

Alamo Group of the Sierra Club
Aquifer Guardians in Urban Areas
Austin Regional Sierra Club
Bexar Audubon Society
Bexar Green Party
Boerne Together
Cibolo Nature Center
Citizens Allied for Smart Expansion
Citizens for the Protection of Cibolo Creek
Environment Texas
First Universalist Unitarian Church of San Antonio
Friends of Canyon Lake
Friends of Government Canyon
Fuerza Unida
Green Party of Austin
Hays Community Action Network
Headwaters Coalition
Helotes Heritage Association
Helotes Nature Center
Hill Country Planning Association
Guadalupe River Road Alliance
Guardians of Lick Creek
Kendall County Well Owners Association
Kinney County Ground Zero
Medina County Environmental Action Association
Northwest Interstate Coalition of Neighborhoods
Preserve Castroville
Preserve Lake Dunlop Association
San Antonio Audubon Society
San Antonio Conservation Society
San Geronimo Nature Center
San Geronimo Valley Alliance
San Marcos Greenbelt Alliance
San Marcos River Foundation
Santuario Sisterfarm
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment
SEED Coalition
Solar San Antonio
Sisters of the Divine Providence
Smart Growth San Antonio
Texas Water Alliance
West Texas Springs Alliance
Wildlife Rescue & Rehabilitation
Wimberley Valley Watershed Association

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February 21, 2012

RE: Comments on Bloomfield Heights Subdivision (Item 10, 10-003)

Members of the Planning Commission for the City of San Antonio,

I am writing on behalf of the members of the Greater Edwards Aquifer Alliance to request that you postpone or deny item #10 on today's Consent Agenda.

Given that this tract contains known habitat of karst invertebrates and golden cheeked warblers, you should require that "*Developers seeking permits to develop property in excess of two acres will be required to submit a San Antonio Habitat Certification which requires a signed and notarized affidavit attesting to compliance with the Endangered Species Act*" as recommended by the City of San Antonio North Sector Plan (July 2010, page 86, Objective 8).

Additionally, the North Sector Plan recommends the following regarding karst habitat:

"Objective 7: To comply with the Endangered Species Act and prevent the reduction of karst invertebrate habitat

- If the karst feature is disturbed by development, direct/indirect contamination, or changes to water flow/water availability, the species may be lost at that location. Additionally, karst invertebrates are an indicator of water quality and quantity*
- Recommended Development Standards: Strict development limitations should be imposed on areas designated Karst Zone 1 and 2 • Any development that threatens to destroy critical habitat in Karst Zone 1 and 2 should not be approved. If such a project is approved, mitigation measures preserving habitat may be required"*

Since the Southern Edwards Plateau Habitat Conservation Plan (SEP HCP) has yet to be put into effect, the developer will be required to mitigate endangered species habitat proposed for "take" by this project by submitting a plan directly to the United States Fish and Wildlife Service (USFWS). Until such a plan has been approved by the USFWS, no action in approving plans for development of this site should be pursued by the City of San Antonio.

Regarding known habitat for karst invertebrates on the Bloomfield site, the Greater Edwards Aquifer Alliance recommends that any plan for development of this site should be consistent with the following recommendations from the draft SEP HCP:

- "• If access to an Occupied Cave Zone is allowed, Applicants will be assessed a flat fee to conduct activities within the zone:*

Occupied Cave Zone B (750 – 345 ft from entrance) = \$40,000
Occupied Cave Zone A (345 – 0 ft from entrance) = \$400,000

Applicants may also provide acceptable preserve land in lieu of fees
Fees are subject to change with appropriate notice by the Permittees.

- Avoidance of occupied karst features by establishing a 750-ft no-disturbance buffer around the feature entrance and avoidance of Service-designated Critical Habitat will be required until certain conservation baselines are achieved. The conservation baselines reference the Service's recovery standards for downlisting each of the Covered Karst Invertebrates.*

Within an Enrolled Property, impacts to karst features discovered during construction will be automatically covered for incidental take if certain procedures are followed. Participants will be required to immediately notify the Permittees and stop work within 50 feet of the discovered feature for no more than seven days to allow for Plan-sponsored investigations of the feature. After this suspension period, Participants may continue with their activities. Participants will not be required to provide any additional mitigation or engage in any additional consultation with the Permittees or the Service."

For too long, developments within Bexar County, especially those on within the Edwards Aquifer Recharge Zone containing habitat for karst invertebrates and golden cheeeked warblers, have proceeded with projects that constitute a "take" of the above mentioned species in violation of the Endangered Species Act. At this time, we ask that the City of San Antonio support the directives of its own North Sector Plan by requiring proof of compliance with Federal Law, preferably consistent with the draft SEP HCP, prior to granting approval of such developments.

Thank you for the opportunity to present these comments.

Sincerely,

Annalisa Peace
Executive Director