



## Hays County Regional Habitat Conservation Plan

Dear Potential Participant,

Thank you for considering participation in the Hays County Regional Habitat Conservation Plan (RHCP). Approved in 2010, the RHCP provides a streamlined process for Endangered Species Act compliance for projects occurring within golden-cheeked warbler or black-capped vireo habitat in Hays County. Participation in the Hays County RHCP is completely voluntary. We have made every effort to ensure that this process is as simple as possible for potential participants. Please see below the steps and requirements for participation in the plan.

### **Step One: Initial Application**

Potential RHCP participants will submit a completed application to the County for review. All application forms are available [online](#) or in the Hays County Countywide Operations office (712 S. Stagecoach Trail, Ste. 1045, San Marcos, Texas 78666). The Hays County website has templates and existing data sources to assist with this documentation. The Hays County Natural Resources Coordinator is available to answer any questions that you may have during this process.

The application package should be delivered by mail to the Hays County Countywide Operations Department at 712 S. Stagecoach Trail, Suite 1045, San Marcos, Texas 78666 and include the following components:

- A completed Participation Certificate Application Form;
- Detailed property information, including boundary maps, and legal descriptions;
- A detailed site plan for the proposed project that shows the location, extent of all proposed land development and clearing activities, and describes the uses of any proposed open spaces or easements;
- Copies of any available biological resources studies previously conducted on the property; and,
- An application fee based on the project size.

Please send the Natural Resources Coordinator the above information as a digital copy via email, accompanied with any GIS data and zipped shapefiles for the project.

Application fees are payable by check (payable to Hays County Treasurer), credit card, or money order. Online payments are not currently accepted. The amount of the application fee is based on the size of the property requesting the mitigation assessment. Application fees are shown in Table 1.

**Table 1: Mitigation determination application fees as determined by project size.**

<b>Property Size</b>	<b>Application Fee</b>
0-50 Acres	\$1,000
50-250 Acres	\$2,000
250-500 Acres	\$3,000
500-1000 Acres	\$4,000
1000+ Acres	\$5,000

Potential participants have the option of submitting their own habitat determination, survey data, and mitigation assessment to Hays County for review. Any submitted habitat delineation, species surveys, or mitigation assessments must conform to the requirements specified in the RHCP. The County will perform on-site habitat assessments for all projects as outlined in the Regional Habitat Conservation Plan as part of the application process.

Please send all application materials and fees via U.S. postal service or hand-deliver to:

Mail or Hand Deliver to:  
Alexandra Thompson, Natural Resources Coordinator  
Countywide Operations Department  
712 S. Stagecoach Trail, Ste. 1045  
San Marcos, Texas 78666

Within five business days from the receipt of an application, Hays County will review the application for completeness and notify the Applicant of any missing information. Once the application package is complete, Hays County will provide verification that a complete application has been received and schedule the on-site visit to perform a habitat assessment.

### **Step Two: Issuance of Determination Letter and Participation Agreement**

Hays County will review submitted application packages, conduct an on-site habitat assessment of the property, and delineate potential habitat for the species to be impacted by the planned development project. Based on information received and collected, the County will identify areas with direct/indirect project impacts and calculate the number of mitigation credits necessary to offset anticipated impacts using the mitigation ratios established by the RHCP. The County will submit its determination to the USFWS for review; the USFWS has ten federal business days to review and respond to the submitted determination. Following the USFWS review period, a determination letter identifying the County's findings will be provided to the applicant along with a Participation Agreement. At this time, if the Applicant wishes to participate in the RHCP, they should execute and return the Participation Agreement to the County along with the mitigation payment

identified in the determination letter. Upon receipt of a signed participation agreement and mitigation payment, the County will execute and record the participation agreement with Hays County real property records and provide the fully executed participation agreement and Certificate of Participation to the Participant.

Hays County may decline to issue a Participation Agreement if credits are currently unavailable, already allocated for other projects, or if such participation does not conform to the goals and provisions of the RHCP.

### **Step Three: Compliance with Participant Terms**

Participation in the RHCP requires adherence to the terms and conditions of the Participation Agreement, including:

1. Clearing of woody vegetation in areas of golden-cheeked warbler habitat should be completed during the months from August through February. From March 1 to July 31, such work must cease since golden-cheeked warblers may have returned to the area to nest.
2. Clearing of woody vegetation in areas of black-capped vireo habitat should be completed during the months from September through February. From March 15 to August 31, such work must cease since the vireo may have returned to the area to nest.

Thank you again for your consideration. Should you have any questions while navigating this process, please do not hesitate to contact the Hays County Natural Resources Coordinator, Alexandra Thompson, at (512)393-2156, or via email at [Alexandra.thompson@co.hays.tx.us](mailto:Alexandra.thompson@co.hays.tx.us). We look forward to receiving your application.

Sincerely,

Alexandra Thompson  
Hays County Natural Resources Coordinator  
Countywide Operations