



Bexar County Environmental Services

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- The Southern Edwards Plateau Habitat Conservation Plan (or "SEP-HCP") is an effort by Bexar County and the City of San Antonio to obtain a regional permit allowing the community to more easily comply with the Federal Endangered Species Act
- The SEP-HCP is needed because south-central Texas is home to several federally threatened or endangered species, including some birds, plants, and cave-dwelling spiders and beetles.
- The presence of threatened or endangered species can conflict with or complicate the desirable economic growth of communities that share the same area. For example, in the San Antonio area, endangered species issues in the vicinity of Camp Bullis have affected the military training mission at this installation.
- The SEP-HCP is intended to simplify, streamline, and shorten the process of getting an Endangered Species Act permit from US Fish and Wildlife Service, thereby improving compliance with this existing federal regulation and increasing the level of conservation for the region's threatened and endangered species.
- Preparation of the SEP-HCP involves a public process, whereby citizens are encouraged to attend and participate in open meetings of the advisory committees and other public meetings. Information on the progress of the plan is regularly posted on the SEP-HCP website (www.sephcp.com).
- Participation in the SEP-HCP will be voluntary for those that own land or conduct business within the plan area.
- The SEP-HCP is currently under development and Bexar County anticipates that it will be submitted to US Fish and Wildlife Service by September 2011.
- The SEP-HCP website (www.sephcp.com) is the best place to find information about the plan. The website is regularly updated with meeting announcements, status updates, and the minutes and materials from committee meetings. The website also includes a place to post comments, contains contact information for project managers, and has a form to sign up for email announcements.

BACK-UP INFORMATION

What is the Southern Edwards Plateau Habitat Conservation Plan?

The Southern Edwards Plateau Habitat Conservation Plan (or "SEP-HCP") is an effort by Bexar County and the City of San Antonio to create a program for local administration of certain aspects of the federal Endangered Species Act. The SEP-HCP is intended to make the Endangered Species Act (or "ESA") easier to comply with by simplifying the process for obtaining a permit to harm endangered species during the course of otherwise lawful activities, such as public and private-sector land development. The SEP-HCP also includes a conservation plan that will help protect threatened and endangered species on an ecologically significant, regional scale. Participation in the program will be entirely voluntary, either to comply with the Endangered Species Act or become a conservation partner.

Why is the SEP-HCP needed?

South-central Texas is home to several federally threatened or endangered species, including some birds, plants, and cave-dwelling spiders and beetles. The Endangered Species Act prohibits harm to listed species, including actions that could impact endangered species habitat.

The presence of threatened or endangered species can conflict with or complicate the desirable economic growth of communities that share the same area. For example, in the San Antonio area, endangered species issues in the vicinity of Camp Bullis (in combination with other land use conflicts) have affected the military training mission at this installation. A withdrawal of the military from San Antonio could have wide-spread and potentially devastating effects on the regional economy.

Recognizing the need to allow communities and economies to flourish, the Endangered Species Act includes provisions that allow harm to endangered species at a project site in return for conservation actions that benefit those species elsewhere. The U.S. Fish and Wildlife Service (FWS) administers a permitting program that authorizes "incidental take" of endangered species for applicants that implement an approved Habitat Conservation Plan. The Habitat Conservation Plan describes conservation measures that the applicant will implement to compensate for the harm to threatened or endangered species caused by the applicant's activities.

The process to prepare a Habitat Conservation Plan and obtain an incidental take permit from the FWS can be cumbersome and lengthy, sometimes taking two or more years to complete. For someone seeking to comply with the Endangered Species Act, this process can have a serious impact on their ability to conduct otherwise lawful activities on their property. Too often, the burden of compliance leads to a decision to disregard the Endangered Species Act in favor of risking enforcement action by the Service. Non-compliance with the Endangered Species Act means that corresponding conservation actions for the affected species do not occur.

The SEP-HCP is intended to simplify, streamline, and shorten the process of getting an Endangered Species Act permit, thereby improving compliance with this existing federal regulation and increasing the level of conservation for the region's threatened and endangered species.

Who is involved with preparing the SEP-HCP?

Bexar County and the City of San Antonio combined local funds with a grant from the U.S. Fish and Wildlife Service to prepare a regional Habitat Conservation Plan and develop a process for local administration of an Endangered Species Act incidental take permit. Bexar County is taking the lead role in preparing the SEP-HCP and has assembled two advisory committees to assist with crafting the plan.

The Citizens Advisory Committee (or "CAC") represents a variety of community and stakeholder interests, including rural landowners, developer and business groups, environmental organizations, and local government and utility representatives. Members of the CAC represent stakeholders in each of the counties included in the SEP-HCP plan area. The CAC is charged with providing guidance on the overall goals and objectives of the plan, the preferred alternatives for various components of the plan, and the form and level of conservation that the plan should provide.

The Biological Advisory Team (or "BAT") is composed of species, conservation, and land management experts. The BAT is charged with assisting in the calculation of the amount of harm to endangered species from the activities covered by the plan, the size and configuration of any endangered species preserves, and providing input on other biological aspects of the plan.

Preparation of the SEP-HCP is a public process, whereby citizens are encouraged to attend and participate in open meetings of the advisory committees and other public meetings. Information on the progress of the plan is regularly posted on the SEP-HCP website (www.sephcp.com). The public is encouraged to submit comments on the plan at any time via the project website, email to project managers and committee chairpersons, and comments at open meetings. The public will also be invited to review and comment on drafts of the plan, as they become available.

Bexar County has also obtained the assistance of environmental consultants and independent legal counsel to navigate the permitting process and prepare the plan documents.

Who will be affected by the SEP-HCP?

Based on recommendations from the SEP-HCP advisory committees, the area that will be covered by the plan includes 7 counties: Bexar, Medina, Bandera, Kerr, Kendall, Blanco, and Comal counties. These counties were included in the plan area since they are each affected by the San Antonio economy and include a similar suite of endangered species and habitats.

Participation in the SEP-HCP will be voluntary for those that own land or conduct business within the 7-county SEP-HCP plan area. Landowners, developers, local governments, utility service providers, and other non-federal entities may elect to participate in the plan in one of two ways. Non-federal entities may choose to use the SEP-HCP to achieve compliance with the Endangered Species Act by paying a mitigation fee to the plan that will be pooled with fees collected from other participants and used to implement conservation measures for endangered species within the plan area. Willing landowners who wish to become a conservation partner in the plan would be eligible to negotiate a conservation easement or sale

of land (funded in part by the mitigation fees collected from plan participants) as a habitat preserve for one or more of the endangered species covered by the SEP-HCP.

It is also likely that some amount of public funds will be needed to help implement the plan; however, the availability of any such public funding will be subject to the approval of each local government seeking to be involved as a formal partner in the plan.

What is the status of the SEP-HCP and when will the plan go into effect?

The SEP-HCP is currently under development and must be submitted to FWS by September 2012.

Bexar County and its advisory committees are currently evaluating alternatives for the conservation program. To-date, the advisory committees have provided recommendations to Bexar County on several aspects of the SEP-HCP, including the extent of the plan area, the species covered by the plan, the types of activities that will be covered by the plan, and a set of general goals and objectives for the plan (see file SEPHCP_General_Conservation_Strategy_Proposal_20100727_draft.doc). The committees are currently considering recommendations for the amount of incidental take to authorize through the plan, the mitigation that will be needed to compensate for impacts to endangered species, the processes for evaluating the effects of participating projects, and standards for the acquisition and management of endangered species preserves. Future topics of discussion for the committees will include considering alternatives for how the plan is administered and funded.

A first draft of the plan is expected to be completed next spring (April 2010) and the final draft of the plan is expected to be submitted to the U.S. Fish and Wildlife Service next fall (September 2011). However, this schedule may change as the process unfolds.

How can the public participate in the formation of the SEP-HCP?

The SEP-HCP website (www.sephcp.com) is the best place to find information about the plan. The website is regularly updated with meeting announcements, status updates, minutes and materials from committee meetings, and draft committee recommendations and other planning documents. The website also includes a place to post comments, and contact information for project managers, and a form to sign up for email announcements. Interested parties can also register through the web site for email notification of scheduled meetings and recent developments.

The public is encouraged to attend the open meetings of the CAC and BAT to hear the discussions and provide comments on the planning process and components of the conservation program. Meetings of the advisory committees are posted on the SEP-HCP website and announced through the project's email distribution list. If you can not attend the meetings in person, brief meeting summaries are posted on the SEP-HCP website homepage shortly after each meeting, and detailed meeting minutes are posted on the Committees page once they are approved by the committee.

The public will also be invited to participate in formal public meetings and comment periods on the scope and content of the plan. These opportunities will also be announced on the SEP-HCP website, through the email distribution list, and by notices published in local newspapers.

Links to additional information:

- SEP-HCP website homepage: www.sephcp.com
 - o Current events and project history: <http://www.sephcp.com/news.html>
 - o Committee meeting agendas, materials, and approved minutes:
<http://www.sephcp.com/committees.html>
 - o Draft plan documents, committee recommendations, and other reports:
<http://www.sephcp.com/documents.html>
 - o Contact information: <http://www.sephcp.com/contact.html>
- U.S. Fish and Wildlife Service and the Endangered Species Act:
<http://www.fws.gov/endangered/>
 - Habitat Conservation Planning: <http://www.fws.gov/endangered/what-we-do/hcp-overv>