

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

MEETING MINUTES

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

WHEN: January 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

- Jack Ohlrich
- David Welsch
- Cathy Talcott
- Judy Myers
- Carroll Lindeman
- Terry Turney
- Alan Stahlman
- Ben Appleby
- Travis Wuest
- Mike Norris
- Linda Laack
- Roy Linnartz

Comal County

- Judge Danny Scheel
- Tom Hornseth
- Jennifer Tharp
- Commissioner Jay Miliken

Consultants

- Smith|Robertson: Alan Glen, Rebecca Hays
- SWCA Environmental Consultants: Dr. Steve Carothers, Gary Galbraith

Agency Representatives

- Will Amy, USFWS
- Terry Turney, TPWD

Others

- Connie Krause
- Star Carey

Judge Scheel thanked the CAC for their service to the County, remarked that the consultant team would now be moving the RHCP process along, and that the consultants would also begin providing more detailed meeting minutes.

1. Call to Order. Chair Travis Wuest called the meeting to order. Will Amy (USFWS) introduced himself to the CAC.
2. Approve Minutes from December 3, 2007 CAC Meeting. Some minor formatting changes were made to the December 3, 2007 CAC meeting minutes. In addition, David Welsch noted that previous meeting minutes had not been amended to reflect his changes. The previous minutes will be amended accordingly. Mr. Welsch passed out a redline version of the December minutes to the CAC reflecting proposed changes. The CAC voted unanimously to amend the minutes according to Mr. Welsch's changes. Rebecca Hays (Smith|Robertson) will amend the minutes to reflect the changes and distribute those minutes, along with previously amended minutes, to the CAC members.
3. Citizens' Comments. Connie Krause brought articles for the CAC members to read. One article pertained to the Fort Hood ESA efforts and the other pertained to Edwards Aquifer watershed issues.
4. Discuss Project Status and Goals. Alan Glen (Smith|Robertson) addressed the CAC regarding the County's goal for the plan and the current status of the plan. Mr. Glen distributed a RHCP milestone schedule to the CAC indicating major milestones in the plan and what the CAC can do to help the County achieve those milestones. He indicated that the plan is currently in the second "block" of the milestone schedule – in the committee process – and that the consultant team was in the early stages of drafting the plan. Additionally, Mr. Glen informed the CAC that the County will soon be hiring an economist. He also noted that the Commissioners Court will consider appointing a biological advisory team ("BAT") at this week's Commissioners Court. Mr. Glen indicated that the biggest part of the RHCP effort was to come up with a draft plan document and that the consultant team would like to have this done within the next several months. Dr. Steve Carothers noted that it was very important that the CAC landowner members appointed a BAT member as soon as possible so that the process can move forward.

Cathy Talcott asked for the definition of a "CAC landowner member." Mr. Glen explained that a landowner member is one who owns undeveloped land in the County. Alan Stahlman asked whether there was an acreage requirement involved in being a landowner member. Mr. Glen explained that there was no acreage requirement. Mr. Welsch wanted clarification on the number of members appointed to the BAT. Mr. Glen explained that the BAT was appointed in three different ways. First, the Texas Parks and Wildlife Commission appointed one

member – in this case, Mike Quinn. Second, the CAC landowner members appoint one BAT member. Third, the County appoints the balance of the BAT. Mr. Welsch noted that the BAT is the crux of the entire RHCP and wanted to know whether the CAC landowner members appoint one BAT member or at least one BAT member. Moreover, Mr. Welsch inquired whether there is precedent for there being more than three BAT members. Mr. Glen explained that, although the statute is somewhat ambiguous, in practice, BATs are usually comprised of more than three members and that CAC landowner members appoint only one BAT member.

5. Executive Session.

As authorized by Government Code Section 551.0745 for Personnel Matters Affecting County Advisory Body, CAC landowner members, as that term is defined by Chapter 83.016 of the Texas Parks and Wildlife Code, will meet in Executive Session.

The CAC went in to executive session at 10:23 am. Executive Session ended at 10:44 a.m.

6. Discuss and Take Appropriate Action on Landowner-member appointment to Biological Advisory Team (BAT). CAC landowner members who were present at the CAC meeting were: Cathy Talcott, Judy Meyers, Alan Stahlman, Travis Wuest, Mike Norris, Jack Ohlrich, and Carroll Lindeman. Mike Norris moved to appoint Hal Herbelin to the BAT and to recommend that the County consider Sandra West Moody as a potential BAT member. Cathy Talcott seconded the motion. The CAC landowner members unanimously approved the motion.

7. Discuss and Take Appropriate Action on RHCP Annotated Outline. Dr. Carothers addressed the CAC regarding the annotated outline. Dr. Carothers stated that the most important task for the CAC to complete was to appoint their BAT member so that the BAT could meet to discuss options for species coverage under the RHCP. He also explained that the BAT will also aid the CAC in determining preserve designs, mitigation issues, and other issues. The BAT will then inform the CAC of the BAT's recommendation on the various issues and, at that point, the CAC could act upon the BAT recommendations.

Dr. Carothers also mentioned the Williamson County RHCP and indicated that, if karst invertebrates were not covered under the Comal County RHCP, then the Comal County RHCP would likely be much less complicated than the Williamson County plan.

Mr. Welsch asked whether the CAC could attend the BAT meetings. Mr. Glen said that they could. Mr. Turney then asked whether Mr. Turney could discuss Comal County RHCP issues with Mike Quinn, the TPWD's appointee to the Comal County BAT. Mr. Glen said that would be fine as that would not constitute a quorum. Mr. Appleby asked whether the annotated outline encompassed the important parts of the eventual RHCP. Dr. Carothers said that it did, but noted

that, unlike the Williamson County plan, the Comal County annotated outline had less of an emphasis on karst invertebrates.

Dr. Carothers described what each section of the final RHCP document would include. He also noted that even if the County's plan did not cover karst and aquifer species for take, preserving large pieces of land for the golden-cheeked warbler and black-capped vireo would nevertheless benefit other species. In addition, Dr. Carothers noted that because of the Forest Guardians petition, it was possible that karst species may be covered in the Comal plan as "additional species." Mr. Turney asked whether there were other species, besides karst, that were listed in the petition. Gary Galbraith (SWCA) indicated that there were mussel and plant species listed. Mr. Wuest asked whether the CAC would recommend which species to cover in the plan. Dr. Carothers explained that the BAT will likely recommend species to the CAC and, after that, the CAC can act on that recommendation.

8. Report on Comal County RHCP Website Status. Mr. Galbraith stated that websites have been done for other RHCPs across Texas and that the consultant team was working to develop a website for the Comal plan. Mr. Galbraith indicated that the website would likely include a description of what a RHCP is, what the County has done so far in formulating its RHCP, how the County got to where it is, why the RHCP was considered in the first place, a FAQ link, and other items. He also explained that the site would be continually evolving.
9. Adjourn. Mr. Glen said that the consultant team would prepare materials for the BAT in advance of BAT meetings and would distribute those materials to the CAC as well. Ms. Talcott asked whether the County's BAT candidates would attend this week's Commissioners Court meeting. Jennifer Tharp said that it was unlikely that any BAT candidates would attend.

The CAC decided not to meet in February so that the BAT could meet and recommend species coverage options. The next CAC meeting will be held Monday, March 3, 2008.

The meeting adjourned at 11:17 am.