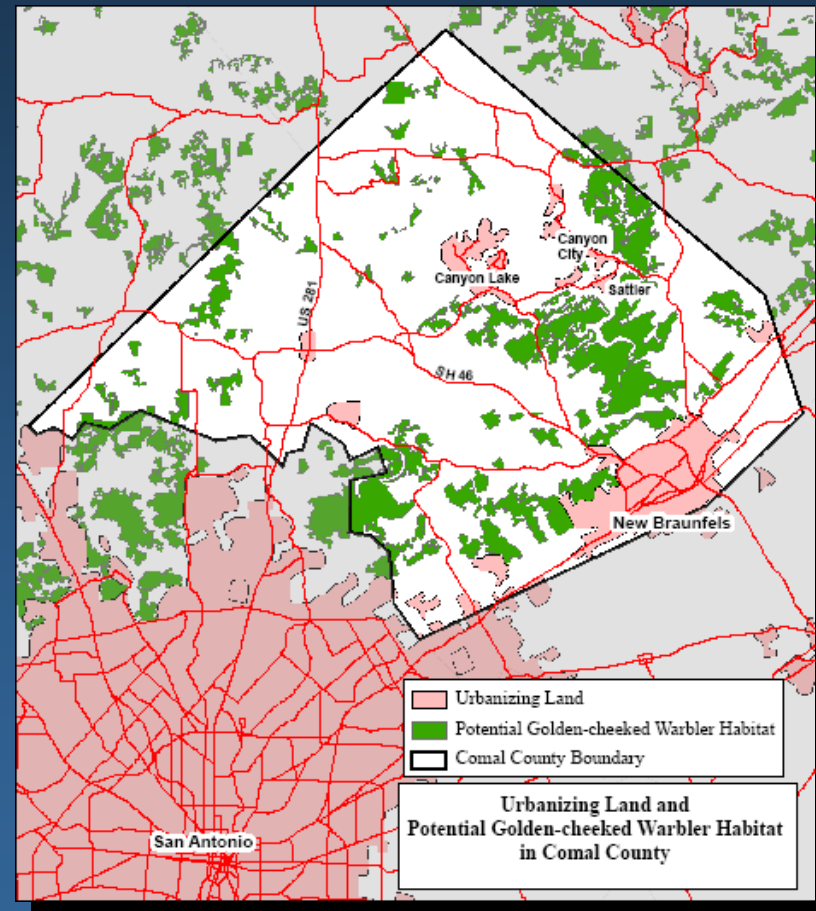
## 2. Reasons for a County Plan

- Open space protection and parkland acquisition



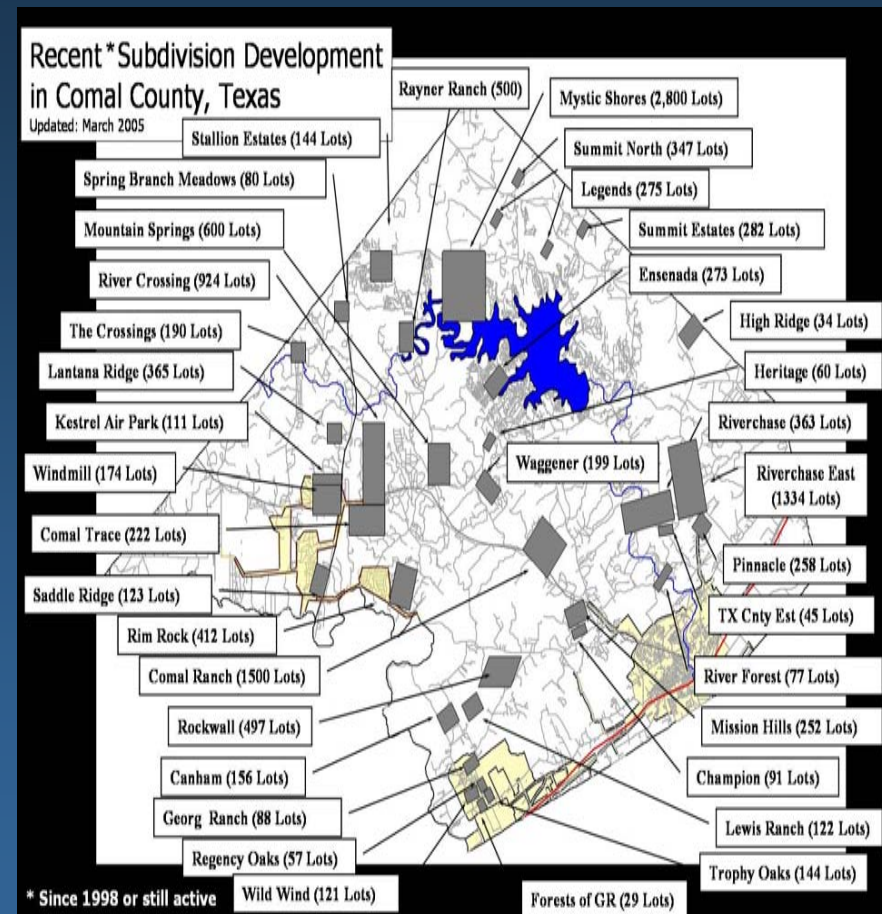
## 2. Reasons for a County Plan

- **Population Growth**
  - 51% increase between 1990 and 2000 (US Census Bureau)
  - Projections estimate population will almost quadruple by 2040 to 306,269 people (Texas State Data Center)



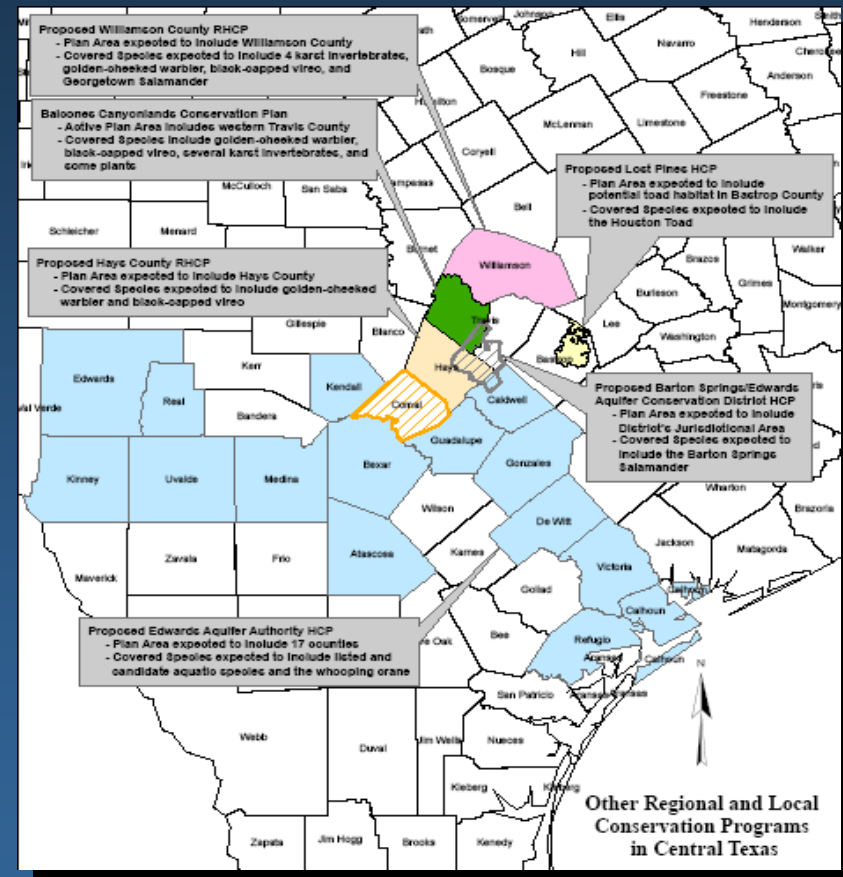
## 2. Reasons for a County Plan

- Land Use Changes
  - Land development increasingly impacts endangered species habitat
  - Population increases drive construction of new land development projects
  - County government must expand infrastructure to accommodate population and encourage economic growth



## 2. Reasons for a County Plan

- Other Area Conservation Efforts Leave a “Conservation Gap” in Comal County
  - The operating areas or missions for these efforts either:
    - Do not include Comal County, or
    - Do not adequately address key terrestrial species in this area (including the endangered warbler and vireo)
  - Comal County Regional Habitat Conservation Plan offers a positive addition to the growing trend towards regional solutions to species conservation in Central Texas





## 3. Endangered Species Act

- **Habitat Conservation Plan (i.e., *Comal County Regional Habitat Conservation Plan*)**
  - HCP is a mandatory component of an incidental take permit application.
  - Required elements include discussion of:
    - Impacts that will likely result from the taking
    - Steps to minimize and mitigate such impacts, and the funding that will be available to implement these steps
    - Alternative actions to the taking, and the reasons why these alternatives are not being utilized
  - Other required elements (by USFWS policy) include:
    - Discussion of biological goals and objectives
    - Compliance and effectiveness monitoring
    - Adaptive management provisions

## 3. Endangered Species Act

- **Environmental Impact Statement (EIS)**
  - Required by the National Environmental Policy Act (NEPA)
  - Describes and analyzes the impacts to the human environment from a proposed action and alternatives to the proposed action
  - USFWS guidance states that most Regional Conservation Plans (like the proposed Comal County Regional Habitat Conservation Plan) should be reviewed through the preparation of an EIS



## 3. Endangered Species Act

- **Incidental Take Permit Issuance Criteria**
  - Taking will be incidental to otherwise lawful activities
  - Applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking
  - Applicant will ensure adequate funding
  - Taking will not appreciably reduce the likelihood of survival and recovery in the wild (jeopardy standard)
  - Other USFWS requirements will be met
  - “No Surprises” assurances for species (listed and unlisted) found to be “adequately covered” by the HCP (meets issuance criteria)

## 4. Opportunities and Benefits

County has historic opportunity to establish a county-wide Conservation Plan

- Natural Open Space Protection has been identified as High Priority
- September 2006, Comal County awarded \$612,852 HCP Planning Assistance Grant
- Conservation Plan will leverage additional funding (State, Federal, and private sources)



## 4. Opportunities and Benefits

- **Anticipated benefits of the Comal County Regional Habitat Conservation Plan:**
  - Reducing economic and logistic burden on the public and county government for ESA compliance related to land development and infrastructure projects
  - Long-term planning assurances regarding responsibilities under the ESA
  - Conserving unique local and regional wildlife with significant scientific and ecosystem values
  - Providing a framework to help achieve open space goals, such as providing parkland, protecting scenic vistas, and enhancing water quality
  - Honoring good land stewardship and voluntary, incentive/economic-based approaches to conservation
  - Providing access to a potentially significant federal funding source for open space acquisition

## 5. Work Plan Objectives

- Develop a Conservation Plan that:
  - contains the required provisions of a Regional Habitat Conservation Plan for the purposes of supporting an application for an ESA Section 10 incidental take permit related to terrestrial threatened or endangered species in Comal County
- Prepare other documents necessary for a complete ESA Section 10 incidental take permit application package

## 6. Core Team and Committees

Development of a county-wide Conservation Plan requires the coordinated efforts of various experts, staff, and officials.

A core working team should be established to see the project through to completion. Key players include:

- Elected Officials
- County Staff
- Biologists
- Economists
- Legal Representation

Regular meetings and progress reports will be necessary to help establish and maintain good communication, coordination, and accountability to budget and schedule throughout the process.

## 6. Core Team and Committees

### Core Team Members

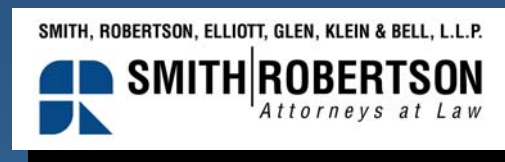


The Honorable Danny Scheel, Comal County Judge  
Geoff Barr, Esq.  
Thomas Hornseth, P.E.  
Other County Representatives



Steve Carothers, Ph.D.  
Gary Galbraith

ECONOMIST



Alan Glen, Attorney  
David Hartman, Attorney  
Melinda Taylor, Attorney  
Rebecca Hays, Attorney

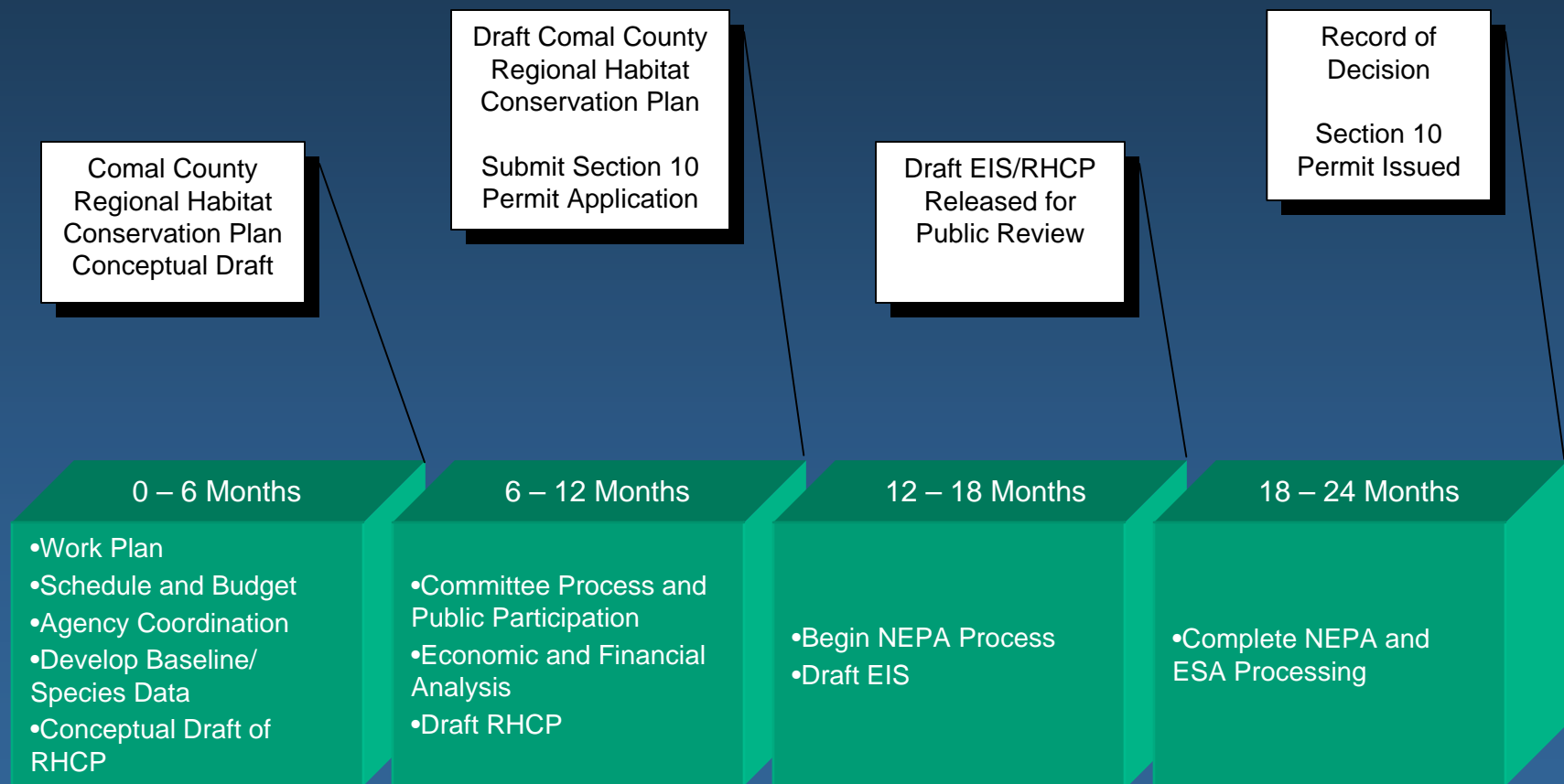
## 6. Core Team and Committees

- Plan development will require the input of at least three committees:
  - **Citizens Advisory Committee (CAC)**
    - Members representing diverse community interests
    - Assists with the development of appropriate conservation strategies and provides oversight of the planning process
  - **Biological Advisory Team (BAT)**
    - Members are biological and other experts related to the species and habitats targeted by the Conservation Plan
    - By law, must have at least three members -- one selected by the CAC, and the chair-person selected by TPWD
    - Assists with development of biologically sound goals, objectives, and conservation strategies
  - **Agency Work Group**
    - Team of federal, state, and local agency representatives that assist the applicant with the development of the Conservation Plan

## 7. Work Plan Components

- **Work Plan contains four general project phases**
  - **Phase 1**
    - RHCP Preliminary Work: Interlocal, Work Plan, schedule, budget, legal review, USFWS/stakeholder early coordination
  - **Phase 2**
    - Develop baseline data for Comal County; Identify potential opportunities and constraints
    - Prepare a conceptual draft of the Comal County Regional Habitat Conservation Plan
  - **Phase 3**
    - Engage Committees in Plan Development
    - Public Meetings and Community Outreach/Involvement
    - Conduct Economic Impact Analysis and Develop Financial Plan
    - Prepare a final draft of the Regional Habitat Conservation Plan and submit a complete ESA Section 10 Permit Application Package to USFWS
  - **Phase 4**
    - Start NEPA process and prepare a draft EIS
    - Assist agencies with processing and completing documents, where needed
    - Record of Decision; Permit Issuance

# Major Milestones



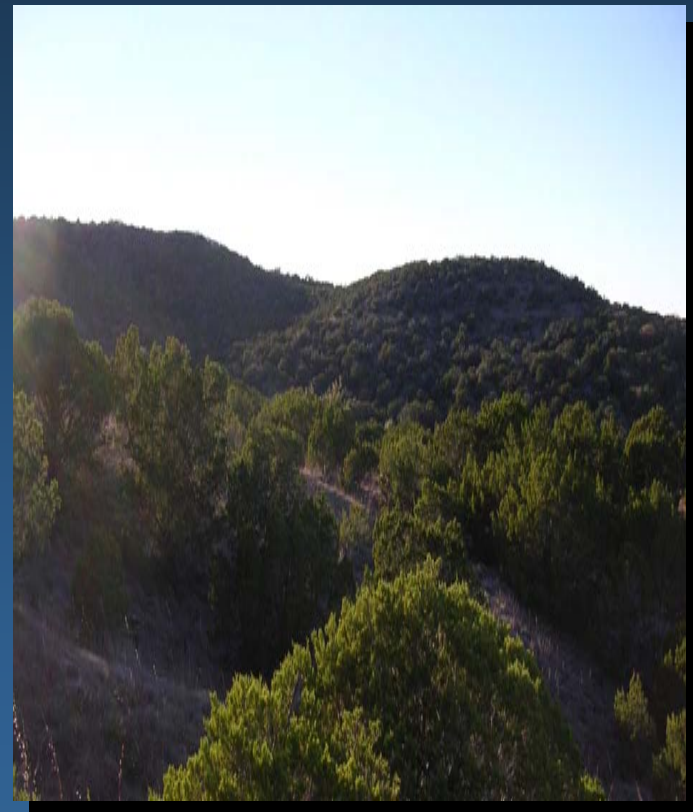
## 8. Overall Budget

- Budget for the development of the Comal County Regional Habitat Conservation Plan includes federal grant and local matching funds:
  - \$612,852 awarded in federal funds (includes \$5,000 dedicated for TPWD administrative fee)
  - \$204,284 minimum local match of cash or in-kind contributions (county staff time)

Total Project Budget of \$817,136

## 9. Project Oversight

- The planning process and the work of the Core Team will be overseen by:
  - Comal County Commissioners' Court will oversee entire process
  - TPWD and Comal County (both the Grant Administrator and the Auditor's Office) will oversee grant administration (progress reports) and other financial matters
  - USFWS and TPWD will oversee work relating to biological issues and regulatory matters



## *Comal County Regional Habitat Conservation Plan*

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