

**Karner Blue HCP
Implementation Oversight Committee (IOC) Meeting
January 9, 2007
9:30 a.m. -2:30 p.m.
American Transmission Company
2 Fen Oak, Madison**

MINUTES

Present: Jody Gindt, Joel Aanensen, Matt Krumenauer, Ursula Petersen, Gary Birch, Bob Hess, Steve Richter, Jim Heap, Dave Lentz

1. Anti-Trust Statement

Statement given by Dave

2. Approve minutes from 12-7-06

Change buffer to ¼ section, (not ¼, ¼); otherwise approved.

3. Review action items from previous meetings (see next page)

4. Review Regulatory Boundary map from 12/13/06 (10-mile EO and ¼ Section buffers)

Decide among various alternatives (see regulatory buffer exercise; alternative buffered ranges will be available for 1/9 meeting.)

- **Proposal: HCP Implementation Range:** A 2 mile range buffer around the +50% is scientifically justified. If shifting mosaic exposes new habitat within 2 miles of a known site, and Kbb shift, the blue will expand.

Action 1/9: discuss options with FWS 1/10/07

- **Proposal: FWS Regulatory Range** for non-partners, and current partner's new land acquisitions never surveyed can be whatever the FWS wants for their purposes.

Action 1/9: discuss options with FWS 1/10/07

Action 1/9: Dave to have Ted make a version of the final HCPIR map with roads and another with DTRS.

5. Develop agenda for 2/21/07 HCP Team annual winter meeting

- Add regulatory range column to responsibility table

6. Closing

- Summarize Action Items
- Plan 1/24/07 IOC meeting

ACTION ITEMS FOR REVIEW (for agenda item #3)

**Karner Blue HCP
Implementation Oversight Committee (IOC) Meeting
December 7, 2006**

Minutes - DRAFT 2

- Reporting Incidental Take
Action Item: Dave asked for each IOC representative to give an example of an area where intense management occurred that still support Kbb's.
Progress: No KBB examples were given.
Action Item 12/7: Dave asked that examples be sent to him by the end of business 12/12.

Action Item: What is the definition of take that we will be using to define PT not short-term take?
Progress update: No progress.
Plum Creek: Brown Deer Rd. Cut plant release cottonville fire, sprayed and Kbb still there
- Proposed amendment to HCP/ITP to allow DNR to do audits on DNR lands (rather than FWS as it currently states).
Dave felt that the ITP & HCP are currently not completely accurate. DNR (Dave) audits partners including DNR properties. This is the Service's role in the documentation. The Service oversees the process and attends some audits to confirm the process. To make the documentation correct, Dave suggested amending them. In response to the published IOC agenda, Scott Swengel commented that he "*think(s) it is a bad precedent to have the DNR audit state-owned properties because it could look to outsiders like a conflict of interest.*" We agreed that the perception is logical. Jimmy commented that Scott's concern should be asked of the Service, not the DNR.
Action Item: Dave will put the question to the Service if an amendment to clarify that DNR can audit DNR properties should be proposed or not.

Cathy said the Service was comfortable with DNR performing audits of DNR properties.
Action Item 12/7: Dave will draft a proposed amendment. *Post meeting suggestion from Cathy Carnes:* Instead of making this an amendment, just agree to a changed audit protocol (per the IA page 10, Provision 11.1 b(14). This saves us from doing an amendment which requires WDNR to identify all clauses in the HCP to amend and then get approval from IOC to make the changes. WDNR could request the change of the Service via letter or email with rationale and Service could reply in kind. Dave agrees and will follow up.
- **HCP Winter Meeting 2007 – Schedule and Plan Review dates.**
Action Item: Joe to send out placeholder memo to the widest HCP distribution list and reserve a location for the event. DONE

Previous Action Item FOR TODAY'S AGENDA ITEM #5 Guideline Repackaging and Improvement Team (GRIT)

- Timber Harvest (draft) protocol updates

Action Item: Bob is currently redrafting a revision to the protocol to delete “over snow-covered, frozen ground”, and which will emphasize avoidance should be attempted to the greatest extent practicable no matter what the ground condition.

Done.

Note: There was some discussion re: adding invasive plant control recommendations to the management guidelines and eliminating it from the protocols.

Action 12/7: Joe to look at Protocols and Guidelines to see if this information has been incorporated.

Action 12/7: Joe to re-include web-version caveat to protocols and guidelines as appropriate.

Action 1/9: Dave to add Bob’s guidelines with Joe’s revised guidelines.

7. Define a Regulatory Boundary to replace HPR related to High Probability Range Map. (KBB Probability Model)

(See attached process and steps: file name: *\Regulatory Range dev process.doc*)

Matt commented that there was agreement at the six month HCP review meeting to accept the proposed high probability model as the new Kbb range. This range will be used to determine where partners will perform regulatory requirements under the permit and where regulated, non-partners will be accountable under the ESA to get permit authority (become a partner). This agreement is that the high probability range for regulatory purposes will now include all Kbb element occurrences and the lands in the 50-100 % probability classes within a 10 mile radius of these occurrences. It will not include lands outside of this area.

Dave asked if the committee was okay with using ¼ sections to define the regulatory boundary.

Decision: The IOC members and Cathy all agreed that using ¼ sections were an acceptable means of describing this boundary.

Action item: Dave to notify partners of the expanded land outside of the current HPR. Partners will need to identify lands that they want included in the permit in these areas and notify the DNR to assure coverage under the ITP.

Decision/agreement: The new “regulatory range” will still be called the **High Potential Range (HPR)**. All the same HCP and ESA implications are the same; the only change is the geographical range is being reduced as a result of adaptive management. The new HPR includes high probability classes equal to and greater than 50% and all known Kbb occurrences plus high probability land within a 10 mile radius of the occurrence. This accommodates and is equivalent to the documented range (DR), therefore making a separate DR boundary redundant and not necessary. This represents a biological probability range in WI and is sufficiently conservative with the inclusion of the ¼ section and 10-mile buffers to satisfy the need for a regulatory boundary.

Partner entity groups will be able to apply the new HPR directly with GIS, or by overlaying the ¼ section information on their ownerships. It was understood that no other boundary lines were needed on the map to assist partners in identifying the HPR on their lands.

Action Item: Dave to ask Ted to extend absence data to the tan portions of the model along with bar charts and/or other information and dialog in his “report” to the Service that provides justification for the elimination of the tan areas from the new HPR (regulatory range).

Done

Guidelines, Protocols and HCP User’s Guide

Comment and final approval to remove draft and prepare to share with partners

Dave and Matt opened the discussion by asking the committee to offer their opinions and ideas on how we can better arrange the information in this document to help partner staff understand how to implement the Guidelines and Protocols that apply to their specific work activities. Some suggestions:

- Add separate section in table of contents (TOB) for monitoring guidelines and protocols, e.g. regular monitoring, limited partner lupine monitoring, recovery monitoring (distance sampling).
- Add section in TOB for referenced documents; remove complete standard reference documents, i.e. Nectar Plants from User's Guide.
- Add definitions in the glossary for new terms, i.e., HProbR, HProbR map, occupied, and high potential habitat, etc...
- Keep the HPR name to simplify and eliminate administrative burden
- Keep the name SPA's but redraw them to take place of the proposed "biological recovery zones". Action: redraft definition of SPA to reflect BRZ
- Take page 6 out of the Pesticide Protocol as it is not applicable
- Add an Acronym List to the User's Guide with the glossary
- Add a conversion table for linear habitat into acres
- Add a contact sheet for HCP Coordinator, data manager, IOC reps, etc. to the web version of the User's Guide
- Create separate document "Policy & Procedures" for administrative guidance
- Notify partners of data sharing authority in Policy and Procedures, how do they get it?

Action Item: GRIT (Dave has lead) with IOC help to make necessary changes in bullets listed above.

Action Item: Dave and Cathy to look into SHCA implications of terminology difference between HPR and HProbR.

Action Item: Dave and Cathy to look at HCP-wide administrative implications of calling the new "biological SPAs" BRZs instead of SPAs. BRZ may be more accurate and less confusing than changing the definition and long understanding of SPAs to be something different.

Action Item: Dave and Jimmy to look at the implications of the changes being made to the HPR acres and conservation measures as to how this may affect NEPA and WEPA compliance. This information and DNR recommendations will be shared with Cathy. The Service will use this documentation to determine if NEPA requirements will be triggered. This needs to be done well before the winter meeting. Dave will make a draft list of HCP related changes to consider how the conservation plan is being changed and the implications of that, e.g., partner acreage, Ted's report, final map & justifications, conservation activities, i.e., protocols, etc.

The committee and Cathy agreed that the changes are part of Adaptive Management and do not likely represent a significant action requiring NEPA or WEPA actions, however this should be formally considered by appropriate persons at the FWS and DNR, and documented.

Action Item: Joe to look at Guidelines to see if invasive language is in up to date.

Action Item: Ted to turn on the absence data that overlays the high probability classes to provide further verification that Kbb's do not occupy specific high probability areas.

Decision Item: Joel moved to make the Guidelines and Protocols final versions (with revisions listed above) as of today. The motion was seconded by Matt; all present approved the motion.

The documents are subject to adaptive management in the future; noted particularly following presentation to and use by all partners.

Action 1/9: Dave to confirm all changes were made before Joe left.

Regarding publishing the guidelines and protocols in the new format, Matt suggested we finalize the partners' logo and add color to it.

Decision Item: Gary moved to authorize up to \$1000 to upgrade the partnership logo to color; Jim seconded the motion, the motioned stands approved.

Action Item: Matt will take steps to get the logo upgraded. Ursula will supply Matt with an example and the name of a graphic artist.

Closing

- Action Items for Ted were summarized before he left. Other actions will be reviewed by the IOC with the first draft of these minutes.
- Do we need an early January IOC meeting? YES! Tuesday January 9th, 9:30 AM at ATC – Madison. The meeting will be used to finalize the winter meeting program/agenda.
Action Item: Matt and Dave will distribute a draft program/agenda in early January for IOC members' comments. Comments are expected from all members by the end of business 1/8/07. Participation on 1/9 will be up to each member.
Done
- The 1/24/07 IOC meeting at Stoney Creek Inn is still planned for final review of all changes and items to present to partnership, to finalize winter meeting program plans and discuss breakout sessions and meeting assignments.
Action Item: Matt agreed to develop and distribute a draft presentation for roll-out of new HPR boundaries and "HCP User Guide" format to partnership and templates for entity group breakout sessions.
Not done yet.
- IOC Meeting (set up and dress rehearsal) on February 20th will be at 2:30 p.m. at Stoney Creek Inn, Wausau.