

## MEETING NOTES

Cumberland Water Resources Habitat Conservation Plan Steering Committee  
Cumberland County Art Circle Public Library  
3 East St., Crossville, TN  
March 10, 2011

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### ATTENDEES

Name		Affiliation
Robert	Baker	TN Dept. of Environment and Conservation
Tim	Begley	City of Crossville
Everett	Bolin	Crab Orchard U.D.
Eric	Brady	City of Crossville
Chris	Burcher	HCP Team
Malissa	Davis	HCP Team
Kevin	Dean	City of Crossville
Janet	Dowlen	Cumberland County
Mary Beth	Elrod	ECE
Mayor J.H.	Graham	City of Crossville
Dennis	Gregg	Obed Watershed Community Association
Pam	Harris	ECE
Yoichiro	Kanno	HCP Team
Doug	Little	Plateau Properties
Teresa	Payne	HCP Team
Peggy	Shute	U.S. Fish and Wildlife Service
Derek	Street	HCP Team
Samantha	Wyatt	HCP Team

### MEETING GOALS

- Review updated timeline for Cumberland Water Resources HCP.
- Review draft HCP covered species list and covered activities list, and ask for Steering Committee's approval of each.
- Discuss possible scenarios for HCP implementation.
- Discuss the City of Crossville's MS4 Stormwater Program.

### WELCOME AND INTRODUCTIONS

- Teresa Payne (HCP staff) welcomed all attendees.
- Attendees introduced themselves to the group.
- Teresa reviewed the purpose of the meeting.

Updated Timeline for the Cumberland Water Resources HCP  
Presented by Teresa Payne, HCP Outreach Coordinator  
*Media: Timeline handout*

Teresa Payne (HCP Team) reviewed the updated timeline. Highlights:

- Each item is based on a Steering Committee meeting date.
- The HCP Team will need the Steering Committee’s feedback and will take action during each Steering Committee meeting in order to move forward and develop a sound HCP.
- The timeline can be adjusted as necessary.

Q&A

Can the HCP Team update the City Council on the status of the HCP during the meeting on the 2 <sup>nd</sup> Tuesday of June?	Teresa- Yes, the HCP Team will prepare to give them an update.
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Discussion and Steering Committee Action to Approve Covered Activities List  
 Presented by Dr. Chris Burcher, HCP Science Advisory Committee Coordinator  
*Media: Covered activities handout*

Dr. Chris Burcher (HCP Team) reviewed the covered activities list, and the Steering Committee was asked to approve the list. Highlights:

- Only activities that will be applied for in the permit are included on the list. The covered activities were identified by the Steering Committee and Technical Team.
- In the ‘take’ model, the covered activities are the drivers that cause species’ responses.
- The covered activities will alter hydrology, compromise water quality, and cause sediment to enter into streams.
- The covered activities list was approved by the Steering Committee.

Q&A

How will invasive plant species be addressed in the HCP?	Chris- Invasive species are a secondary or tertiary effect of a covered activity. Kevin- There are buffer regulations pertaining to invasive species that are in place, but there is an issue with enforcement. Enforcement will not fall under the HCP, but it will fall under other programs. Malissa- Enforcement will not fall under the covered activities, but it will be addressed in the Biological Goals and Objectives. We could possibly have a list of native species to use and a list of species to avoid using.
What if we follow procedures according to the HCP, and we still lose species/habitat due to invasive species?	Peggy- There are a few species that live along stream banks that could be affected by invasive species. You could specify in the HCP sites that would include species that would potentially be affected by invasive species.

	<p>Robert- The permit authorizes the covered activities, but it does not require you to take action, unless it is to mitigate for a covered activity.</p> <p>Kevin- We can work with grant funds or work with volunteers to destroy invasive species outside the HCP. We could also include language for this in the mitigation section or conservation measures of the HCP.</p>
<p>How long have the covered activities and covered species lists been in development?</p>	<p>Malissa- The covered activities were set out between 2005 and 2007 with Alex, Trish, and others.</p> <p>Kevin- They were developed in meetings with City personnel as well.</p> <p>Malissa- We have been working on the species list since last year, and it has gone through many changes; it is fairly firm now.</p> <p>Robert- This list has been to the Steering Committee before and back to the science committee.</p> <p>Yoichiro- The species experts have been a part of the creation of the species list, too.</p> <p>Mayor Graham- We need to make sure we spend the appropriate amount of time and use the best available science in developing these lists.</p>

Discussion and Steering Committee Action to Approve Covered Species List  
Presented by Malissa Davis, WRHCP Science Coordinator  
*Media: Powerpoint and species list handout*

Malissa Davis (HCP Team) reviewed the covered species list, and the Steering Committee was asked to approve the list. Highlights:

- Based upon a risk analysis, Morgan and Scott counties have a low risk of impacting species through development, so they decided not to continue with the HCP but to accept recommendations for conservation measures. This lowered the number of covered species down to 25.
- Malissa reviewed the process used to select species to include on the list. Crossville was given a 10-km buffer to ensure that all species that could potentially be impacted by Crossville’s covered activities were included on their list. Cumberland County was given a 2-km buffer for mussels and plants and a 10-km buffer for all other species for the same purpose.
- The species list could still change because the ‘take’ model will have to be developed to determine whether or not there will be take of each species, the list will go through species experts’ review, and other species could be petitioned for federal listing in the future.

- We are currently looking into the Bald and Golden Eagle Protection Act to see if these species should be added to the list.
- Not all species on the list are federally listed, but they have been petitioned for federal listing or are likely to be petitioned in the future. If a species on the list becomes federally listed in the future, then the applicants are covered.
- There are 16 species for Crossville and 25 for Cumberland County.
- The covered species list was approved by the Steering Committee.

Q&A

<p>Are the 25 species final?</p>	<p>Malissa- There will be other reviews of the list.  Kevin- USFWS will have to review the list.  Peggy- Sign-off on the HCP from USFWS will be after the document is completely written.  Robert- Adding or deleting species from the list will take consideration. You can request to amend the permit after it has been granted.  Chris- Once the lists are approved, we can move forward and develop the 'take' models.</p>
<p>Do we just have to trust the credentials of the scientists who developed the list?</p>	<p>Yes.  Kevin- If you are following conservation measures to protect one species, then you will be protecting other species as well.  Peggy- The HCP will specify conservation measures you have to do in certain areas.  Kevin- We will have documentation to show developers why they have to take certain actions.</p>
<p>Do the developers have to determine whether or not a species is in their project site?</p>	<p>Kevin- No, the permit holder has to prove whether or not a species is in a certain area.</p>
<p>Can Crossville and Cumberland County have the same species list?</p>	<p>Robert- There are two permit holders, Crossville and Cumberland County.  Mayor Graham- The City and County will look for ways to come together more in the future, so it seems to be best for both applicants to have the same list.  Dennis- We do not have great survey data for species in the area, so we do not know in total confidence that some species are not in the City.  Kevin- The conservation measures will protect species even if they are not on the list.</p>

Presented by Kevin Dean, City of Crossville

Kevin Dean (Crossville) discussed ideas for HCP implementation. Highlights:

- The HCP will be reactive based on the covered activities and will go hand-in-hand with programs that are in place now, so the actual infrastructure is already in place for the HCP.
- We will create a GIS layer based on all available science. We will make it simple for the developers and for us. If the 'take' model will allow us to define boundaries, then we can determine how likely a species will be found in an area, and we will create zones. We can overlay a project site with our GIS layer, and we will be able to determine what conservation measures will have to be implemented in that area based on what zone it is in. We will be able to give the conservation measures to the developers on paper.
- The HCP will save time for the developers during the permitting process.
- The City's jurisdiction will stop at the urban growth boundary. Its hard jurisdiction will stop at the City limits. For identification of species, the urban growth boundary plus the 10-km buffer will be used for the City. The benefit of the 10-km buffer is that there could be species outside the City's jurisdiction that would be affected by projects within the City's jurisdiction.
- Developers will have a fee associated with the HCP. The HCP will be a part of planning regulations. Kevin and Eric will explain to developers what they have to do and what parts deal with the HCP.

#### Q&A

Will the HCP help save in the cost of reports?	Peggy- It will help with the cost of the biological aspect, but not with the cultural or archaeological aspects.
Why do we need two permit holders if we have the same covered species and activities?	Malissa- Crossville and Cumberland County are two separate entities. Everett- There was concern that one applicant would decide not to participate. Robert- The City cannot make codes for the County, and vice versa. Mayor Graham- There also are differences in City and County regulations. Malissa- The City and County will be asking for two different amounts of take.
If Meadow Park Lake is increased, will it still be in the City's jurisdiction?	Tim- The lake is within the urban growth boundary. Kevin- The lake is also City property. Tim- City projects, such as water lines, are included as well, and will be included in the HCP.

Presented by Eric Brady, City of Crossville

Eric Brady (Crossville) discussed the roles and responsibilities of Crossville’s MS4 Stormwater Program and how it will incorporate the HCP. Highlights:

- The City signed to the MS4 program with TDEC.
- Two City personnel manage the program, and we do monitoring, outreach, enforcement, etc.
- All ditches, culverts, etc. have been mapped, and the Maryland protocol has been used for standard stream assessment. GIS monitoring is being developed for City streams, and the streams are broken into 1/10-mile sections. The most critical areas can be selected for improvements. We have new rain gauges and new flow data loggers that will go into the stream beds. Benthic monitoring will be conducted by consultants.
- Our main goal is to make sure that rain flows like it is suppose to with minimum property damage. We issue land disturbance permits and give the applicants BMPs to implement. We inspect project sites. This program is educational, and it protects the environment.
- Whatever the developers submit to TDEC, they can submit to the MS4 program. We have a City of Crossville field manual for contractors that shows them how to implement the BMPs.
- We sponsor stream clean-ups and litter pick-ups. We have marketing tools such as hats, shirts, etc. The program is small, well run, effective, and we have enforcement. We have relationships with all City departments. We can use mapping technology to find spills rapidly. We can limit our potential for flooding and repair infrastructure problems.

#### Other

Malissa gave her farewell to the Steering Committee because she will be going on maternity leave soon, and she will be moving to Georgia in late July. She may be able to work with the HCP from Georgia, but it is undecided at this time. Her replacement, Barbara Rosensteel, will begin March 21<sup>st</sup>.

#### ADJOURN

#### ACTION ITEMS

Responsible Party	Item	Deadline
HCP Staff	Prepare to update City Council on the status of the HCP	Before June 14 <sup>th</sup>
HCP Staff	Potentially include conservation measures that address invasive species	ASAP

*The next SC meeting is scheduled for May 13<sup>th</sup> from 1-4PM Central at the same facility (Cumberland County Art Circle Public Library on East St., Crossville).*