



TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN 520**
 Habitat Compliance Form

DATE: July 18, 2011/*Revised August 1, 2014*

CREATED BY: Land Development Division/Land Entitlements Section

Purpose:

As a customer service initiative, the Development Services Department (DSD) created this **revised** bulletin to update Information Bulletin (IB) 520 on the Habitat Compliance Form. This bulletin has been updated to incorporate the department’s new format for Information Bulletins.

Scope:

On August 20, 2009 the City Council adopted ordinance # 2008-08-20-0652 requiring a Habitat Compliance Form (HCF) in conjunction with tree permits, subdivision plats, Master Development Plans (MDP) and Planned Unit Development (PUD) plans for properties greater than two acres in size. The purpose of the ordinance is to promote the site studies necessary to document habitat of threatened or endangered species and to facilitate review of such locations by US Fish & Wildlife (USFWS), and Texas Parks & Wildlife (TPW).

Provision of a HCF is required for any projects over two acres in size for the four types of permits listed above. There is no right to “vest” in accordance with Unified Development Code (UDC) 35-712 from the requirements of ordinance # 2008-08-20-0652.

The requirement to submit a HCF to DSD shall be in accordance with the following table:

Permit Type	HCF Requirement
MDP	Requirement to furnish HCF prior to issuance of staff acceptance of the MDP and Director signature.
PUD Plan	Required prior to issuing staff recommendation and scheduling on the Planning Commission agenda.
Subdivision Plat	Required to obtain a LOC from DSD.
Tree Permit	Required at completeness review.

For those applicants wishing to use the option in ordinance # 2008-08-20-0652 allowing for submittal of studies to USFWS, the appropriate “survey” is a species presence-absence survey conducted in accordance with (USFWS), protocols under the authority of a valid USFWS scientific collection permit. Such surveys shall be submitted to:

Christina Williams
Fish and Wildlife Biologist
U.S. Fish & Wildlife Service
10711 Burnet Rd, Suite 200
Austin, Texas 78758-4460
ph. (512)490-0057, ext. 235
fax (512)490-0974
Christina_Williams@fws.gov

For those applicants wishing to use the affidavit option with an indication that a habitat assessment/survey was conducted in accordance with ordinance # 2008-08-20-0652, one of the following is required:

1. Vegetation assessments prepared in accordance with Texas Parks & Wildlife Guidelines by a biologist permitted by USFWS, *or*
2. Species presence-absence surveys conducted in accordance with (USFWS), protocols under the authority of a valid USFWS scientific collection permit

Though submittal to USFWS of the assessments/surveys prepared pursuant to the affidavit option is not required, completion of such assessment/surveys is required to provide a truthful affidavit. If any part of the HCF is found untrue or falsified, then the corresponding application to the City of San Antonio for MDP, PUD, plat/LOC or tree permit may not be approved.

As a courtesy to our customers, the following resources have been provided on the DSD website:

Habitat Compliance Form:

<https://docsonline.sanantonio.gov/FileUploads/dsd/HabitatComplianceForm.pdf>

List of biologists certified to conduct surveys (list provided by USFWS):

<https://docsonline.sanantonio.gov/FileUploads/dsd/CertifiedBiologistsUSFWS.pdf>

Map of presumptive habitat areas, data provided by Loomis-Zara:

<https://docsonline.sanantonio.gov/FileUploads/dsd/0908GD06.pdf>

Should you have any question concerning this process, please contact the Land Entitlements Section at (210) 207-1111.

Summary:

This Information Bulletin is for informational purposes only.

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