



15 May 2008

Mr. Ben A. Appleby
1563 Frontier
Spring Branch, Texas 78070

Re: Comal County RHCP Citizens Advisory Committee (CAC)

Dear Mr. Appleby,

Please find enclosed the final CAC Minutes from April 7, 2008 CAC meeting, revised pursuant to CAC instructions at the May 5, 2008 CAC meeting.

As always, please do not hesitate to contact me should you have any questions.

Very truly yours,

A handwritten signature in cursive script that reads 'Rebecca D. Hays'. The signature is written in black ink and is positioned above the printed name.

Rebecca D. Hays

Enclosures

cc w/ encl.: The Honorable Danny Scheel, Comal County Judge
The Honorable Jack Dawson, Comal County Commissioner, Pct. 1
The Honorable Jay Millikin, Comal County Commissioner, Pct. 2
The Honorable Gregory Parker, Comal County Commissioner, Pct. 3
The Honorable Jan Kennady, Comal County Commissioner, Pct. 4
Geoff Barr, Esq., Criminal District Attorney, Comal County
Jennifer Tharp, Esq., Chief Civil Prosecutor, Comal County
Tiffany Groff, Esq., Comal County
Tom Hornseth, P.E., County Engineer, Comal County
David Renken, County Auditor, Comal County
Gary Galbraith, SWCA Environmental Consultants, Inc.
Dr. Steve Carothers, SWCA Environmental Consultants, Inc.
Alan M. Glen, Esq., Smith|Robertson
Melinda Taylor, Esq., Smith|Robertson
David Hartman, Esq., Smith|Robertson

**CITIZENS ADVISORY COMMITTEE (“CAC”)
to the
Comal County
Regional Habitat Conservation Plan (“RHCP”)**

NOTICE OF OPEN MEETING

A meeting of the CAC to the Comal County RHCP was held as follows:

WHEN: April 7, 2008

TIME: 10:00 a.m.

WHERE: Comal County Courthouse, Commissioners Court Board Room
199 Main Plaza, New Braunfels, Texas 78130

In Attendance

CAC Members

- Judy Meyers
- Ben Appleby
- Jack Ohlrich
- Curtis Bremer
- Mike Norris
- Alan Stahlman
- Terry Turney
- Carrol Lindeman
- Linda Laack
- Roy Linnartz
- Jensie Madden
- Cathy Talcott

Comal County Representatives

- Commissioner Millikin
- Tom Hornseth
- Jennifer Tharp

Agency Representatives

- Terry Turney (TPWD)

RHCP Consultant Team

- Dr. Steve Carothers, Gary Galbraith, Clover Clamons (SWCA)
- Alan Glen, Rebecca Hays (Smith|Robertson)

1. Call to Order. CAC co-chair Mike Norris called the meeting to order.
2. Approve Minutes from March 3, 2008 CAC Meeting. Meeting minutes were approved, as amended.

3. Citizens' Comments. There were no citizens' comments.
4. Receive Presentation Regarding Recent Citizen Concern About Development in Devil's Backbone. CAC member Appleby presented an email received by Commissioner Dawson regarding the beauty of Devil's Backbone (which extends from Hays County to Comal County) and the threat of impending development. Dr. Carothers and Mr. Glen noted the state law issues with pointing out any particular piece of property for potential preservation and Commissioner Millikin indicated that the County wanted to approach the RHCP carefully so that citizens did not feel as though the County desired to devalue anyone's property.
5. Present First Draft and Receive Comments Regarding Comal County RHCP Website. (SWCA) Ms. Clamons presented the draft website to the CAC. The CAC requested that the CAC be identified on the website. CAC member Madden asked whether County engineer had a more updated subdivision map that could be posted on the website. Mr. Hornseth indicated that the County engineer's office did not have a more updated map at this time. Ms. Madden also requested that the following information be displayed prominently on the first page of the website: the purpose of an RHCP, that the RHCP is still under development, and that the RHCP will be completely voluntary to landowners and other potential participants. CAC member Stahlman noted that it would be best to have one official contact for the RHCP website and that person should be someone from the County (and not one of the consultants). Mr. Galbraith of SWCA will receive comments from CAC members and the County for the next month. The CAC may make a recommendation that the Commissioners Court publish the website, and posting of the website may go on the Commissioners Court agenda sometime in the month of May with a tentative publication goal of June. SWCA to send the link via email to the CAC members who have email addresses and will send the website via hard copy to those members who do not have email access.
6. Report on BAT Activities. (SWCA) Mr. Galbraith reported on BAT activities to date. Specifically, Mr. Galbraith noted that there was no quorum at the last BAT meeting and that the next BAT meeting was set for April 14, 2008.
7. Receive Presentation Regarding RHCP Alternatives. (SWCA) Dr. Carothers presented the RHCP consultants' recommendation for the preferred alternative (Alternative No. 2) for the RHCP and also presented other alternatives. The preferred alternative included an initial 1,000 acre golden-cheeked warbler preserve with a rolling conservation bank as needed.
8. Discuss and Take Appropriate Action on RHCP Alternatives. CAC members noted that they wanted the consultants to be very certain that the numbers they were using (regarding potential habitat acreage and bird presence) were correct. Dr. Carothers noted that warbler preserves can be cobbled together by acquiring several smaller parcels that are adjacent to one another. Dr. Carothers also noted the public access issue and how that could affect the preserves and potentially the funding of the plan. There was further discussion on a range of topics including

lack of Endangered Species Act enforcement in the past and potential increase in enforcement in the near future, the size of the ultimate preserve (the initial preserve plus whatever the County acquires over the next 30 years for warbler and/or black-capped vireo preserves), the fact that the CAC members will ultimately make a recommendation to the Commissioners Court regarding the preferred alternative and that before the CAC made that recommendation, the CAC would receive a draft RHCP document to review and comment upon. CAC member Linnartz made a motion to recommend Alternative 2 as the preferred alternative. CAC member Talcott seconded that motion. The motion passed by unanimous vote.

9. Discuss and Take Appropriate Action on Agenda Items for Next Meeting. Agenda items for the May 5, 2008 CAC meeting to include, among other things: RHCP consultants will provide a draft RHCP executive summary of the preferred alternative and why the County chose this alternative, a legal answer regarding whether a citizen who donates money to the County for endangered species preservation purposes could receive a tax credit for that donation, and presentation of comments on the draft RHCP website, and a presentation regarding RHCP funding by the RHCP economists.
10. Adjourn. Meeting was adjourned at 11:48am.