



# Travis County Commissioners Court Agenda Request

**Meeting Date:** October 9, 2012

**Prepared By:** Rose Farmer **Phone #:** 854-7214

**Division Director/Manager:** Jon White

**Department Head:** Steven M. Manilla, P.E., County Executive-TNR

**Sponsoring Court Member:** County Judge Samuel T. Biscoe

**AGENDA LANGUAGE:** Consider and take appropriate action concerning the request by U.S. Fish and Wildlife Service (USFWS) for public comments on a proposal to protect four salamander species in central Texas as endangered under the Endangered Species Act (ESA) and the designation of critical habitat for these species.

## **BACKGROUND/SUMMARY OF REQUEST:**

Staff did a briefing for Commissioners Court on Sept. 4, 2012 about the August 22, 2012, USFWS announcement in the Federal Register that it will seek public comments on a proposal to protect four salamanders in central Texas as endangered under the the ESA. The USFWS is also seeking comments on a proposal to designate critical habitat for these species in Travis, Bell, and Williamson Counties. Comments must be received within 60 days of the publication of the proposed listing in the Federal Register, i.e. on or before Oct. 22, 2012.

At that Sept. 4 briefing, staff recommended taking the time to fully evaluate the proposed listing and consider any additional information from USFWS prior to making comments. Staff will now report back to the Court on the questions listed below and will take direction from the Court for submitting written comments by the October 22, 2012 deadline.

Staff attended a public meeting/public hearing by USFWS in Austin on Sept. 6, 2012 where the USFWS provided information to the public and received public comments on the listing proposal. Staff have also discussed these questions with various experts.

Staff have evaluated this proposal and will brief the Court on the following questions:

- 1) Are any of the critical habitat areas (outside of the Balcones Canyonlands Preserve) in unincorporated parts of Travis County and if so, are any developable areas within or near proposed critical habitats?
- 2) Are any County roadways (or Parks) adjacent or near critical habitats that there might be impacts to consider?

- 3) Will there be possible impacts to the BCP such as: will we need to monitor water quality and water levels to ensure proper management of habitat for Jollyville Plateau Salamander (JPS)?
- 4) Will we need to enhance drainage management in developed areas near critical habitat areas? Some of these may be in County jurisdiction, and some may be inside incorporated areas.
- 5) If we find JPS in other areas (outside the proposed critical habitats) what will this mean for Travis County?
- 6) Do we have an obligation to conduct field surveys in likely habitat to identify more JPS locations?
- 7) How will listing affect private landowners within critical habitat areas?
- 8) Since the actual Endangered Species listing may several months, could this proposed rule change cause a sudden rush of new development permit applications that could cause processing problems for County development review staff?

Does Travis County Commissioners Court wish to submit written comments during the public comment period ending Oct. 22, 2012? If so, the Court should determine its position on the proposed listing and designation of critical habitat, and develop a process for drafting and submitting these comments.

**STAFF RECOMMENDATIONS:**

**ISSUES AND OPPORTUNITIES:**

**FISCAL IMPACT AND SOURCE OF FUNDING:**

**ATTACHMENTS/EXHIBITS:**

**REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Jon White	Division Director NREQ	TNR	854-7212
Thomas Weber	Program Manager NREQ	TNR	854-4629
Anna Bowlin	Dev. Review	TNR	

**CC:**

Linda Laack	ERMS - NREQ	TNR	219-6190 x8
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Renee Fields	NRS - NREQ	TNR	219-6190 x7

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