

KBB HCP 6-month Review
November 8, 2006
GBFO New Franken
Draft 2 Revised 12/13/06 by CC, BH, MK, JH and DL
Jimmy C's comments in bold

MINUTES

Present: Louise Clemency (USFWS), Cathy Carnes (USFWS), Jimmy Christenson (WDNR), Bob Hess (WDNR - recovery coordinator), Matt Krumenauer (ATC – IOC Chair), Darrell Zastrow (WDNR), Rebecca Schroeder (WDNR), Ted Sickley (UW Madison), Joe Henry (WDNR - recorder)

1. **Review minutes/action items otherwise in this agenda from 4/11/06 HCP Review meeting and 8/24-25/06 streamlining meeting.**

Action: DNR to work with Ted Sickley to develop a layer or somehow include additional lupine/Kbb absence data to augment or visually support the low probability areas of the model. Ted has incorporated much absence data to support the model both within the Kbb HPR (high potential range) and the DR (documented range).

Action: Jimmy and Cathy to research the HCP to see if amendments are required to make changes to protocols and guidelines.

Jimmy found that the IA included language that allows the DNR and FWS to develop mutually agreed upon protocols and guidelines without amending the HCP. We agreed it would be good ideas for Cathy to send an “approval email” once guidelines were approved by FWS to document approval and demonstrate coordination.

Action: Dave and Cathy – add above noted approval process to coordination procedures.

Action: Identify and agree on priority recovery actions. Cathy suggested looking at the recovery tasks for WI in the KBB Recovery Plan as a starting point. Dave asked what the status of this task was. Cathy and Bob are working together on implementing recovery goals in Wisconsin, Crex Meadows will be the test site for the new sampling method. Cathy has also put together a list of items/responsibilities that she felt the Recovery Coordinator should be responsible for and shared this with Dave and Bob (Cathy had emailed that list to Dave and Rebecca this last summer).

Action: Cathy will keep Rebecca and Dave informed about KBB Monitoring Workshop. The workshop held Sept. 13-16, 2006 at the Indiana Dunes Environmental Center was a success. It was taught by Brian Underwood of the USGS. The “Distance” sampling method that was taught or a modification of it will be implemented in Wisconsin.

Action: Dave will provide SHCA template language to Cathy for comment. Dave provided standard SHCA template to Cathy.

Re: Section 6 Land Acquisition Management Requirements:

Action: Dave will research commitments made by Jackson County and/or DNR related to the HCP land acquisition funds received by the county. (Matt wants to talk about this at Winter Meeting) During the October 18, 2006, HCP audit of Jackson County Forest and Parks Dept., Cathy spoke with Jim Zahasky (Jackson County Forest) about the need to manage lands purchased with non-

traditional S6 HCP Acquisition funds in a fashion that would contribute to the conservation of the Kbb Jackson County purchased lands in the Bauer-Brockway barrens area with such funds and Jim Z. stated that they are willing to manage for Kbb and would like ideas on what to do. Lands purchased with non-traditional section 6 monies are required to be managed with a strategy to conserve the Kbb in perpetuity; forestry goals for the land should be secondary. Property may be managed either as permanent barrens or part of a larger landscape scale shifting mosaic strategy. Any management strategy should give primary consideration and best management practices to conserve Kbb.

This requirement does not constitute a commitment to becoming a recovery partner. Louise also noted that there were regulations regarding "program income" from lands purchases with FWS funds, and income from forestry activities needs to comply with these policies.

Action: Jimmy will talk to Tom Niebauer (WDNR FA) regarding non-traditional S6 HCP land acquisition grant requirements and provide that information to Dave/Joe/Bob/Jackson Co./FWS.

The grant agreement document from Tom was a draft.

New Action from 12/13: Dave to get final grant agreement from Tom and share with Bob (for Jim Z.) and Cathy.

Action: Jimmy or Dave? Advise Jim Z. that he should advise County Board of requirement that funds should go into Kbb conservation work, once Jimmy providing the GRANT AGREEMENT to him. Bob will do this.

New Action from 12/13: Bob Hess will work with Jim Zahasky and the Bauer Brockway Barrens Committee to include these requirements and management consideration for the 3-40 acre tracts purchased with the grant money.

Re: Kbb Emergence Model

Action: Joe: Scott Swengel to look at Bt Corn on Kbb's paper to see if the data can be used to develop an emergence model for Kbb's instead of Kbb Hotline.

Joe reported that Scott looked at the paper and was really excited about the possibility of developing a model. Scott thought that developing a model would be doable if a data set like theirs were to be used. Dave suggested that we talk to UW about developing an emergence model as an addition to the current contract we have in place.

New Action Item: Dave to discuss with Ted Sickley the feasibility of his landscape ecology group developing such a model under the current DNR/UW contract.

New Action Item: Cathy to send Joe Henry contact information on others involved with butterfly emergence modeling (done via email to Joe Henry 11-16-06).

Action: Joe to contact Dan Gonnering (Hardwood Bombing Range) about calling the KBB Hotline to provide flight status reports. Carry over

Re: Changed Circumstances:

Action: Dave to ask IOC or partners (Pete Engman) if they think flooding is an event that could pose a threat to Kbb populations and therefore should be kept as a Changed Circumstances event.

Pete stated that this should not be a problem; the drier (occupied) Kbb sites at Crex are high enough that they will stay dry.

If the Changed Circumstances section will not remain or will be modified, the WDNR should submit a proposed amendment to the HCP with the changes/modifications and the rationale for them (Run draft by Cathy).

Alternatively, Dave suggested keeping the Changed Circumstances section but deleting the entries. The template for changed circumstances in the HCP would be kept with the caveat that there are

currently no foreseen events that would result in a changed circumstance. (*Changed circumstances need to be identified in the EIS prior to issuance of the ITP. If all specific events are deleted, then there is no reason to keep a template as described above.*)

Action: Dave and Cathy further discuss Changed Circumstances minor amendment to retain changed circumstance, but with the conservation measure and “no reporting” language.

Decision 12/13: Cathy suggested that we consider keeping the Changed Circumstances section of the HCP and just change the Conservation Measures section (refer to p. 177) to read something like: *Prior to a management action on lands impacted by the changed circumstance, the land manager will assess any necessary changes in management that may be needed to further the conservation of the Kbb and incorporate those measures into the management plan (e.g., burn management on lands impacted by a forest fires or other wildfire may have to be adjusted (e.g., postponed) . There are no specific reporting requirements above and beyond normal annual reporting.*

Action: Joe or Dave to look at past O&E reports and identify efforts that would make good examples for partners to consider doing for the new O & E approach associated with the High Probability Model. Dave wants to wait on this issue until we start to see what direction we are going with the continued implementation of the 5-point plan and the high probability model.

2. Agenda Review & Repair

No changes

3. KBB Probability Model –

A. Approval to apply model

Objective 1: Confirm approval to apply the KBB Probability Model based on the addition of absence data per FWS request April 11, 2006.

- Ted Sickley to present model with updated presence/absence locations; also bar chart similar to March 8 presentation, but inclusive of new absence data.

Ted refreshed us with a brief presentation of what the model is based on and outlined the process he followed for incorporating partner absence data. The pixel size of the data represented on the map was 500m x 500m. Data was received from a variety of partners ranging from DNR, utility partners, DOT, county forest partners, to industrial forests and the incorporation of this data makes a compelling case that the model does a great job of not only predicting where Kbb’s should occur but also where Kbb are not likely to occur. Darrell shared that when the original maps were created they used the best available data to draw the lines and that if we were to use that same data to extend the map statewide that there would be areas where we would expect Kbb’s to occur based on the criteria used at that time. He emphasized the importance of thinking about the new map with open minds and relying more on the current data and knowledge that we have to redraw the new map. Dave opened the discussion for conversation around how we came to the conclusion that we should focus efforts in the top 50% of probability classes. He explained that the more than 87% of the occurrences lie in high probability classes. The remaining 13% of the occurrences are found in the (< 50%) probability classes. Most of these occurrences fall within low probability areas located on recovery properties (like dikes in a wetland). Very few Kbb occurrences in areas of 50% probability or less fall outside of recovery properties (Ted thinks only 3 of the over 500+ occurrences). Louise asked Ted if he could provide a technical explanation of the model (including discussion on the 50% two-color map) in a document that can be used as a reference for the DNR or FWS in discussions to explain this model and why it is being applied. Louise stated that she feels that we have enough absence data to adequately demonstrate the low probability areas can be excluded from the (original HPR) map, she would like to see the information represented in a different way. Cathy offered that it would also be helpful to discuss the level of data used and why we are comfortable with what we have collected .

Matt said that there was still a lot more HCP partner Kbb data available. Ted stated he is comfortable with the amount of data used to generate the model; using 200 points is sound for modeling purposes. Ted stated that when modeling potential wolf territory, information from 14 packs was used. Darrell stressed the importance of not only relying on technology and best available data but also to rely on the partners who work on the landscape and know the lands that they manage intimately so that they can provide feedback on how the map can be implemented. Dave and Darrell mentioned that we need to develop a set of criteria so that the model can be implemented and so that partners will know where their land falls in relation to the 50% cutoff lines. The group agree that a representative team of Partners would be best able to develop these criteria. Dave volunteered that the IOC is a group already in place to work on this.

Action: Dave to call a special meeting of the IOC to address this. Cathy volunteered to assist the IOC.

Dave suspects that the southern part of the HPR may not be suitable for KBBs. Historic EOs on cooler WI River terraces in that area have not been reconfirmed for many years; he thinks that lupine phenology and KBBs may be out of synch. Re: the high probability area (red) in the far northwest – Dave stated that there was no lupine north of the Namekagon River. Wausau Paper in Douglas Co. has Kbb absence data as has Washburn Co. Forestry and Parks Dept. Parts of the area in the far northwest are sandy, but according to Duran Bjorklund and Jake Nichols this area appears wetter and cooler than western Burnett County where Kbb are found. *[Dave added the following after meeting]:* Ted offered that the sandy soil/highly drained data strongly influenced the high probability class. Adding absence data won't change the probability class; independent data analysis will need to justify exempting such areas from the new HPR.

B. KBB Probability Model - Application to HCP activities

- **What land will be included in the High Probability Range (HI)?**
- **What land will be excluded from the High Probability Range (LO)?**
- **What criteria were used to draw the line?**

Objective 2: Discontinue use of the High Potential Range (HPR) range lines; replace with High Probability Range (HProbR) using the probability model, documented occurrences and documented absences.

- Outline criteria used to distinguish high vs. low probability.

Need to identify a name for the biological map (blue area) - consider High Probability of Kbb Managed Lands, High Probability of Kbb occupied Lands, or Potential Range.

Name for the regulatory map needs to be determined.

Criteria for biological map:

- In the model
- 10 mile buffer
- top 0.5 cutoff
- What is the agreed boundary of the high probability lands
- Using roads, corridors, 1/4 ,1/4 sections as boundary lines
- Limit level 1 surveys (in white areas) to one time and done if area is determined to be unsuitable unless an unforeseen event occurs

Criteria for regulatory map (need a more accurate title):

- To be determined by IOC and FWS

Louise and Cathy agreed to the rationale of using the 50% probability to derive the biological range of the species (blue map). They would like to review the report on the model and provide additional comments if warranted. The report should include a summary of the information used in the model, the rationale for using the 50% probability factor to identify the Kbb biological range, and the

adequacy of the data used to produce the model. She also suggested field visits to the three Kbb sites not captured by the 50% model (and not in recovery areas) to determine if they are truly anomalies. *It would also be helpful to understand which partners are outside the biological range. Jimmy stated it is likely these partners would stay to help w/ recovery efforts.*

Objective 3: Discontinue the Documented Range (DR) range line.

- DNR present reasoning.
- Cathy suggested we may want to keep the “Kbb Documented Range” as the name for the larger HCP regulated area. That would allow some consistency w/HCP language and requirements (e.g., the need per the SHCAs to report land transactions within the SPAs within 45 days.)

Objective 4: Discontinue use of ACEs and SPAs; replace with “Biological Recovery Zones” (BRZ’s)

Definition: Biological Recovery Zones (BRZ’s) are areas including and around recovery properties (all) which constitute and/or support the same metapopulation on and around the recovery property. This can include areas of known or high probability habitat such as dispersal corridors, living corridors, open habitat and forested land that of a Kbb probability class that are spatially located and could likely support viable habitat associated with the recovery property metapopulation.

- Forward this definition to the WI KBB Recovery Working Group for review, revision and ownership.
- Following RWG and property staff evaluation, the RWG should define the boundaries of the BRZ’s.

Dave pointed out that the current SPA and ACE boundaries don’t include Kbb points near them and in some cases fall outside of the current DR. He emphasized that we should redefine recovery related boundaries using the biology, science, and data (probability model) we currently have at our disposal. Dave asked if we can agree that we don’t need two boundaries but agree on one new boundary.

Decision: It was agreed to eliminate the use of ACE’s and redefine the SPA’s.

Criteria for redefining the SPA’s: No specific criteria were developed. The new SPA’s will be based on biological data available that was not available when SPA’s and ACE’s were originally described.

Cathy suggested considering keeping the term SPA and abandoning ACE. KBB recovery areas are within Kbb significant population areas (SPAs). The SPAs were initially drawn to capture most of the Kbb sites in an area. Keeping SPAs was generally agreed on. The SPA boundaries could be changed to better reflect biological metapopulations.

4. Safe harbor alternative (new name?) (Clarification of voluntary category and coverage.)

- Given what we know now, how should we characterize the assurance to landowners in the voluntary category and to partners doing proactive conservation? The assurance is that KBB take is covered per the HCP until expiration of the ITP (2009). **(Voluntary category include landowners outside the High Probability Range and not included in the non-voluntary category. But, they continue to provide valuable assistance and support even though we concluded early on that they could not aid in recovery or long-term viable populations due to the size of their ownerships and limited flexibility in management of the lands.) (JSC)**
- What is the process for documenting applicable lands? For a conventional Safe Harbor, it is important to identify what lands are in the safe harbor - so tracking of the amount, location and proactive conservation activities conducted is important. **(The value of the Voluntary landowners, as demonstrated in the 3-year review, is their continued beneficial disturbance and enhancement, especially since natural succession will result in the loss of all habitat. The incentive was coverage without regulatory oversight and demands. We consciously determined**

we would not document and follow the land ownership of landowners in this category because it would serve as a disincentive.) (JSC)

- What lands and landowners does this apply to? We have been considering building a safe harbor amendment into the HCP for existing non-voluntary partners to address proactive conservation and potential conversion of those lands that become occupied by KBBs to other uses. Landowners in the voluntary group are already covered for that kind of take through the duration of the ITP. **(Any lands outside the high probability range and the owner does not fall into the non-voluntary category.) (JSC)**
- How do we define proactive conservation related to this assurance? Is normal beneficial disturbance that does not “take” a part of this assurance or just restoration and intentional habitat expansion? Should normal beneficial disturbance just be applied to measuring NNLOH? Need to discuss more. (CC) **(Since we determined that these lands cannot provide realistic assistance in recovery or maintaining viable populations, it should follow that any habitat, whether because of beneficial disturbance or through enhancement should not be subject to the take prohibition. Certainly, any occupied habitat existing because of efforts of the owner should not be subject to the take prohibition. But for the efforts of the landowner, it would not be there!) (JSC)**
- News re: SCF SH brochure. **(Regardless of SCF efforts, we should have a communication, and maybe education plan, for the Voluntary Category. In this manner, we continue to benefit from their efforts and provide assistance as part of the HCP.**

Mike Engel commented to Dave in an email that he has not heard anything about a safe harbor brochure from SCF.

Voluntary Group: Jimmy reminded us that this issue came to light in response to the voluntary category covered under the HCP. Sand County Foundation received grant money to assist private landowners with habitat restoration. The FWS (Mike Engel) works with those landowners on proactive wildlife management agreements for the Kbb. Many landowners were concerned about what would happen to their lands in the long-term if Kbb’s occupied their property but their land use objectives changed. **(I suggest since this issue has not ballooned in the last 2 ½ years, we should not be too concerned on addressing coverage beyond what we would agree is a reasonable ITP extension. Partners will likely look to 10 years plus the opportunity for renewal. Tony Sullins, the FWS solicitor suggested 30-50 years to give the “concerned” landowners a long-term assurance. To date, the Partners haven’t been sold on the long-term option. If clarification will result in no take prohibition during the period of incidental take permit, it may be the best we can do!)** For landowners in the HCP “Voluntary” (unregulated)” category Kbb take coverage corresponds to the expiration date of the ITP. As it is likely that the ITP will be renewed at 10 year intervals, Mike Engle is not as concerned about this issue.

Voluntary Group: How do we continue to provide coverage and support for these individuals in the Voluntary group? The easiest way (as previously identified by Tony Sullins, FWS solicitor) is to extend the duration of the ITP 30-50 years, but this is not an option currently. The question now is that many of those same landowners apparently don’t have these concerns, so how do we continue to provide coverage and support for these individuals? Cathy stated that a safe harbor-like amendment can be drafted that touches on all of the information needed to develop a safe harbor agreement and that the safe harbor like provisions could be used as a tool to provide this assurance/relief. Louise would really like to know what the agreed definition of proactive conservation is that we are using. Dave would like to see three issues clarified:

For HCP partners doing pro-active conservation, a modified safe harbor program could be incorporated into the HCP via an amendment process. Cathy has provided a handout on the information that describes information that should go into the SH amendment; it is important to track lands in the SH program to insure coverage. The FWS is willing to help develop a streamlined SH program if needed. .

1) Clarify under what circumstances permanent take is already allowed under the voluntary strategy without regulatory oversight or requisite compensatory mitigation. Landowners in the voluntary category already have this assurance as long as the HCP is renewed. Why is a special “safe harbor tool” needed for them? (*SH is NOT needed for voluntary group – take is already covered as noted*)(CC). **(Based on previous meeting notes, I was of the impression FWS agreed that permanent take did not apply to landowners in the Voluntary Category. Please see comments I made earlier on why this makes sense.) (JSC)**

12/13 comment: Cathy agrees that voluntary category has authority to do permanent take.

2) Define proactive management that is of a type and in a place that has permanent take assurances. Currently, a variety of management activities occur that avoid take; all of which are called “proactive conservation” and are reported as such in the annual report. We need to distinguish the difference between (a) beneficial disturbance management that avoids taking occupied habitat, which was intended and planned management that is driven by a “voluntary strategy” landowner or a partner’s “normal” and primary business objectives; vs. (b) “proactive conservation” that is in fact being done above and beyond normal management primarily for the benefit of Kbb, e.g. habitat creation, expansion or renewal. Location relative to recovery areas may be a qualification to be considered for permanent take assurances. **(For Partners, we were suggesting that efforts beyond those agreed to in the SHCA should be considered “proactive” and not subject to the take prohibition. I would expect most of the efforts involve enhancement or restoration, but they, again, could include going beyond agreed-upon protocols.) (For Voluntary Category landowners, anything they do will prevent the loss of habitat through succession, so “proactive” should be considered broadly to include anything that helped to result in occupied habitat.) (JSC)**

3) If the voluntary category are covered in #1 above, then for non-voluntary partners, determine a means to document when proactive management is of a type and in a place that qualifies for permanent take assurances and further what notifications or other considerations would be necessary or desirable (respectively for non-voluntary or voluntary) should the landowner decide to change the land use to something other than Kbb habitat. **(I would think that this effort could be documented in annual reports and, thereby, defined to not be subject to the take prohibition.) (JSC)**

*[Post meeting note by Dave: Question: For proactively created habitat that becomes occupied, those in the voluntary category are not obligated by the HCP to exercise management that takes in ways that are consistent with the HCP approved guidelines and protocols (unless obligated by other commitments such as Partners for F&W 10-year contracts);but what about partners in the non-voluntary category? I assume partners would follow protocols, but this distinction should be made clear.] Cathy agrees that HCP partner should follow HCP protocols and guidelines. **(I don’t believe we require those in the non-voluntary category to follow protocols now. So, wouldn’t their voluntary willingness to do so constitute proactive conservation efforts?) (JSC) Jimmy, yes, this would be an example of proactive conservation but currently the HCP does not have a mechanism to authorize take of KBBs due to conversion of pro-active lands to non-KBB occupied land - except if we think of such loss as a permanent take and require mitigation per the HCP- so here’s where a safe harbor like component to the HCP could help. If partners want to explore this more, I’d recommend we have further conversations to clarify issues and determine information needs to pursue a SH.***

Action Item: Jimmy, Dave, Matt, and Joe will meet and decide if there is a current direction in the HCP or if an amendment proposal and/or clarification needs to be drafted to address this issue.

[Post-meeting note by Dave: Question: Is this even an issue for partners?]

Post meeting comment by Matt: I would say no, but we need to be able to address this, if the issue does arise.(MK) Louise suggested asking partners if this was an issue – do they have projects that qualify?.] (CC)

Action Item: IOC to discuss the SAFE HARBOR issue to see what direction the partnership would like to take. (See earlier comments. I suggest it be only an information item to the IOC since we insist this is only a clarification.) (JSC)

Based on JSC's and CC's responses we will need more discussions on the safe harbor issue if the HCP partners want to pursue it – on some of the issues, we differ. The fundamental difference is that the DNR is not entertaining a conventional Safe Harbor or even a modified SH, but rather a mechanism that provides assurances to private landowners outside of the recovery lands without the excessive administrative encumbrances of a SH. A Conventional SH is inappropriate for an abundant species such as Kbb in WI where it is not in jeopardy of extinction; particularly on private lands not needed to recover the species. At this time, this topic is not a high priority.

5. Recovery

A. Monitoring in 2007 – update on progress with Brian Underwood discussions

- What is the goal of recovery monitoring on State properties in the FRP? *E.g. meet FRP goals, satisfy HCP trends monitoring commitment, etc.*
- What is this monitoring not intended to serve?
- What specifically can we do in 2007?
- What are the next steps and who will do what?

Bob reported that there have been good conversations with Brian Underwood regarding distance sampling method and that Nancy Mathews (UW Madison – Wildlife Ecology) may be brought in as the point person in helping implement the sampling protocol in Wisconsin. Brian would be involved in helping set-up the sampling design for Crex and that this would be the template used on the rest of the recovery properties. Cathy also commented that Brian's involvement is crucial in helping us determine how much sampling is sufficient to determine if Kbb population numbers meet/exceed recovery goals. Lupine sampling could also be combined with the distance sampling with the goal of eventually using lupine density to derive Kbb population numbers.. It may be possible in the future to derive Kbb numbers from remote sensing data as well (like Sandhill has for lupine). Dave and Bob are planning a trip to BRSF to meet with new superintendent, Peter Bakken, to bring him up to speed on the importance of the Black in recovery process and the work yet to be done on the black in meeting this goal.

Action Item: Dave or Bob invite ER Regional Ecologist Armund Bartz to meeting at Black River SF – Armund is working on the master plan for that forest per Rebecca.

Action Item: Cathy to send Brian the Sandhill satellite imagery report.

Action Item: Cathy or Bob ask Brian (and Kristen) on next Monitoring Conference Call (Dec. 5) whether DNR managers collecting Kbb trends data should use PY or straight line transects.

B. Recovery Planning & Implementation in WI – Next steps

- Recovery property assessment: Quincy Bluff (TNC), White River Marsh WA
- Next steps

Bob stated that there have been numerous discussions about whether all of the current recovery properties should be included in the current recovery process. The WI recovery working group should evaluate reassessing recovery properties that have marginal viability as a recovery property. Darrell raised the concern that recovery properties need to be capable of supporting viable Kbb metapopulations and that these criteria should weigh heavily in making these decisions. He also recommended that we rely on the model to help us target other suitable areas in the state to focus

recovery efforts if the need to maintain the current recovery commitments is required. He also suggested adding the pre-settlement layer to the model to see where historic savanna/barren habitats were located. Rebecca stated that Quincy Bluff needed a lot of restoration and that may be part of why Kbbs are not present. There's an EO record showing Kbbs as historic at Quincy. Kbbs are present at ski hill within 10 miles of Quincy per Rebecca. Cathy recommended further assessment of whether Quincy could support Kbbs. Bob also asked how the Quincy (DNR) lands purchased with section 6 monies would be affected if recovery goals are determined to not be feasible. Louise stated that as long as the land is managed in perpetuity as barrens habitat that the commitment is still valid. Rebecca asked if Quincy and White River Marsh were dropped as recovery properties if the FWS would want those areas placed with new ones. Louise commented that maybe we should focus on a subset of the goals common to both the KBB Recovery Plan and the HCP and see where that leads us. While it is not directly addressing the concern of how much is enough we might be better equipped to answer that question at some point in the future.

White River Marsh: 4000 acres; with only 100 acres of habitat; could expand habitat by 100 acres per year. When asked about the minimum area for a viable Kbb population, Cathy stated, according to guidance in the KBB Recovery Plan it could be done on a small amount of acreage with intense management -100 acres may be enough but also need at least 3 subpopulations that are not more than about 1 kilometer apart.

In talking to Jim Holzwart, DNR staff feels WRM has marginal potential as a VP recovery area. It is pertinent that we re-evaluate this property for recovery. Joe suggests that WRM is dropped as a recovery property or reclassify it as an experimental population.

Action: Cathy will discuss with Louise options to use WRM as a research area for minimum VP sustainability.

The ITP for the HCP identifies the need to develop recovery implementation plans for the state properties – starting with Crex/Fish Lake, Sandhill and Meadow Valley.

6. HCP Goal (NNLOH) Measurement Process – DNR/IOC proposal

Proposed process was distributed, but not discussed. Item to be carried over to 12/13/06 meeting.

7. HCP Monitoring in 2007 – confirm direction

Proposal was distributed. Monitoring proposed is same as last 2 years with the re-addition of trend monitoring on recovery properties. There was no discussion. This item to be carried over to 12/13/06 meeting.

8. Mitigation Guideline: Long-term Take vs. Short-term Take (Definitions & approval process; i.e. how to apply protocols to “complete habitat removal”). There is no “temporary take” in ITP.X.1.

- Brief discussion to clarify temporary take in order to complete components of mitigation guidance and associated protocols. **(I agree that there is no basis for the FWS desired treatment of “temporary take.” Our experience seems to show that temporary take does not provide any significant adverse affect and may be more beneficial to the species due to the seed bank in the soils.) (JSC)**
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9. Closing

- **Set a December or January meeting to continue work on issues needing attention prior to winter meetings.
December 13, 2006, 8:30 a.m. to 3:00 p.m. at GBFO**
- **Set an April 2007 date for the next HCP 6-month review meeting. Next meeting will be in Madison.**

Action Item: Joe to distribute request for dates and schedule meeting.

CARRY OVER ITEMS FOR (12/13/06) MEETING

- **HCP Goal (NNLOH) Measurement Process – DNR/IOC proposal**
- **HCP Monitoring in 2007 – confirm direction**
- Approval Process Table: Confirm agreement; review progress
- Construction and Ditch Repair & Maintenance Guideline
- Habitat Restoration Protocol (in principle; discuss content in next meeting)
- Egg Salvage Protocol (in principle; discuss content in next meeting)
- Reporting Incidental Take (see annual report issue brief & IOC minutes)
- **NEW** Consider amending HCP/ITP to allow DNR to do audits on DNR lands (rather than FWS as it currently states).
- In the meeting notes from 4-11-06 it was noted that we verbally agreed that FWS pre-approval was not needed for activities resulting in short term take. Time permitting, lets discuss; if this is so, then I think we should officially document our decision on this.
- Another agenda item (which we don't have to cover) from our last 6-mo. meeting (from my April 11, 2006 notes): What activities qualify for major vs. minor amendments. This relates to what would be considered a "substantive" vs. non-substantive change to the HCP conservation program. We can discuss this at the meeting if you like, or wait until we actually have an amendment issue in front of us to consider. There's guidance relative to this topic on pp. 173-175 of the HCP.
- **Changed Circumstances amendment proposal**
 - Changed Circumstances proposed amendment (keep CC in HCP, just with no known circumstances at this time.)
 - Follow up flooding event findings: Pete Engman said, "In the big picture, I don't think it would pose a threat. Most of our uplands will remain uplands even during a flood event. Water levels in the wetland areas will rise significantly. Most of our KBB occupied uplands will remain dry. If they did have flood water we would have bigger concerns than loss of KBB's. Some upland sites may have water ponding on them for hours or days but as sandy as we are they would dry out quickly."

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