

## MEETING NOTES

Cumberland Habitat Conservation Plan Steering Committee  
Cumberland County Art Circle Public Library  
3 East St., Crossville, TN  
May 13, 2011

---

### ATTENDEES

Name		Affiliation
Tim	Begley	City of Crossville
Everett	Bolin	Crab Orchard U.D.
Chris	Burcher	HCP Team
Kevin	Dean	City of Crossville
Janet	Dowlen	Cumberland County
Mayor J.H.	Graham	City of Crossville
Dennis	Gregg	Obed Watershed Community Association
Jerry	Hardin	Emory River Watershed
Yoichiro	Kanno	HCP Team
Doug	Little	Plateau Properties
Katherine	Medlock	The Nature Conservancy
Teresa	Payne	HCP Team
Gay	Reeves-Stewart	HBACC
Barbara	Rosensteel	HCP Team
Rebecca	Schapansky	NPS Obed Wild & Scenic River
Derek	Street	HCP Team
Samantha	Wyatt	HCP Team

### MEETING GOALS

- Update the Steering Committee (SC) on the progress of the outreach team.
- Update the SC on the progress of the science team.
- Review draft HCP biological goals and objectives, and ask for SC's approval.
- Update the SC on the progress of the take models.

### WELCOME AND INTRODUCTIONS

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

#### Outreach Coordinator Update

Presented by Teresa Payne, HCP Outreach Coordinator

Teresa Payne (HCP Team) updated the SC on the outreach team's progress. Highlights:

- The HCP’s name was changed from Water Resources HCP to Cumberland HCP. The new name encompasses both the City of Crossville and Cumberland County.
- The SC will vote on the approval of specific items at meetings. If the majority does not vote in favor of an item, the item will be revised and brought back to the SC at a later date.
- The Permitting Partnership Coordination Council (PPCC) is comprised of members from NPS, USFWS, TDEC, TVA, and ACOE. The PPCC has met twice and will be meeting again on May 20<sup>th</sup>. The goal of this committee is to streamline the permitting process between the applicants and the permitting agencies by establishing consistency of the CHCP conservation measures with those of the permitting agencies.

Science Coordinator Update

Presented by Dr. Chris Burcher, HCP Science Advisory Committee Coordinator

*Media: 2 handouts*

Dr. Chris Burcher (HCP Team) reviewed the handouts and updated the SC on the science team’s progress. Highlights:

- Many of the components on the CHCP timeline will be voted on by the SC.
- HCP staff members are on course and working on all of the components simultaneously because they are all linked in some way.
- All components on the timeline come from the HCP handbook, and we are required to include them in the HCP.
- HCP staff plan to present a draft of the conservation measures to the SC in July.

Q&A

What are KLFs?	Chris- KLFs are Key Limiting Factors. Barbara will talk about these more in her presentation. They link what ecological needs organisms have to ways in which they can be affected by covered activities, and they will lead us to an estimation of take.
What are Changed/Unforeseen Circumstances?	Chris/Katherine- It is a requirement from USFWS that we have this in the HCP. It is something that you know could potentially happen in the future that could affect the covered species. The applicant cannot be held responsible for these things.

Biological Goals and Objectives

Presented by Barbara Rosensteel, CHCP Science Coordinator

*Media: PowerPoint and handout*

Barbara Rosensteel (HCP Team) reviewed the Biological Goals and Objectives (BGOs), and the Steering Committee was asked to approve them. Highlights:

- The BGOs lead us to ways of protecting the covered species, while allowing for community growth.
- The SC unanimously voted in favor of approving the BGOs.
- Our next step is to continue work on developing the conservation measures.

Q&A

<p>What is the time frame in which we have to define the goals and objectives?</p>	<p>Barbara- These will be consistent throughout the life of the HCP. Katherine- It will be 30 years from the time that USFWS approves the HCP permit. Once the SC approves this, it is approved until USFWS reviews it. Then, there will be another review with USFWS and the other permitting agencies. The PPCC will be familiar with these BGOs before they see them in the review with USFWS.</p>
<p>To what point does habitat have to be restored?</p>	<p>Barbara- For example, if there is no woody vegetation in a riparian buffer, you could allow vegetation to grow back naturally or plant trees and shrubs to speed up the process. Katherine- You would need to restore the habitat back to what the species require, instead of restoring it back to a historical place in time. Dennis- You could consider options that were not implemented in the past for areas that will be redeveloped, such as moving out of a buffer zone.</p>
<p>What if someone purchases a property and is not aware of what was implemented in the past?</p>	<p>Katherine- It would not trigger the requirement of a permit to purchase a property, unless they decided to redevelop it.</p>
<p>Because endangered species have a certain level of protection, mitigation is not always allowed in some areas, so how will that be addressed?</p>	<p>Katherine- Under the take permit and with the HCP, we try to avoid and minimize take. USFWS will want to make sure that there is a net benefit to the species through mitigation. We need to get the conservation measures in order to answer this question. Rebecca- The HCP process parallels Section 7 Consultation.</p>
<p>Will developers have to hire biologists to prove that listed species are not present on their project sites?</p>	<p>Katherine- If developers implement HCP conservation measures, then, they are assuming that the species are there, whether or not they are actually there. Barbara- There will have to be someone certified to do wetland and stream delineations, and, at the same time, they should be characterizing the habitats and land cover/current land use on the site. It is assumed</p>

	<p>that if there is aquatic habitat, there is potential for the species or their habitat to be present. The presence of habitat for some of the covered species will need to be determined through habitat characterization. Conservation measures will address habitat conservation.</p> <p>Rebecca- There is the 'no surprises' clause with the HCP, so the applicants will not be held responsible if new information comes along in the future.</p> <p>Everett- If developers do not go by the HCP, then, they will have to go through the permitting process as it is now.</p> <p>Teresa- If developers choose to opt out of the HCP, there will be time and cost issues because they would still be responsible for the Endangered Species Act and permits from the regulatory agencies. It is also possible that they could be required to hire someone to create a separate HCP for their project.</p>
<p>Was the fact that stormwater regulations are different between the City and County considered in the development of the BGOs, and is there any reason they should be different?</p>	<p>Barbara- The BGOs address species requirements for population viability and are based on the covered species and their habitats. The conservation measures, which take such things as stormwater regulations, will be the same for the City and County.</p>
<p>If someone made note of other habitats and species that were present when they did wetland/stream delineations, would USFWS still require that a biologist survey for species?</p>	<p>Katherine- Under the HCP, they would already be doing the conservation measures, so they would be meeting the requirements and would not have to do anything else. There is a difference between doing surveys for habitat and doing surveys for individual species. Surveys of the habitat are still required.</p> <p>Dennis- They will not avoid wetland and stream determinations.</p> <p>Kevin- If they have a wetland on their property, the City is not certified to say that it is a wetland. It is the developer's responsibility to determine if there is a wetland on their property and to report it to the appropriate agencies. The City will notify TDEC or other responsible agency if wetlands are observed onsite that have not been reported.</p> <p>Rebecca- The developers will need to have someone certified to identify wetlands and streams, so that they know where to put their buffers.</p> <p>Barbara- The Corps verifies that the wetland boundaries as delineated by the developer's consultant</p>

---

are correct.
--------------

---

## HCP Take Model

Presented by Dr. Yoichiro Kanno, HCP Post-Doctoral Research Associate

*Media: PowerPoint*

Dr. Yoichiro Kanno (HCP Team) discussed options for the take model and gave an update on its progress. Highlights:

- Take must be quantified to determine how much take will occur over the life of the HCP. Many approaches are potentially available, and our approach so far is to quantify take as the amount of suitable habitat today minus the amount of suitable habitat in the future. This appears to be the best approach since limited distribution data of covered species are the only biological information available at this time.
- With the use of GIS data, we hope to gain information on the relationships between habitat suitability and species distribution. A major product of take models will be a map that ranks terrestrial and aquatic habitats in the project area.
- Next steps include assembling GIS data and developing statistical models.
- Our aggressive goal is to complete preliminary modeling by July. A final estimation of take will be complete by November.

## Q&A

Are the data that Crossville has been used?	Yoichiro- I have looked at Clint's data, and we have talked about incorporating it with the data we have. Kevin- We are going to try to move our deadline up to have that data digitized by July.
Will this GIS data be available to the developers?	Kevin- Once priority areas are defined, the data will be available to developers. Katherine- We cannot give exact pinpoint locations of endangered species.

## Other

Crossville City Council needs a CHCP update on June 7<sup>th</sup> at 2 p.m. at City Hall. The presentation can be 10-20 minutes in length, preferably 10-15 minutes in length. HCP staff will cover the high points (i.e., what has been completed, what the SC has approved, and the CHCP timeline) and ensure that there are no local dollars involved. Mayor Graham requested that Gay and Doug attend.

## ADJOURN

## ACTION ITEMS

<b>Responsible Party</b>	<b>Item</b>	<b>Deadline</b>
HCP Staff	Prepare to update City Council on the status of the HCP.	Before June 7 <sup>th</sup>
HCP Staff	Update Mayor Graham on the status of the grant.	ASAP
HCP Staff	Ask USFWS about species/habitat survey requirements for applicants.	ASAP
Dennis	Send the watershed plans to Yoichiro.	ASAP

*The next SC meeting is scheduled for July 20<sup>th</sup> from 1-4 PM Central at the same facility (Cumberland County Art Circle Public Library on East St., Crossville).*