

Karner Blue HCP Semi-annual Review Meeting

November 9, 2007

10:00 a.m. to 3:00 p.m.

USFWS New Franken

MINUTES

Notes from this meeting are in italics following the introductory information

Theme of Meeting: Continue to implement streamlining efforts and lay groundwork in preparation for permit renewal

This agenda follows the points in the HCP's 5-Point Plan in order to stay the course and not stray off track.

Attending: Louise Clemency, Cathy Carnes, Darrell Zastrow, Quinn Williams, Bob Hess, Rebecca Schroeder, Dave Lentz, Matt Krumenauer (recorder)

1. Review action items from 4-19-07 HCP 6-month review meeting.

- #1 White River Marsh as a research population (minimum VP).
Action reviewed: Bob to talk with Jim Holzwart about the property and monitoring training on the property. Check with Jimmy about the master planning, and WEPA needs, and historical data of the property (if property managers Ok with recovery implementation planning for Kbb, then don't have to check with FA – State Federal Aid Office).

B. Hess provided an update and status of the planning at WRM. Training for monitoring staff will begin next year. No data has been GIS'd. White River Marsh is predominantly a wetland area (hence the name) with a high water table. Although the soil is sandy it is more productive, e.g. grass. It is not typical Kbb habitat. The surrounding area is private land and largely intense agriculture. DNR feels that even though the population here has been demonstrated as sustainable for many years, a VP (per federal recovery plan standards) is unlikely at this property. Cathy noted that this area could be evaluated for recovery potential.

New Action: Bob to check Upper Fox plan to see if WRMWA is included in the plan.

- #8. WEPA/NEPA press release: (DNR to do press release and request comments)
Jimmy suggested we address the update with a press release which will serve to provide much more information to the public and stakeholders rather than use a mere notice of potential to prepare an EIS Supplement. The emphasis should be on public information and outreach, not just the WEPA/NEPA process, although a commenter could propose a supplement be prepared. The FWS does not see this as part of an EIS process and recommends not tying it to a WEPA/NEPA process. The change in the Kbb high potential range would be a minor amendment to the HCP and not a major action w/ significant environmental

affects that would warrant WEPA/NEPA review. We should think of the change in the Kbb high potential range as more precisely defining the Kbb range (rather than reducing the range).

Action reviewed: Dave to get documentation between Jim Pardee, Lentz and Service to recognize that this isn't a NEPA/WEPA issue. Information sent in separate email on 11-6-07.

Discussion item.

- *Dave sent out a draft press release, draft letter from J. Christenson and response from J. Pardee. The team reviewed the draft letter from J. Christenson. Jimmy supports receiving comments on the press release.*
- *HCP partners should be informed of the new HPR prior to release of the PR.*
- *Louise recommended that a sentence be included in the Press Release stating e.g., "Written comments can be sent to..." and that a DNR link provided where people can send comments.*
- *USFWS will look into the process for a possible joint press release.*
- *DNR will consider edits and suggestions on these draft materials (Quinn) and follow-up internally (Dave) prior to finalizing these results. The DNR will request comments via the DNR website.*

- #9. Recovery monitoring.

Action reviewed: Cathy to ask USGS in LaCrosse for statistical assistance (done; Wayne Thogmartin a statistician from USGS plans to attend Crex training). Cathy and Bob continue to work on identifying recovery needs and finding statistical support. Bob - talk to Paula Kleintjes (UW-Eau Claire) about possibly providing monitoring interns.

 - *Wayne did attend distance training at Crex, but was not available to help with survey design for WRM surveys. Wayne has committed to working over the winter on WI distance. C. Carnes plans to work on grant proposals (Spring 2008) with USGS for their continued assistance with Distance monitoring issues.*
 - *B. Hess has contacted various Universities for intern possibilities. He is continuing this work and will pursue additional resources.*

- #11. One-time-permittee process: As we move forward can one-time permittee mitigation requirements be applied strategically to recovery areas? Can this requirement be flexible to meet the needs of the property manager? (See attachment: "Mitigation for Recovery (?))

Action reviewed: Dave to look at appendix D and one-time permittee application process for particulars and opportunities to channel mitigation toward partnership goals of recovery.

Dave conducted this research and sent paper to all attendees. DNR feels there is nothing that would preclude offsite mitigation or other recovery related support by one-time-permittees. USFWS agrees with this position.

- Miscellaneous. Rx Burn study being proposed again on West Field at Sandhill WA.
Action reviewed: Dave will forward this on to those who desire to request research permission under the HCP and inform them that the Service is open to entertaining a research proposal.

Dave sent out this information and requirements and will wait to hear back on this potential research proposal. FWS stated that such a proposal should be well thought out and consider available literature. Cathy has suggested that Necedah NWR or Crex Meadows WA would be a good place for such research. The HCP (pp. 124) outlines information needs for a research proposal.

Point 1: Focus HCP implementation on recovery areas –

2. **HPR Amendment:** What needs to be done yet to finalize the High Probability Range amendment? Approval? Press release? *(See attached draft of press release.)*

[Note: Just prior to the start of this meeting, Cathy and Dave reviewed some suggested FWS revisions to the draft letter provided by Cathy in an 11/8/07 email. Although not a part of the formal HCP review meeting, comments and actions are captured here.]

Action: *Dave will make changes to the document accordingly. Some additions identified at the meeting that Dave will also make to the letter include:*

- *Under “Proposed Changes to the HCP” will be added: Requirements pertaining to SPAs will now pertain to BRZs.*
- *Under “Supporting information for the 5-mile buffer HPR, add The HPR maps will be refreshed after each field season.*
- *Adding attachment with all Phase 1 BRZ maps (w/ 5-mile buffer) for all SPAs in current HCP (including those that fall on county land - Jackson/Clark/Eau Claire) and telling us that the maps will be better defined (state process/criteria by which this will be done). Will have to consider how to draw a BRZ for Quincy Bluff as Quincy has no Kbbs (however surrounding area does). See No. 3 below .*
- *Add language to letter stating that the change in the HPR map resulted in other changes to the HCP e.g., monitoring protocols, etc. and that DNR will be sending a follow-up letter summarizing those changes and confirming FWS approval of them.*
- *Cathy had a couple minor comments on Ted Sickley’s report (not discussed at meeting). Respond to these in the letter.*

[Note: Action items to follow resulted in discussion during the formal meeting when all were present.]

Action Items:

- *DNR will finalize the minor amendment request*
 - *USFWS will follow-up on Joint Press release - will coordinate w/ FWS Public Affairs and provide suggested edits to DNR (including sending comments to DNR at DNR link provided).*
 - *DNR will consider edits (Quinn) on draft materials, discuss with IOC, review with DNR leadership*
 - *DNR will make formal request*
 - *DNR will send letter to WEPA coordinator and issue joint press release*
 - *DNR will accept written comments on web.*
 - *D. Lentz will develop a second comprehensive minor amendment request to address other pending minor amendments/revisions together.*
 - *DNR change title of HPR map to Karner blue butterfly HCP regulatory map*
3. **BRZ development:** Present preliminary map of conceptual BRZs for discussion/comment. This is a working start for LRTs. (See attached map)
- *Action: DNR will attach preliminary Phase 1 BRZ maps and update the HPR amendment request with a request to approve phase 1 BRZs as the replacement to SPAs. Phase 1 criteria will be added to the amendment request.*
Note: Add property name labels to BRZ maps.
These preliminary BRZ maps will be the high-potential lands in a 5-mile buffer around all EOs within State and Federal Recovery properties, and for the Eau Claire, Clark and Jackson county SPA areas. The BRZ's for these county forests will be a five mile buffer around all EOs on county land.
 - *Action: Share draft BRZ maps for Necedah and Fort McCoy w/ Cathy - who can coordinate with Rich King (Necedah) and Tim Wilder (Fort McCoy)*
 - *Action: (K. Nogame & J. Henry are developing criteria to for use by the LRTs to consistently and biologically refine their Phase 1 BRZs.*

Point 2: Streamline HCP Processes –

4. ITP condition “X.9. **Report acres of lands included within HPR**”. Should we (and when) make lands included adjustments due to new HPR? Acres are not accurate; is acreage value more important than to declare land included by legal description for coverage? Acreage is not a true reflection of habitat anyway; is it simply a trophy? If so it is a misrepresentation. What is the legal requirement? Discussion.

The FWS needs to be able to identify the lands that are subject to regulatory requirements under this permit and to have the land-base information to support various analyses, and for communication purposes; communication referring to communication within the FWS. To facilitate communicating the size and scope of the HCP the FWS recommends that the approximate total acre of partner lands in the HCP

be identified and the number and names of the counties noted where that acreage occurs, e.g., there are “x” acres of partner lands in the HCP in a total of “x” counties. Those counties are

The acres of partner lands under the new HPR will be the new baseline for the revised HCP - should compare this acreage to the original acreage of partner lands in HCP (original acres were about 250,000 acres). Darrell suggested asking partners what they can provide re: location of lands included in the HCP. Darrell thought a range of acres in the HCP could be calculated involving summing the 1/4 sections of partner lands (in HPR) and providing a coefficient to convert the gross acres to more accurate acres.

- **Action:** The DNR will pursue development of GIS analysis that will look at % of the old HPR that represents partner lands, and % of new HPR that represents partner lands.
- **Action:** The DNR will also draft mapping process to report on and present location and acreage summaries for lands that are included in the HCP.
- **Action:** The DNR will develop a process and criteria for updating partners’ lands initially and on annual basis.

5. **Declaring/describing “lands included”.** What are the requirements (as opposed to recommendations) for declaring lands included under the permit? Can the partners claim their lands generically and provide detailed description upon request (e.g. all fee-owned forested parcels in Adams County, etc)?

- **See #4 above.**

6. **New partners inclusion:** Should DNR begin recruiting new partners listed in Appendix D of the HCP? Since we will be focusing on recruitment of voluntary and non-voluntary landowners in BRZs (where their assistance may be needed to achieve recovery goals), can we drop the ITP/IA/HCP requirement to actively pursue all these entities? If yes, this needs to be amended in several places, e.g. HCP: II.F, Appendix B and the IA.

This is a good idea, group has concurrence.

Action: Dave will draft necessary amendments and describe a process by which new partner recruitment will occur in the new BRZs.

7. **Web-based training:** Describe direction being developed by DNR toward a comprehensive web-based training program for implementing all aspects of the HCP.

Informational item: DNR presented to FWS training program improvements, which are under development.

8. Update on **emergence model** progress. (See attached report from Kozue). Questions?

Informational item, progress report was handed out and reviewed.

Cathy was pleased with the progress being made on the model and stated both NY and MI were also interested in developing such models.

- 9. Monitoring sampling strategy:** From MIT to annual monitoring instructions (approved via email) to the onset of Distance, over last 3 years the HCP partners monitoring strategy has evolved. Does this still need any overall formal approval since the monitoring guideline has been approved? (Please review attached Change

*Request list 3-22-07(part 3).
See # 10 below*

- 10.** Actually, same question as above for all the **new guidelines and protocols** that have only gone through a format change and have not substantively changed; does the format change need a formal approval? In essence, the new User's Guide replaces the guidelines in the HCP/EIS appendix F. All other documents become references, e.g. Cynthia Lane's forestry guide, Weaver-Boos, etc. The Wildlife Management Guide may simply need to be made obsolete. Discuss direction, approvals and ideas on how to document and communicate decisions.

For #9 and #10 DNR a table is best that details all proposed changes to the HCP.

Action: *Dave and Matt will develop a format and supply a draft for USFWS review. – E.g. date when USFWS concurred, detail of the issue, description of adaptive management change needed etc.*

Point 3: Improve Guidelines and Protocols –

All current issues will be addressed in HCP Working Group meetings

Point 4: Recover KBB in Wisconsin –

In the context of the HCP 6-month review, we can look at past actions and successes, and future needs related to the 4th point of the 5-Point – recovery in WI.

- 11. Recovery efforts, accomplishments and challenges. Informational** (see attachment) comments or questions?

- *B. Hess presented a summary of all recovery actions being undertaken by the WDNR. There has been significant strides made by DNR and has been much progress. The lack of funding is a barrier to further and faster progress, but the DNR is developing strategies and work plans to accomplish necessary recovery planning, surveys and actions.*
- *C. Carnes suggested that the habitat assessments, Kbb counts, and habitat stratification be used to feed into a frame model that could be used to evaluate forest scenarios that could possibly support a Kbb population at Black River State Forest. The help of a modeler would be needed to do this. Sarah Pratt is helping to stratify habitat layers (poor, medium, high quality) and could help w/ this?*

- *Gregor Schuurman will be working on Kbb sampling designs for state recovery properties over winter. HCP partners have committed \$10,000 of funding for Gregor.*
- *Bob has written grant proposal to AT (Am. Transmission?) Fund for support of recovery work.*
- *Sandhill looking at converting their Kbb count data to Distance data - Gregor helping w/ this.*
- *DNR considering having HCP partners run Kbb phenology transects using Level 3 sampling which they are trained to do. Cathy thinks this is a good idea and based on information from Ralph Grundel (USGS). She thinks phenology transects need to be done at one location in central WI and one at Crex in northwestern WI. The more often Kbb counts on the selected transects are taken, the better data we will have to determine Kbb population numbers. At a minimum, transects should be counted at least once before, during and after peak flight.*
- *Cathy suggested volunteers to act as data recorders to surveyors - Huron Manistee NF in MI (Heather Keough) used volunteers this way and designed a data sheet that was volunteer- friendly (only had to check boxes).*
- *Bob plans to apply for a NFWF grant again next year - can use partner pledges for match - and will stress habitat work. Rebecca suggested exploring whether the value of Kbb lands purchased w/ non-federal monies could be used as match in the NFWF grant.*
- *Bob checking w/ Jaime Hubert (?) at UW-SP for undergrad help w/ Distance monitoring.*
- **Action:** *DNR to follow up with IOC on Funding and “pledge” concept.*
- **Action:** *Cathy to send Bob Hess MI DNR Distance Statistician (she has developed web based reporting system)*
- **Action:** *Bob to connect Gregor S. with Wayne Thogmartin (USGS in LaX). Wayne’s number is 608-781-6309. Let Gregor know Wayne is still interested in helping to design a Kbb strategy at White River Marsh.*

12. Recovery roles and responsibilities

Dave feels there has been some confusion and misunderstanding of the role of HCP non-recovery partners (other than DNR&TNC) on recovery. Given our past history regarding “not speaking the ‘R’ word”, it is important that we come to a common understanding and then to document these roles and responsibilities. Being able to accurately articulate what it means for a non-recovery partner to be “committed to recovery” and “supporting recovery” will be especially helpful when asking partners to pitch in and help with recovery.

How can we best describe HCP partners’ role in recovery within the context of the HCP 5-Point Plan and the ESA? (Dave related to Louise the analogy of a booster club for a sports team as a comparison.)

It was agreed that the HCP partners’ role in recovery can best be categorized as “voluntary” and a “support” role. However, support from partners would be more effective as grant match and could be counted on

if there were a firmer commitment to help with recovery needs. Dave suggested that partner recovery support could be framed as “pledges” to do this or that. As recovery needs are uncovered and articulated by the recovery working group and local recovery teams, partners could be given the opportunity to sign up to do different things, i.e. “Make a” pledge”. An opportune place and time to do this would be at the winter HCP Team meeting February 12, 2008. Louise further suggested that perhaps a sub-committee of the IOC could manage a “pledge drive” for the purpose of supporting Kbb recovery efforts in Wisconsin, to help hasten the accomplishment of Kbb recovery status in the state. Dave thought this was an excellent idea.

Action: *Dave to put the idea of a pledge drive on the IOC’s December 5th agenda.*

Point 5: Permit Renewal –

The IOC has begun discussing renewal of the incidental take permit and preparing to query each partner for their renewal concerns and intentions. The IOC is updating the Articles of Partnership and considering what implementing the HCP would be like if they are to convince their management to re-enlist.

- 13. What is the process for renewal and the Service’s expectations?** Has this process been done by the FWS in other regions? What documentation is needed? What is the mechanism by which DNR would request renewal? Redo the risk analysis? Section 7 consultation? New BO? Can/should IA be redesigned/amended? What about SHCAs? What NEPA/WEPA process will be needed? When should DNR have a final proposal to the FWS for Service review/approval; notice periods; Federal register, etc.? (Time table?).

Note: Prior to 11/9, Matt and Dave will try to put together a process chart with a timeline including what we know about the process. We can fill in the blanks, ask more questions and add some anticipated times.

*Cathy provided a handout from the FWS’s HCP Handbook (p.6-29) that provides some preliminary guidance on permit renewal. **[IMPORTANT NEW INFORMATION]** acquired by Cathy following this meeting: Per Pete Fasbender (FWS RO Permit Coordinator) the ITP renewal will need to be noticed in the Federal Register - which will have a 30 day comment period. Per Pete (11/20/07) the WDNR will have to submit the renewal request using the ITP application form.]*

Action: *Cathy will send ITP application form to WDNR..*

Cathy stated that it will be important to have new partner lands baseline (acres in HCP w/ new HPR - see Point 2 No. 4 above), and to redo the risk analysis that supports the Voluntary Landowner group, e.g. redo risk assessment considering only last 10 years of Kbb EOs? - it’s more likely these may still be extant than older EOs (unless older EO’s in Kbb habitat still likely to be present).

- **Action:** DNR to look at the steps needed to finalize amendment requests for all adaptive management improvements conceptually agreed to previously. Everyone agreed that these amendments should be completed in advance of and separate from a request to renew the permit.
- **Action:** FWS to look into renewal process with the RO (Pete and Jennifer) - by Feb. 12, 2008 HCP Team meeting
- **Action:** Cathy to provide further thoughts on development of risk assessment.
- **Action:** A renewal timeline will be developed by DNR with IOC.

Miscellaneous

14. Winter Meeting - Developing ideas on format for meeting, including awards.

Suggested ideas for the winter meeting:

- 1) *Reflect on the Declaration of Intent*
- 2) *Create a presentation on what we have accomplished to date*
- 3) *Discuss the Recovery Needs*
- 4) *HCP renewal business*

15. HCP Celebration/recognition idea for 2008 winter meeting.

The FWS wants to recognize the HCP partners' efforts. It was decided that the 2008 winter meeting would not be the best time to do this; better to do it in conjunction with the HCP renewal, since this is an "event" to build recognition around.

16. Land Owner Contact and Assistance program - Current Requirement or Commitment: IA, 11.b.9 DNR (and FWS Partners for Fish and Wildlife) will provide outreach and education program. Have not, can not; Darcy Kind no longer funded. Do we delete this from IA?

Discussion item.

Action: DNR to build in the intended objectives of the Landowner Contact program into the new land owner O&E and new partner recruitment approach targeted at BRZs.

Closing

17. Schedule next Review meeting

- **April 24, 2008**

18. Schedule next HCP Working Group meeting and work list/assignments

- **Dec. 18, 2007**

19. Evaluate meeting, review action items, close.

Matt reviewed the action items. It was agreed much was accomplished. Meeting was adjourned.