

THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR  
RESOLUTION ADOPTED BY CITY COUNCIL.

**AN ORDINANCE**

**AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE  
CITY OF SAN ANTONIO, BEXAR COUNTY, AND TEXAS PARKS  
AND WILDLIFE DEPARTMENT FOR IMPLEMENTATION OF  
THE INITIAL AND CONTINUING MONITORING AND  
MANAGEMENT OF KARST FAUNA AREAS WITHIN  
GOVERNMENT CANYON STATE NATURAL AREA AS PART OF  
THE IMPLEMENTATION OF THE SOUTHERN EDWARDS  
PLATEAU-HABITAT CONSERVATION PLAN (SEP-HCP).**

\* \* \* \* \*

**WHEREAS**, the Southern Edwards Plateau-Habitat Conservation Plan (SEP-HCP) is an initiative that began in 2009 in response to the U.S. Army’s desire to promote compatible development near Camp Bullis; and

**WHEREAS**, the City Council passed Ordinance 2009-12-03-0987 authorizing an interlocal agreement with Bexar County to begin the process of establishing the SEP-HCP; and

**WHEREAS**, Bexar County began with the creation of a Citizens Advisory Committee and a Biological Advisory Team comprised of land owners, developers, government agencies, conservationists and biologists to ensure that the SEP-HCP met the needs of the local community and regulatory requirements of the Endangered Species Act (ESA), National Environmental Policy Act and Chapter 83 of the Texas Parks and Wildlife Code; and

**WHEREAS**, the SEP-HCP will provide for local administration of the ESA and help to streamline the process for achieving compliance for landowners, developers, the City of San Antonio, Bexar County and anyone conducting non-federal activities within the jurisdiction of the plan area; and

**WHEREAS**, in December of 2015, the U.S. Fish and Wildlife Service approved the final SEP-HCP, and on January 18, 2016, a Joint 30-year Incidental Take Permit (Permit) was issued to the City of San Antonio and Bexar County; and

**WHEREAS**, the City Council passed Ordinance 2017-01-19-0032 authorizing the execution of an interlocal agreement between the City and County to establish an organizational structure and allocation of shared responsibilities for the coordination, administration, implementation, and funding of the SEP-HCP and joint management of the Permit and authorizing funding of \$175,000.00 for the initial SEP-HCP activities which included a Government Canyon survey, plan management, and contract consultant extension, such SEP-HCP funding to be reimbursed to the Development Services Fund when money becomes available; and

**WHEREAS**, the SEP-HCP Coordinating Committee was created through the interlocal agreement, consisting of three City appointees and three County appointees, to carry out the purposes and goals of the SEP-HCP by making budget recommendations, permit management, providing policy oversight, and developing and administering guidelines for the purchase and management of all the lands in the preserve system; and

**WHEREAS**, the Texas Parks and Wildlife Department has agreed to the terms of the interlocal agreement which outlines roles and responsibilities for the Initial Conservation Actions, monitoring, and management of Karst Fauna Areas within Government Canyon State Natural Area; and

**WHEREAS**, the Parties have worked cooperatively for several years to manage and conserve habitat in Central Texas for two (2) endangered songbirds and several endangered cave invertebrates, and TPWD's Government Canyon State Natural Area located in Bexar County, Texas is a critical component of those efforts; and

**WHEREAS**, in addition to providing resource-based outdoor recreation for the areas, TPWD manages GCSNA for both aquifer health and for endangered species habitat, including some single cave endemic species that are found only within GCSNA; and

**WHEREAS**, the SEP-HCP facilitates the creation of a large preserve system that would provide permanent protection for endangered species in Central Texas; and

**WHEREAS**, for the SEP-HCP efforts to proceed, the SEP-HCP Permittees must improve protection for seven (7) SEP-HCP Covered Karst Invertebrate species (Covered Karst Invertebrates) consisting of the: Government Canyon Bat Cave Spider (*Neoleptoneta microps*), Madla Cave Meshweaver (*Cicurina madla*), Braken Cave Meshweaver (*Cicurina venii*), Government Canyon Bat Cave Meshweaver (*Cicurina vespera*), *Rhadine exilis* (a beetle with no common name), *Rhadine infernalis* (a beetle with no common name), and Helotes Mold Beetle (*Batrisodes venyivi*); and

**WHEREAS**, the SEP-HCP ITP requires Initial Conservation Actions for the SEP-HCP Covered Karst Invertebrates prior to allowing Participants whose projects are located over karst zones to enroll in the SEP-HCP. Per condition T of the ITP and Section 4.5.3 of the SEP-HCP, Karst Participation Certificates will not be offered until the Permittees have secured some level of up-front improved conservation for all of the Covered Karst Invertebrates; and

**WHEREAS**, because these Initial Conservation Actions must be performed on all Covered Karst Invertebrates, and because some of those species are found only within GCSNA, the inclusion of TPWD lands becomes a requisite and integral part of achieving these Initial Conservation Actions; and

**WHEREAS**, the Parties desire to work together in good faith to contribute to the recovery of the Covered Karst Invertebrates; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager, or her designee, is authorized to negotiate and execute an interlocal agreement with Bexar County and Texas Parks and Wildlife Department for the implementation, monitoring, and management of Karst Fauna Areas within Government Canyon State Natural Area in furtherance of the

**JH**  
**mm/dd/yyyy**  
**Item No.**

goals and requirements of the Southern Edwards Plateau-Habitat Conservation Plan. A copy of the proposed “Interlocal Agreement between the City of San Antonio and Bexar County (the SEP-HCP Permittees) and Texas Parks and Wildlife Department” is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** Funding for activities related to the implementation of the aforementioned interlocal agreement shall be governed by Ordinance 2017-01-19-0032 as well as the Interlocal Agreement between the City of San Antonio and Bexar County authorized by that ordinance.

**SECTION 3.** **\*\*Fiscal language to be provided.**

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This ordinance shall become effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this [date] day of [month year].

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney