



# HABITAT COMPLIANCE FORM

Figure 35-B-133-1

**Part 1. Commentary:**

For information on endangered species habitat within Bexar County as may be established, see 2008 ~~Draft~~[Final](#) Recovery Plan for Bexar County Karst Invertebrates, available on US Fish and Wildlife Service's website, [https://www.fws.gov/southwest/es/AustinTexas/ESA\\_Sp\\_KarstInverts.html](https://www.fws.gov/southwest/es/AustinTexas/ESA_Sp_KarstInverts.html), and Management Guidelines for the Golden-cheeked Warbler in Rural Landscapes by Texas Parks and Wildlife Department available on their website, [https://tpwd.texas.gov/publications/pwdpubs/media/pwd\\_bk\\_w7000\\_0013\\_golden\\_cheeked\\_warbler\\_mgmt.pdf](https://tpwd.texas.gov/publications/pwdpubs/media/pwd_bk_w7000_0013_golden_cheeked_warbler_mgmt.pdf).

**Part 2. Applicant Contact Information:**

|                            |                              |
|----------------------------|------------------------------|
| Project Name: _____        |                              |
| Property Owner: _____      | E-mail: _____                |
| Address: _____             | Zip code: _____ Phone: _____ |
| Agent: _____               | E-mail: _____                |
| Address: _____             | Zip code: _____ Phone: _____ |
| Contact Person Name: _____ | E-mail: _____                |
| Company: _____             | Relationship to Owner: _____ |
| Address: _____             | Zip code: _____ Phone: _____ |

**Part 3. Property Location:**

Property address or nearest street intersection if address not available: \_\_\_\_\_  
 Acres: \_\_\_\_\_ Ferguson map grid: \_\_\_\_\_ USGS Grid: \_\_\_\_\_  
*In addition to this form, please submit an aerial map designating property boundaries based on the most recently available imagery. Maps can be obtained from [www.sanantonio.gov/dsd](http://www.sanantonio.gov/dsd) and saved into a PDF format.*

**Part 4. Application Type (check one):**

- |                                                        |                                                              |
|--------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Master Development Plan (MDP) | <input type="checkbox"/> Tree Permit                         |
| <input type="checkbox"/> Major Plat                    | <input type="checkbox"/> Planned Unit Development (PUD) Plan |
| <input type="checkbox"/> Development Plat              | <input type="checkbox"/> Minor Plat                          |

**Part 5. Endangered Species Act Coverage (check one):**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> The activity subject to the application to the City of San Antonio is covered under an existing <a href="#">individual</a> Section 10(a) permit or <del>a</del> <a href="#">an individual</a> Section 7 Biological Opinion analyzing the activity as proposed, and the activity is identical or very similar to the activity proposed in permit and located in the same geographic location. <a href="#">Applicants checking this box must provide either the Section 7 consultation number ( _____ ) or the individual Section 10(a) permit number ( _____ ).</a> <del>Skip to section-Complete part 7 of this form, no affidavit required.</del> |
| <input type="checkbox"/> The activity subject to the application to the City of San Antonio is covered by participation in <a href="#">the Southern Edwards Plateau Habitat Conservation Plan (SEP HCP)</a> or another <del>an</del> -approved Regional Habitat Conservation Plan. <a href="#">Applicants checking this box must provide a copy of the Participation Certificate.</a> <del>Skip to section-Complete part 7 of this form, no affidavit required.</del>                                                                                                                                                                                                       |
| <input type="checkbox"/> The activity subject to the application to the City of San Antonio is not covered by an existing Section 10(a) permit or a Section 7 Biological Opinion nor participation in an approved Regional Habitat Conservation Plan. <i>(Complete <del>sections-parts</del> 6, 7 and 8 <a href="#">of this form</a> (if applicable) <del>below</del>)</i>                                                                                                                                                                                                                                                                                                  |



# HABITAT COMPLIANCE FORM

**Part 6. Description for Activities Without Coverage (check one box for both ~~sections parts~~ A and B):**

A. Golden-cheeked  
Warbler Endangered  
Species

1. ☐

~~There is no requirement for coverage of this listed species because no~~ No part of the tract subject to the application to the City of San Antonio ~~contains habitat types that may be used by~~ is located within the presumptive habitat area for Golden-cheeked Warblers as described below. ~~set forth in Management Guidelines for the Golden-cheeked Warbler in Rural Landscapes, Texas Parks and Wildlife Department, available on their website.~~ While this requirement applies throughout the jurisdiction of the City of San Antonio, ~~based on the U.S. Fish & Wildlife Service Recovery Plan maps for Golden-cheeked Warblers,~~ there is a ~~rebuttable~~ presumption that areas located ~~inside~~outside of Loop 1604, ~~and north of U.S. Highway 90, and west of Interstate Highway 35 that are within the jurisdiction of the City of San Antonio, as well as areas located to the south of U.S. Highway 90 and east of Interstate Highway 35,~~ do ~~not~~ contain habitat. If the property is located in the presumptive habitat area, as described, this box may not be checked.

2. ☐

The tract or portions of the tract subject to the application to the City of San Antonio is within a presumptive habitat ~~areas~~area or contains habitat types that may be used by Golden-cheeked Warblers as set forth in Management Guidelines for the Golden-cheeked Warbler in Rural Landscapes, Texas Parks and Wildlife Department, available on their website and an Endangered Species Survey or Habitat Assessment has been completed within the last 3 years by a Biologist permitted by U.S. Fish and Wildlife and copies have been sent or will be sent to:  
U.S. Fish and Wildlife (USFWS) Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758

Biologist Name and permit number \_\_\_\_\_

Date of Survey/Assessment \_\_\_\_\_

Biologist has been notified that their survey/assessment has been utilized ☐ Yes ☐ No

3. ☐

The tract or portions of the tract subject to the application to the City of San Antonio is within a presumptive habitat area or contains habitat types that may be used by Golden-cheeked Warblers as set forth in Management Guidelines for the Golden-cheeked Warbler in Rural Landscapes, Texas Parks and Wildlife Department, available on their website, and an ~~no~~ Endangered Species Survey has NOT been submitted to U.S. Fish and Wildlife. (Selecting this box requires the applicant to complete the Habitat Compliance Affidavit in Section part 8 below of the form.)

B. Karst Invertebrate  
Endangered Species

1. ☐

~~There is no requirement for coverage of these listed species because no~~ No part of ~~this the~~ tract subject to the application to the City of San Antonio is located within karst zone 1 or 2 ~~of the areas in Bexar County as identified as karst zones in the USFWS 2008 Draft Bexar County Karst Invertebrates Recovery Plan by the USFWS.~~ (Applicant must provide a map demonstrating that the tract is outside of karst zone 1 or 2)

2. ☐

The tract or portions of the tract subject to the application to the City of San Antonio is located within Karst Zone 1 or 2 ~~as identified in the U.S. Fish & Wildlife 2008 Draft Bexar County Karst Invertebrates Recovery Plan~~ as identified by the USFWS and ~~an~~ a karst feature survey or Endangered Species Survey has been completed by a Biologist permitted by U.S. Fish and Wildlife and copies have been sent or will be sent to:  
U.S. Fish and Wildlife (USFWS) Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758

Biologist Name and permit number \_\_\_\_\_

Date of Survey/Assessment \_\_\_\_\_

Biologist has been notified that their survey/assessment has been utilized ☐ Yes ☐ No



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3. ☐ The tract or portions of the tract subject to the application to the City of San Antonio is located within Karst Zone 1 or 2 ~~as identified in the U.S. Fish & Wildlife 2008 Draft Bexar County Karst Invertebrates Recovery Plan~~ as identified by the USFWS and ~~no a~~ karst feature survey or Endangered Species Survey has NOT been submitted to U.S. Fish and Wildlife. *(Selecting this box requires the applicant to complete the Habitat Compliance Affidavit in ~~Section-part 8~~ below of the form.)*

**Part 7. Owner or Authorized Representative** *(form is considered incomplete without this ~~section-part~~ of the form completed):*

I certify that the information provided in this Habitat Compliance Form is true and accurate.

Print Name: \_\_\_\_\_ Title \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Owner

☐ Authorized Representative

☐ I affirm that I am authorized to sign this form on behalf of the owner.

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ ZipCode \_\_\_\_\_

E-mail: \_\_\_\_\_



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**Part 8. Affidavit of Compliance** (required for properties in karst [zones](#) 1 or 2 or located in the area identified as potential habitat as set forth in Management Guidelines for the Golden-cheeked Warbler in Rural Landscapes, Texas Parks and Wildlife Department, available on their website when there is no Section 10(a) permit, Section 7 biological opinion, Regional Habitat Conservation Plan, nor endangered species survey submitted to US Fish and Wildlife):

## Affidavit of Compliance

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ ("Affiant") who, being first duly sworn, upon his/her oath states:

My name is \_\_\_\_\_ and I am the owner of the property that is the subject of this application to the City of San Antonio.

\_\_\_\_\_ A habitat assessment/survey was not conducted [or I have elected not to provide the information.](#)

[Please explain below with an additional narrative why no survey has been conducted or why you have elected to not provide the information:](#)

\_\_\_\_\_  
\_\_\_\_\_

~~\_\_\_\_\_ A habitat assessment/survey was conducted by a biologist permitted by U.S. Fish & Wildlife Service, \_\_\_\_\_ (name of individual and firm) #TE \_\_\_\_\_ (number), and concluded that no species will be impacted by the activity subject to the application to the City of San Antonio and I am relying on that assessment/survey.~~

[I, as the owner, understand that I am responsible for the property's compliance with the Endangered Species Act.](#)

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signature: \_\_\_\_\_

STATE OF TEXAS §

§

COUNTY OF BEXAR §

§

Sworn to and subscribed to before me on \_\_\_\_\_, by \_\_\_\_\_,

\_\_\_\_\_  
Notary Public, State of Texas