

## ***HCP 6-MONTH REVIEW MEETING***

November 4, 2008

1:30 – 3:30 p.m.

### **MINUTES**

**Attending:** Louise Clemency (FWS), Cathy Carnes (FWS), Darrell Zastrow (DNR), Quinn Williams (DNR), Gary Birch (DOT, IOC Chair), Dave Lentz (DNR), Bob Hess (DNR Recovery Coordinator - for first part of meeting)

1. Recovery property staff are doing both HCP and recovery work. What areas of duplication/redundancy can be consolidated to reduce unnecessary workload and increase recovery effort?

*Discuss proposals. (Attached)*

- HCP pre-management surveys. Recovery properties have intensive and continuous assessment of Kbb populations due to Distance Sampling (DS). It is redundant to perform separate pre-management surveys following two different protocols.

**Decision:** Recovery property staff will not need to perform pre-management surveys on parts of property that are low potential and not designated and managed as recovery areas.

- Document Kbb presence prior to management: Recovery properties document Kbb population information for recovery purposes in a number of ways. Filling out same data on HCP Level 1 & Level 2 survey forms is redundant.

**Decision:** Recovery properties will be able to discontinue using Level 1 & 2 forms. Follow DS protocols and method. Document DS surveys on DS data sheets and Kbb & habitat on GIS or other maps.

- Reporting Kbb presence per the HCP monitoring requirement. It is redundant to submit raw DS data to both the HCP program and the recovery program.

**Decision:** Recovery properties need not submit level 1 & 2 surveys to the HCP Coordinator by the traditional September 15<sup>th</sup> deadline. Instead they will submit DS survey data to the KBB Recovery program (Gregor Schuurman at this time). The Recovery program will copy final DS survey data, analysis and summaries to HCP Coordinator for inclusion in annual monitoring summary report and the annual report.

**Action Cathy, Bob and Dave:** The content of a recovery monitoring report needed to satisfy Condition X of the ITP will be determined.

- Monitoring Training: Kbb I.D. etc covered in both HCP and recovery monitoring (DS) training. Being required to attend both is redundant. Also DS satisfies pre-management survey requirement eliminating the need to learn the Level 1 and Level 2 HCP survey protocols.

**Decision:** Only Distance Sampling training will be required of staff on recovery properties (*note: Need more discussion to determine appropriate recertification interval, e.g. once every 5 years like HCP monitoring training*). Distance training will constitute “certification” under ITP Condition S. Trainees’ completion of DS will be recorded by the DNR’s recovery program and forwarded to the HCP Coordinator for inclusion in the ITP required annual report.

- HCP management guidelines and protocols are compatible for recovery properties that are “managing to feature and enhance Kbb habitat” as well as other partners that “manage with

consideration of Kbb”. One exception is habitat restoration to feature and enhance optimizes restored habitat whereas habitat replacement has a different seed mix and lesser expectations. In the Habitat Restoration protocol, there are enhanced methods which are suggested but not required for habitat replacement.

**Action Item:** Dave will distinguish these two types of restoration by placing them in separate parallel paths in the Habitat Restoration protocol to remove confusion.

- HCP Annual Reports (ITP Condition X): The ITP requires that the DNR report the total amount of incidental take by the Partners. Currently, HCP partners (including DNR recovery properties) report each management activity on Kbb occupied sites by the site and by the date on an individual line on the annual report form. Recovery properties will be managing in accordance with their *Property Level Recovery Implementation Plans (ITP Condition M)*. Is it necessary for recovery properties to report management activities as they have been once they are reporting annually on their Property Level Recovery Implementation Plans?  
Louise: Once the *Property Level Recovery Implementation Plans are in place*, the property can estimate the average annual management that the recovery property anticipates will occur (in acres). This can be adjusted if it is greatly different than planned.

**Decision:** Recovery properties will lump incidental take, i.e. average annual acres of incidental take.

**Decision:** Non-recovery properties and non-recovery partners can similarly lump management acres on Kbb occupied sites by activity and site.

- Reporting Conservation Measures applied on annual report. The current annual report form has a field for reporting the CM, which were applied. With management protocols standardized and more clearly defined and documented, it is assumed that the appropriate CM for the type of activity was followed. Compliance Audits (Implementation monitoring) is designed to verify this. It is redundant to report this.  
Is it necessary to continue reporting CM on the annual report?

**Decision:** It is no longer necessary for anyone to report CMs on the annual report.

**Action Item:** Dave, Bob and Cathy will work to make ITP annual reporting characteristics for recovery properties compatible with HCP annual report data and the intent of ITP Condition X.

- Recovery properties will continue to report land transfers the same as non-recovery properties and non-DNR partners.
- Compliance Audits: Is it necessary if recovery properties are fully engaged in Local Recovery Teams and recovery implementation to still receive a periodic audit?  
Cathy: The Service needs a measure of accountability.

**Action Item:** DNR (Bob and Dave) will internally need to sort out the audit process for compliance to recovery implementation plans, the IA and the HCP.

## 2. Permit Renewal Preparation

*Review and adjust renewal steps and timeline (Attached)*

The draft renewal schedule was reviewed.

- Regarding the Risk Analysis (RA) that supports the Voluntary Group: This is the same as the task titled, *GIS analysis % partner acres in old HPR vs. % in new HPR*.

To do this, partners will need to provide locations and acres of land in the HPR and in the BRZs. At the April 2008 HCP review meeting, the Service said that it would be sufficient for SHCA Appendix A (lands included) for partners to supply a map of all lands in the new HPR with a total acreage figure. This won't be enough to re-calculate the RA. Dave is concerned about having the expertise and workforce to do this since the HCP program has no LTEs and given that the state has a hiring freeze. He asked since the RA will actually be better, is it necessary to re-do it?

Cathy: Redoing the risk assessment will demonstrate how the HCP is doing and working. It should show more Kbb sites now on partner lands compared to the start of the program, etc.

**Action Item:** Cathy and Louise will work on fleshing out the risk assessment needs and forward to Dave.

**Action Item:** Dave will work the RA into the GIS contract with UW Madison.

Louise: Do two RAs: one for the voluntary category and another for the overall HCP. The overall HCP RA would focus on such things as change in acres, change in numbers of Kbb populations, number of partners and partner acres.

Quinn: Chapter V of the EIS does not need to be amended with the updated RA. The new RA only buttresses the EIS; put new RA in the new chapter 2.

**Action Item:** Dave will couch the RA in a 10-year Report on the HCP, which will include changes, improvements, etc. such as the Kbb probability model, emergence model, etc.

- Regarding a new SHCA (conservation agreement) template: As long as there are no significant changes other than omitting items that are no longer pertinent and changing nomenclature that has evolved, then the Service will not need to have it approved by their solicitors.

**Action Item:** Dave will provide a *track changes* version of a new draft SHCA template for Cathy to review.

- Regarding temporary workspace: How can temporary construction areas be declared for lands included under the permit (SHCA Appendix A)? These are short term staging areas for which partners such as utilities and DOT get additional short-term easements to unload and stage construction project materials and equipment. It would difficult to add these lands into the partner's "land included" and take them out again in order to legally declare them for coverage under the permit (as advised by Tony Sullins in a teleconference at a previous HCP review meeting).

Quinn commented that these are not permanent easements. It is possible to include these in the Voluntary category under the landowner and the partner would follow the same conservation measures as if they included the land in their App. A.

Cathy suggested proposing a minor amendment (to the HCP) to cover this situation. Identify the issue stating that some partners may need to lease temporary work space from people in the Voluntary Landowner Group to access their lands for various work activities such as for (give examples). Also identify an approximate acreage of land that would be used per year (or for the term of the permit) for this purpose and where it would be located e.g., adjacent to existing or proposed ROWs, etc. also state that the partner would follow the CMs in the HCP when conducting their activities on these lands. Make it clear that the partners' SHCAs do

not have to be amended to include the land in the temporary easement. You may also want to include that the partner would apply the CMs when deciding where to lease the land - e.g., lease land w/ goal to avoid or minimize impacts to lupine to the extent reasonable.

**Action Item:** Quinn will draft a HCP amendment to accommodate temporary workspace without individual land declaration and amending App. A.

3. The updated HCP will replace Chapter 2 of the current HCP/EIS.

- *DNR will give a progress update.*
- Question: *Should the new HCP be titled, “Public Review Draft”?*

Cathy: No, the document is not a draft, it should be titled something like the “Revised (and Updated?) WI Statewide KBB HCP.” The FWS places a notice in the Federal Register re; the pending permit action and does solicit comments on the permit and HCP. If we receive comments we’d share them with the WDNR; mostly we are looking for information from the public that we may not already have that would be pertinent to the HCP and/or permit issues.

4. The HCP Biological Goal: Continue the discussion.

- *Can we demonstrate NNLOH this way?*

*From 4-24-08 Minutes Action Item: Darrell suggested that DNR could look into and analyze the forest recon data for— county and state lands. Cathy suggested that, while this is not necessary, the Service believes this would be a worthwhile exercise (it could be a lower priority task) to show how the HCP is doing.*

Cathy added that it would compare how much land was early successional (< 15-20 years old stands) at the start of the HCP (1999) and in its renewal year (2009). It may be a way to show how the HCP has maintained KBB habitat, and promoted beneficial disturbance and persistence of KBBs, and thus demonstrate its success.

Darrell commented that this is essentially already done (available) for state and county forests. This could be presented for the HCP renewal for a subset, e.g. one state forest (Black River SF) and one or two county forests.

**Action Item:** Dave will follow up on the analysis above.

Dave proposed the following HCP goal as a better defined approach to the current goal of No Net Loss of Habitat (NNLOH):

***The WI Statewide Karner Blue Butterfly HCP***

**PROPOSED Biological Goal of the HCP**

*This is the same goal as the first ten years, but redefined for the second 10 years.*

**GOAL:** There will be **No Net Loss of Habitat (NNLOH)** as a result of partner activities in the KBB High Potential Range (HPR)

**Expected Outcome #1:** Permanent take and short-term take where this is complete removal or destruction of habitat will be more than offset by successful habitat mitigation and habitat replacement (respectively).

**Method of Measuring Outcome:** Construction project plans and annual reports (for minor projects) reflect habitat lost vs. habitat replaced. Post-

construction mitigation assessments will measure success against the construction guideline success measures.

**Expected Outcome #2:** Partners will conduct activities consistent with approved and proven conservation measures that avoid and minimize take of Kbb to the greatest extent practicable.

**Method of Measuring Outcome:** HCP Compliance Audit criteria (implementation monitoring) and summarized in the annual Compliance Audit Summary report.

**Expected Outcome #3:** Partners will seek out opportunities to create and manage a shifting mosaic of habitat for Kbb

**Method of Measuring Outcome:** *To Be Determined*

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## 5. Plan Spring 2009 HCP 6-month Review Meeting Items

***Note: Time ran out before this item could be discussed.***

Possible agenda items:

- IA proposal: issues/comments/discussion
- SHCA template issues/comments/discussion
- Updated HCP issues/comments/discussion
- ITP amended: issues/comments/discussion
- County forest long term management commitments
- IOC is considering redesigning the HCP organization and modifying how they operate, e.g. IOC role, IOC meetings, partner meetings, etc. *DNR will give update on IOC's planning progress.*
- At the April 2008 meeting, the Service advised not developing separate permits for the KBB recovery and HCP programs - rather consider separating out recovery and HCP reporting and monitoring requirements which can be tailored to meet the needs of each program. The DNR will address how to sort out HCP and recovery issues and responsibilities within the DNR's Land and Forestry Divisions, under a single ITP. *DNR will share progress to date and related issues or questions.*

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