

Implementation Plan Summary

Exhibit A

Bexar County (“County”) and the City of San Antonio (“City”) are co-permittees holding Incidental Take Permit No. TE48571B-0 issued by the U.S. Fish and Wildlife Service (“USFWS”). The specific roles and responsibilities of each co-permittee are detailed in an Interlocal Agreement (“ILA”) between the County and the City. The Southern Edwards Plateau-Habitat Conservation Plan (“SEP-HCP”) requires a number of reporting and coordination tasks to demonstrate that the SEP-HCP is being properly implemented. Annual reports on SEP-HCP enrollment, the preserve system, implementation of other conservation measures, financial status, and compliance issues are required to be submitted to the USFWS. Regular coordination with the USFWS regarding the enrollment of new participants, new preserve acquisitions, adaptive preserve management, and secondary uses of preserve lands is also expected. The Implementation Plan will be developed by the SEP-HCP Coordinating Committee and serve as the guiding document for how the SEP-HCP will be administered, identify the tasks in which are needed to successfully implement the SEP-HCP guidelines, and the processes by which to do so. Tasks include, but are not limited to enrollment, participation fee structure, acquisition and management of the preserve system, committee formation and roles, and reporting and coordination with the USFWS.

SEP-HCP Implementation Plan Goals

The SEP-HCP Coordinating Committee will develop an Implementation Plan based on the following implementation goals and objectives as established by the City and the County in the ILA.

1. Plan Funding

The SEP-HCP is a voluntary plan that is set up on a “pay-as-you-use” basis. The City and County will equally participate in the funding of the Plan, as stated in the ILA. The Implementation Plan will establish the Participation Fee rates, application fees, and other surcharges that Plan Applicants will be required to pay for Participation in the Plan to offset the costs and thereby create a self-sustaining plan. The goal is to reimburse the City’s and County’s initial contributions to get the SEP-HCP implemented and promote regional conservation. Initial Participation Fee structures are as follows:

- **Application Fee Schedule**

The fees for each Application submitted for Enrollment in the Plan are non-refundable, set at the discretion of the City and the County, and may change overtime as may be more particularly set out in the Implementation Plan. Initially, the Application fees will be as follows:

- **Application Fee: \$2,500**

- **Plan Administration Fee: 10% of total mitigation fees**

- **Golden-cheeked Warbler (“GCW”) and Black-capped Vireo (“BCV”) Preservation Credits**

The purchase fees for each GCW and BCV Preservation Credit are set at the discretion of the City and the County and may change over time, as may be more particularly set out in the Implementation Plan. Initially, the fees will be as follows:

- **\$4,000 per Preservation Credit.**
- **\$8,000 per acre of directly impacted GCW or BCV habitat**
- **\$2,000 per acre of indirectly impacted GCW or BCV habitat.**

- **Karst Participation Fees**

The purchase fees for each Karst Credit are set at the discretion of the City and the County and may change over time, as may be more particularly set out in the Implementation Plan. Initially, the fees will be as follows:

- **\$1,000 per acre for all karst habitats (Zone 1 through Zone 4) within the Property to be enrolled.**

Applicants can also provide mitigation for impacts to the Covered Karst Invertebrates in the form of participation fees that will be assessed on the basis of obtaining access to Occupied Cave Zones. If the current Conservation Baseline allows for Covered Activities to occur within an Occupied Cave Zone, then an Applicant may pay participation fees to obtain SEP-HCP incidental take authorization within one or both of Occupied Cave Zones A and B.

Karst participation fees to Occupied Cave Zones will be set at the discretion of the City and the County, and may change over time, as may be more particularly set out in the Implementation Plan. Initially, the karst participation fees will be set at the following levels:

- **Occupied Cave Zone A = \$400,000 per individual zone**
- **Occupied Cave Zone B = \$40,000 per individual zone**

- **GCW or BCV Preserves In Lieu of Preservation Credit Purchases**

In lieu of purchasing Preservation Credits from the SEP-HCP, Applicants may offer occupied preserve land for the GCW or BCV as full or partial mitigation for the impacts of their incidental taking. The City and the County will have the discretion to accept or reject all offers of preserve land in lieu of Preservation Credit purchases on a case-by-case basis. The level of mitigation provided by an offer of preserve land will be established in the same manner as for other SEP-HCP preserves and will be expressed in terms of the number of Preservation Credits created for each species. In-lieu participants will be responsible for payment of the perpetual management and monitoring costs associated with any in-lieu donation, with fees to be determined on a case-by-case basis contingent upon specific conditions of the donation, and estimated to be at least:

- **\$2,500.00 per acre or greater**

- **Karst Preserves in lieu of Participation Fees**

In lieu of paying karst participation fees to the City and the County, an Applicant may offer new karst preserves as mitigation for incidental take. The offered karst preserve in lieu must be occupied by one or more of the Covered Karst Invertebrates and can be from within the Enrolled Property or the Applicant can seek to find occupied karst preserves outside of the Enrolled Property. All karst preserves accepted in lieu of participation fees are subject to the same standards and approval process as other SEP-HCP karst preserves and must fulfill an unmet need towards achieving the Conservation Baseline for at least one of the Covered Karst Invertebrates.

The City and the County will have the discretion to accept or reject all offers of preserve land in lieu of karst participation fees on a case-by-case basis. All offers of preserve land will also require the approval of the USFWS. In-lieu participants will be responsible for payment of the perpetual management and monitoring costs associated with any in-lieu donation, with fees to be determined on a case-by-case basis contingent upon specific conditions of the donation, and estimated to be at least:

- **\$2,500.00 per acre or greater**

2. Preserves

Establishment of SEP-HCP preserves are voluntary. Proposition 1, 2 and 3 land, other public property, open space, and private property are eligible to participate in the SEP-HCP as preserve land. Any City- or County- owned land to be used by the SEP-HCP will be brought before the respective governing body for approval.

- Prior to the inclusion in the SEP-HCP of any city owned real property including Prop Land, the Conservation Advisory Boards (CAB) shall review the request. Any recommendation by the CAB shall then be brought before the City Council for final consideration. In the event the City Council votes to include Prop Land in the SEP-HCP, then no less than one-half of the net proceeds generated by the inclusion in the SEP-HCP shall be allocated to the Edwards Aquifer Protection Program to carry out its program objectives.

3. Preservation Credits Established from Permittee-owned Property

Properties owned by the City or County which meet the SEP-HCP preserve requirements and receive approval from USFWS, are eligible to support both public and private project mitigation needs. The City or County staff will take such properties to their respective governing bodies for consideration for participation in the Plan, and staff will ask for direction on how those Preservation Credits should be used.

4. Public and Private Project Participation

Both public and private projects will be allowed to participate in the SEP-HCP contingent upon the availability of Preservation Credits and/or established karst preserves to meet the required amount of Incidental Take Coverage needed.

5. Projects over the Recharge and Contributing Zones

Projects over the Edwards Aquifer Recharge and Contributing Zones are allowed to participate in the SEP-HCP. These projects will occur regardless of the SEP-HCP and participation in the SEP-HCP will encourage compliance with the Endangered Species Act. It is also important to note that USFWS will permit project developers to create their own habitat conservation plan as long as they comply with the aquifer protection regulations, in the event that the project developers do not want to participate in the SEP-HCP.

6. GCW Preservation Goals

Upon request of the United States military and in support of military bases in San Antonio, the City and the County aspire to reach of a goal of a minimum of 30 percent of the GCW habitat preserved to be located within Bexar County, or 5 miles from its boundary. This will be a long term goal; however, it will not be a mandatory requirement of the SEP-HCP.