
Charge of the EAHCP 2017 Certificate of Inclusion Program Work Group

The Edwards Aquifer Habitat Conservation Plan (EAHCP) requires a Certificate of Inclusion Program for the Cities of New Braunfels and San Marcos (Cities). The purpose of this program is to allow the Cities to provide organizations (commercial businesses and not-for-profit organizations) who are not Permittees under the Incidental Take Permit (TE-636636A-1), but whose activities fall under the take prohibitions of Section 9 of the federal Endangered Species Act of 1973, the option of complying with the terms of the Permittees' Incidental Take Permit (ITP) instead of having to obtain a separate ITP under the ESA for those activities.

Specifically, the Cities will issue Certificates of Inclusion (COIs) to organizations that facilitate recreational activities on the Comal and San Marcos rivers that comply with the requirements of the COI Program established in Sections 5.2.3 and 5.3.2.1 of the EAHCP. Recreation-based organizations or RBOs that opt into the COI Program and receive a COI will receive incidental take coverage under the Incidental Take Permit. (§5.2.3 and §5.3.2.1).

The purpose of the 2017 EAHCP COI Program Work Group is to recommend the processes to facilitate a COI Program that complies with the requirements of the EAHCP and that provides consistency in program implementation between the Cities while taking into account the uniqueness of each community. This document lays out the charge and administration of this Work Group as approved by the Implementing Committee.

Specifically, the Work Group will:

- Define who meets the definition of an “Recreation-based Organization” (RBO) and establish who qualifies for COI Program.
- Define a sliding scale for RBOs for each based on the minimum COI standards included in the HCP.
- Determine the process for implementing (such as the application form, application process, fee schedule, and certificate form) the COI Program to RBOs.
- Determine the process to monitor for compliance to the standards.
- Define what action on the part of the RBOs constitutes noncompliance with the COI Program and for revoking a certificate.
- Develop outreach methods/materials to educate RBOs on the benefits of participating in the Program.

Membership & Meeting Organization: The Implementing Committee may appoint the following members to the Work Group: City of New Braunfels representative (*Amy Niles*), City of San Marcos representative (*Melani Howard*), RBO from San Marcos (TBD), Small RBO from New Braunfels (TBD), Large RBO from New Braunfels (TBD) and representatives from the EAHCP Stakeholder Committee (*Carl Adkins, Colette Barron Bradsby, and Jim Bower*). A Work Group chair will be nominated and elected.

The Work Group will develop its final report through a consensus decision-making process. The Work Group will hold no more than five meetings – the first meeting to be held in Late-January or as soon as possible thereafter. The final draft of the *Report of the 2017 EAHCP Certificate of Inclusion Program Work Group* will be presented to the Implementing Committee for approval at their April 20, 2017 meeting.
