

## **Discussion Topics for Chapter 12 “Plan Implementation”**

1. **Timing of fee payment.** How far in advance should a project be able to apply for coverage under the HCP and when should fees be accepted. Issues include a rush of applications on the eve of a fee increase and the potential for an applicant to withdraw a project after paying mitigation fees and then requesting reimbursement possibly after fees have been used to acquire preserves.

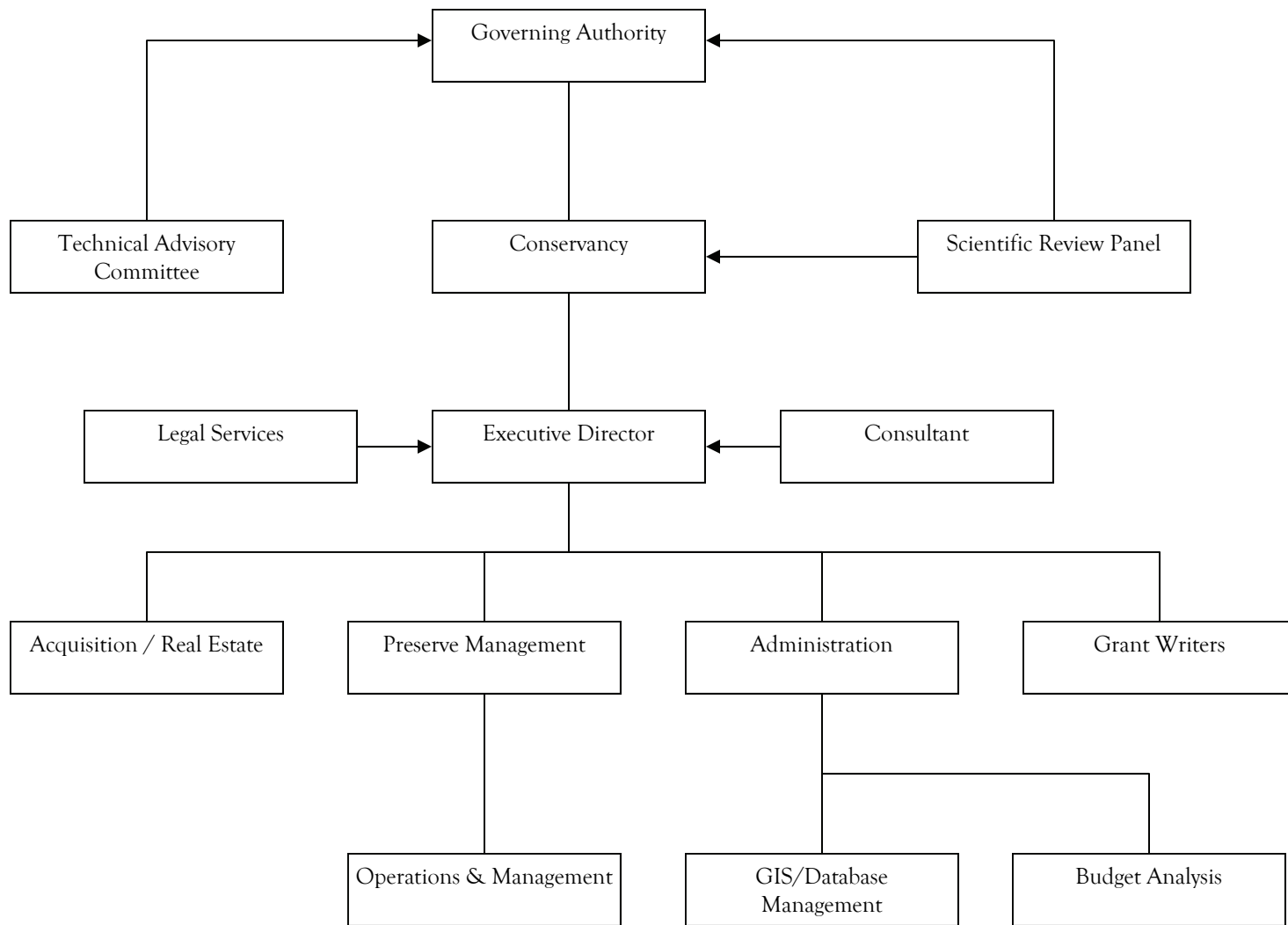
2. **Fee calculation.** It has been proposed that fees be calculated based on the SSHCP habitat cover-types maps. Issues include the accuracy of the maps and how pre-construction surveys will be used to correct mapping errors if at all. How do we maintain consistency with the Biological Opinion if on the ground surveys are used to calculate take and over time result in a take numbers that are different from initial estimates based on Cover-Type Mapping? How do we formulate an appeals process?

3. **Organizational structure.** Discuss the role and responsibilities of the Governing Authority, Conservancy, Technical Advisory Committee, and Scientific Review Panel. How should they interact, what is the chain of authority? How much oversight should be given to the TAC and/or SRP? How are the GA, TAC and SRP formed?

4. **Checks and balances.** There is a desire for more oversight of the Governing Authority and Conservancy. Discuss how to establish additional oversight without impeding the ability of the GA or Conservancy to implement the Plan in a timely manner. Discuss opportunities for public participation. What mechanisms can/should be built into the plan to address improper implementation of the SSHCP by the GA or Conservancy should this arise?

5. **Neighboring landowner agreement program.** There is some concern that this program is not legal. How does the SSHCP approve such agreements where take of a species is permitted? Does the SSHCP account for these impacts to species and offer a way to offset the impact? Can property owners that are outside of the SSHCP Study Area also enter into these agreements? If not can landowners enter into agreements outside of the SSHCP directly with the USFWS and DFG.

6. **Land & easement acquisitions.** There is concern that the prohibited uses required within the conditions of an easement are overly restrictive.



SSHCP Plan Implementation—Organizational Structure