

ATTACHMENT A

El Dorado County
Brief Description of Impact Fees charged by the
Planning and Building Department
As required by Government Code Section 66006 (b) (1) (A)

Ecological Preserve Fee

On July 28, 1998, the County added a Rare Plant Mitigation requirement under Chapter 17.71, the “Ecological Preserves,” by Resolution 205-98 under ordinance 4500. The Ecological Preserve Fee addresses the need for mitigation of impacts of development on the existing rare plant habitat through the purchase of fee interests or conservation easements of land within a designated ecological preserve. Acquisition and restoration of rare plant habitat must be equal to 1.5 times the number of acres developed. The land or development rights purchased must be dedicated to a specified resource protection agency such as the Bureau of Land Management, California State Department of Fish and Wildlife, or a designee of the agency.

For this fee program, the costs of past projects and projected costs of future projects were spread among three areas (See map, figure 1).

The areas that comprise this fee program are:

- ✓ Mitigation Area 0 – Lands within an ecological preserve (Approximately 3,450 acres).
- ✓ Mitigation Area 1 – Lands outside of Mitigation Area 0, but within the area described as the “rare soils study area” (approximately 36,000 acres)
- ✓ Mitigation Area 2 – Lands outside of Mitigation Areas 0 and 1, but within the service area of the El Dorado Irrigation District, excluding parcels served by wells.

Development within Mitigation Area 0 would be encouraged to provide on-site mitigation for impacts to rare plants by either setting aside part of the property and dedicating a perpetual conservation easement for habitat protection, clustering development in the least environmentally sensitive portion of the property and receive a density bonus in return for dedication of a perpetual conservation easement over the remainder of the property (if greater than 5 acres), or purchasing and protecting an amount of habitat in the same ecological preserve in an amount equal to at least 1.5 times the developed acreage.

Development within Mitigation Area 1 would be encouraged to provide off-site mitigation through the payment of the Ecological Preserve Fee, but could opt to participate in the El Dorado County Rare Plant Off-Site Mitigation Program and reduce the impacts of development on rare plants and their habitat to a less than significant level.

Development within Mitigation Area 2 would need to share the cost of mitigating for impacts on rare plant habitat as they have direct or secondary impacts on such rare plant habitat in Western El Dorado County through increased traffic congestion, reduced air quality, and open space uses.

As a part of the fee program there is a Rare Plant Preserve Endowment fund component. In it an acquisition of easements such as Martel Creek and the Pine Hill Preserves are funded on a pay-as-you-go basis as fees are collected. These are represented in Attachment C.

The Ecological Preserve Fee is be calculated by summing the County's contribution towards the local share of the cost, plus interest, of acquiring Cameron Park Preserve (315 acres) with the local share of the cost of acquiring conservation easements in the Martel Creek and Pine Hill Ecological Preserves; then adding a three percent administrative fee and applying the appropriate cost allocation factor as described in the resolution.

Fees are deposited into the Ecological Preserve Fee special revenue account (3770754), and partially distributed to the Rare Plant Preserve Endowment Fund (3799900), Building Services operating account (3710100), and Planning Services operating account (3720200) as specified in Resolution 205-98.

Oak Woodland Conservation Fee

On May 6, 2008 the Board of Supervisors (Board) adopted the Oak Woodland Management Plan (OWMP) and its implementing ordinance, to be codified as Chapter 17.73 of the County Code (Ord. 4771. May 6, 2008). The primary purpose of this plan is to implement the Option B provisions of Policy 7.4.4.4 and Measure CO-P. These provisions establish an oak conservation in-lieu fee for the purchase of conservation easements for oak woodland in areas identified as Priority Conservation Areas (see map, figure 2) and to monitor and maintain said lands.

A lawsuit was filed in El Dorado Superior Court on June 6, 2008 against the OWMP. On February 2, 2010, the Court ruled to uphold the Board's action to adopt the Plan. However, on appeal, the Appellate Court over-ruled that decision, remanding the case back to Superior Court, with the direction to require the County to prepare an Environmental Impact Report for the OWMP. The OWMP was rescinded on September 4, 2012 (Resolution 123-2012) and its implementing ordinance was rescinded on September 11, 2012 (Ord. No. 4892). For the time being, only Option A of Policy 7.4.4.4 is available to mitigate impacts to oak woodlands.

On October 24, 2017, the Board adopted a General Plan Amendment that revises the biological resources policies and related objectives and implementation measures in the Conservation and Open Space Element of the General Plan. Specifically, this amendment makes changes to the County's OWMP, which subsequently was retitled the Oak Resources Management Plan (ORMP) under Resolution 129-2017 and 130-2017. By way of the Resolutions, the Board approved the Oak Resources Conservation Ordinance, 5061, which became effective on November 23, 2017 and the In-Lieu Mitigation fee which became effective on December 23, 2017.

Fees continue to be deposited into the Oak Woodland Conservation fund (3770755).

Additionally, the County takes responsibility as administrator. A 5% administrative fee is included to help with the costs associated with the tasks. This account is held separately, keeping the revenues and costs associated with administering the fund

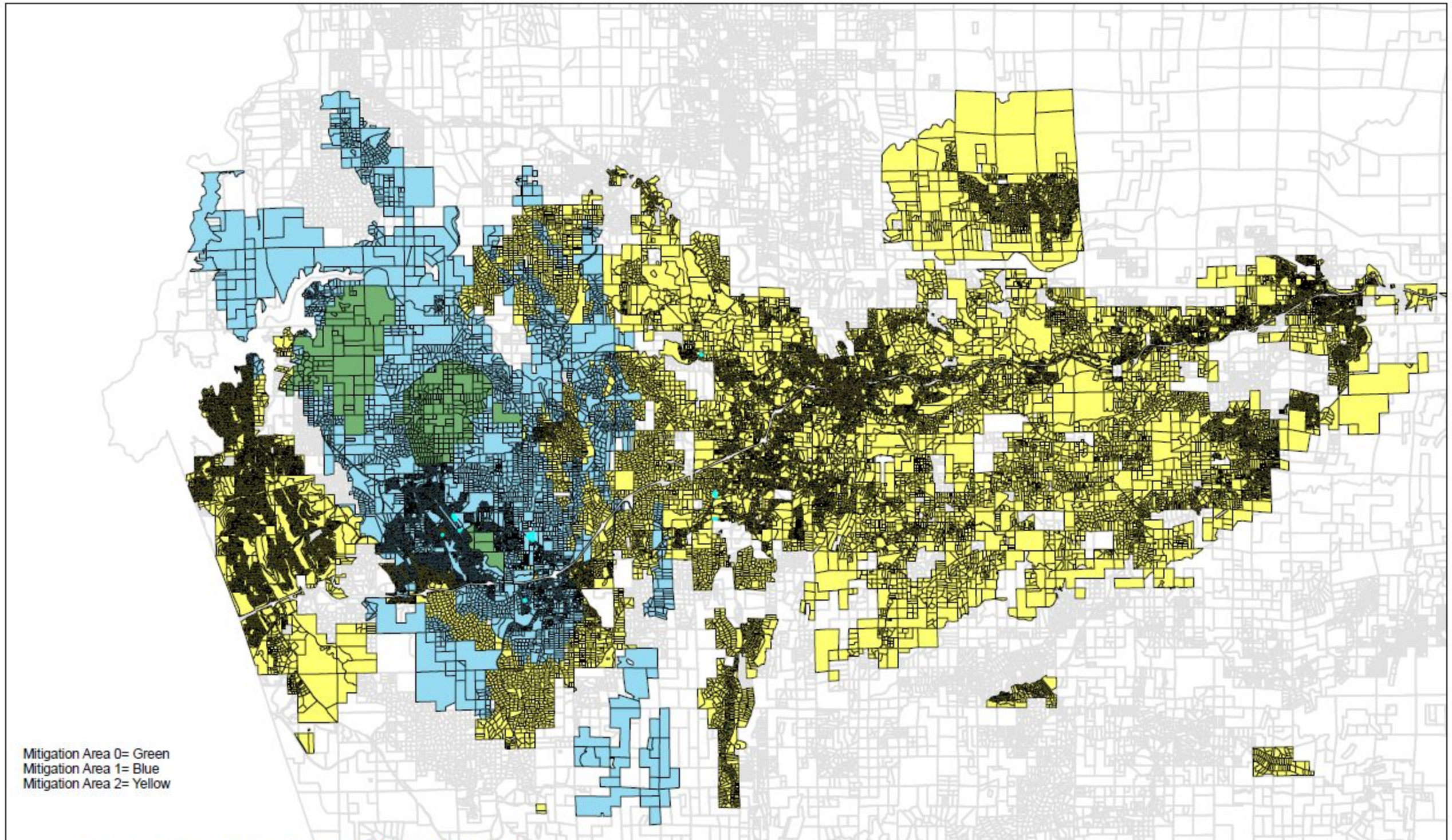
more transparent. Segregating the 5% in its own fund ensures that the funds are only utilized for which they are intended. According to the Resolution, the 5% admin fee responsibilities include, “calculate, collect and deposit fees, transfer revenues to managing conservation efforts, implement annual inflation updates, update the Nexus study, prepare reports and track location of IOTs planted using GIS.” In the FY21/22 a new account was opened for this segregation. The prior years’ worth of admin fees (2008-2021) were allocated as well as the current year’s admin fees.

The 5% admin fee is allocated quarterly to fund 3770759.

More information about the fee programs can be found in the enabling resolutions and ordinances for each program and the subsequent updates. Refer to Attachment B for a listing of the resolutions and ordinances.

Ecological Preserve Areas

FIGURE 1



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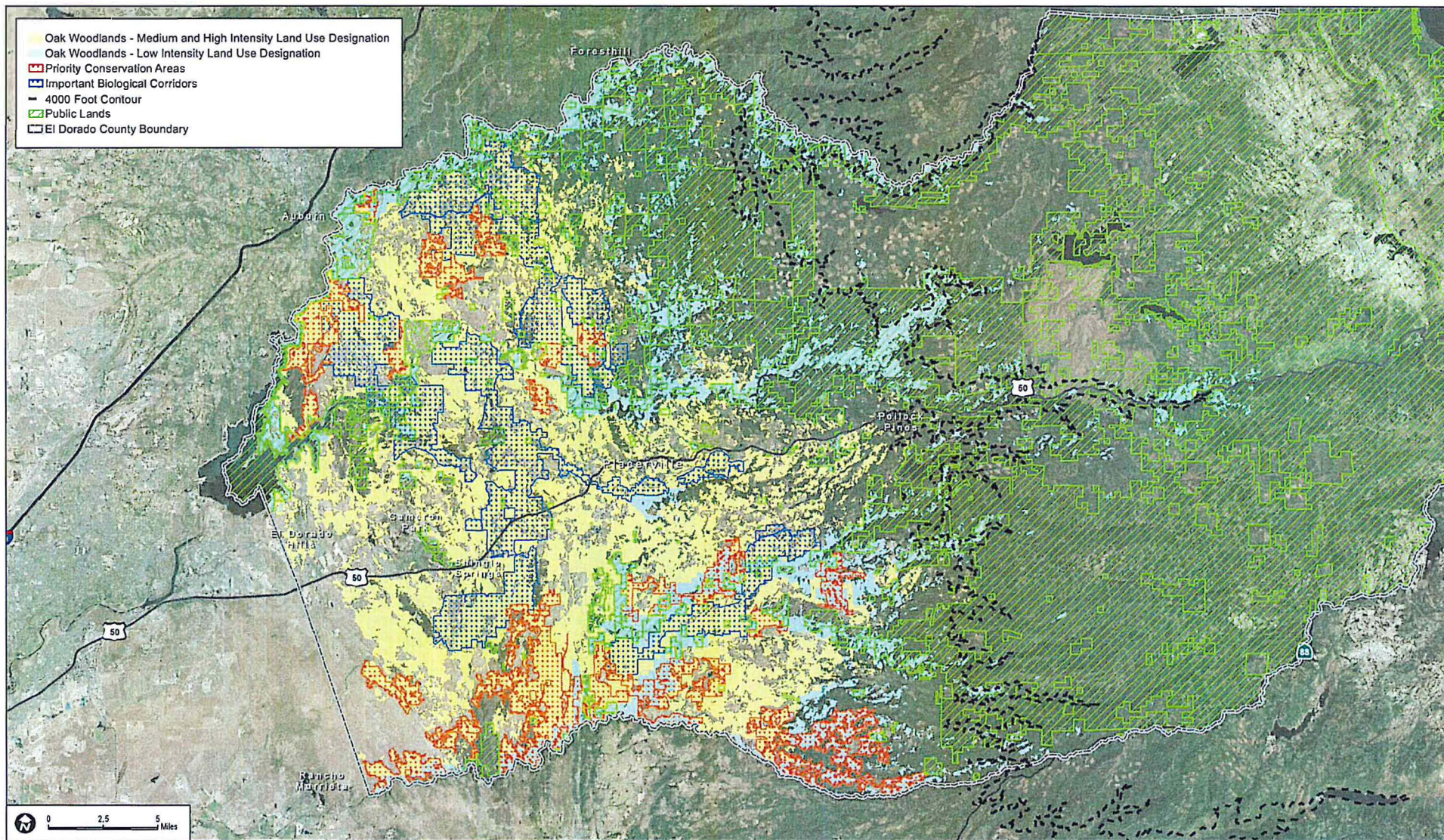
This depiction was compiled from unverified public and private sources and is illustrative only.

No representation is made as to the accuracy of this information.

Parcel boundaries are particularly unreliable.

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FIGURE 2



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6229-01
SOURCE: Bing Maps 2014 FRAP 2006, El Dorado County 2014
Draft Oak Resources Management Plan

FIGURE 2
Priority Conservation Areas, Oak Woodlands, and Public Lands in El Dorado County