

**ATTACHMENT B**

## Ecological Preserve Fee Effective September 26, 1998 through June 30, 2021

Resolution Date	Effective Date	Resolution #	Description	Mitigation Area 1 Fee	Mitigation Area 2 Fee
7/28/1998	9/26/1998	205-98	Added Chapter 17.71 "Ecological Preserves" to County Code and established Ecological Preserve Fees	\$885 per DUE	\$386 per DUE

## Oak Woodland Conservation Fee Effective July 5, 2008 through June 30, 2021

Ordinance Date	Effective Date	Ordinance #	Description	Option A 1:1 Fee	Option B 2:1 Fee
5/6/2008	7/5/2008	4771	Added Chapter 17.73 "Oak Woodland Conservation" to County Code and established the Oak Woodland Management Plan Conservation Fund In-Lieu Fee	\$4,700 per acre	\$9,400 per acre
9/11/2012	10/10/2012	4892	Rescinded Ordinance 4771 and removed Chapter 17.73 from the County Code except for for a limited exemption from the requirements of Policy 7.4.4.4. Option A retention requirements for road safety projects and public utility safety projects.	\$4,700 per acre	N/A
10/24/2017	11/23/2017	5061	New Chapter 130.39 (Oak Resources Conservation) of Title 130. Ordinance adopting an Oak Resources Conservation Ordinance to implement the Oak Resources Management Plan	See Page 27, Table 5 of Resolution 130-2017 for fee breakdown	
10/24/2017	12/23/2017	5061	Oak Resources In-Lieu Mitigation Fee as incentive for On-Site Retention of Oak Woodlands	See Page 28, Table 6 of Resolution 130-2017 for fee breakdown	

### 3.0 In-Lieu Fee

The methodology for determining the in-lieu fee for impacts to individual native oak trees and oak woodlands is provided in detail in Appendix B. In general, the in-lieu fee for oak woodlands is based on the costs of acquisition of land and conservation easements, along with management, monitoring, and administrative costs. For individual native oak trees, the in-lieu fee is based on an inch-for-inch replacement approach that accounts for costs associated with purchasing and planting 1-inch of trunk diameter.

#### 3.1 Oak Woodlands

As noted, the in-lieu fee for impacts to oak woodlands is based on the costs of acquisition of land and conservation easements, along with management, monitoring, and administrative costs. A breakdown of costs per acre is provided in Table 5.

**Table 5  
Oak Woodland In-Lieu Fee**

Activity	Cost per Acre
Acquisition	\$4,400
Initial Management and Monitoring	\$2,600
Long-Term Management and Monitoring	\$890
Administration	\$395
<b>Total Cost per Acre</b>	<b>\$8,285</b>

*Source: New Economics & Advisory Oak Resource In-Lieu Fee Nexus Study (June 2016)*

The in-lieu fee payment option for impacts to oak woodlands shall be made at the ratio outlined in Table 3, which provides for a variable mitigation ratio depending on the percentage of oak woodland impacted on a project site. The County shall deposit all oak woodland in-lieu fees into its Oak Woodland Conservation Fund, which shall be used to fund the acquisition of land and/or conservation easements from willing sellers as described in Section 4.0 (Priority Conservation Areas). This fund shall also be used for ongoing monitoring and management activities, including but not limited to fuels treatment, weed control, periodic surveys, and reporting. It is anticipated that conservation easements and mitigation lands would be held by a land conservation organization; therefore, ongoing monitoring and management activities would be conducted by such organizations. Funding to support the negotiation of the purchase price and oversight of the land transaction is included in the management component of the oak woodland in-lieu fee.

If a project applicant independently negotiates purchase of a conservation easement with a willing seller to mitigate oak woodland impacts, the applicant shall be responsible for paying the Initial and Long-Term Management and Monitoring and Administration components of the Oak Woodland In-Lieu Fee to the County, unless the applicant also independently negotiates acceptance of the conservation easement management and monitoring with a land conservation organization approved by the County.

As costs change over time, there will be a need to adjust the fee to closely match future cost increases or decreases. Appendix B details the fee adjustment approach. A report regarding fee adjustments will be included in a report to be submitted to the Planning Commission and Board of Supervisors every other March, as described in Appendix A. The first fee adjustment study would occur at least 12 months after adoption of this ORMP.

### 3.2 Oak Trees

For individual native oak trees, the in-lieu fee is based on an inch-for-inch replacement approach that accounts for costs associated with purchasing and planting 1-inch of trunk diameter and maintaining those trees for a period of seven years.

The assumptions that factor into the in-lieu fee are:

1. Two 1-gallon/TreePot 4-sized container trees are assumed to represent one inch of trunk diameter. The acquisition and planting component of the per-inch mitigation fee is then based on the costs to purchase and plant two 1-gallon/TreePot 4-sized container trees.
2. To determine the per-inch fee, the median price of 1-gallon/TreePot 4-sized container trees was calculated from a survey of nurseries in El Dorado County and the surrounding region.
3. This price was then doubled for each tree to account for costs associated with planting. Doubling the per-tree cost to account for purchasing and planting a tree (inclusive of labor and materials) is a standard approach in the landscape/habitat restoration industry.
4. The management and monitoring component of the per-inch mitigation fee is based on annual costs associated with maintaining planted trees for a period of seven years. Data for this fee was derived from cost estimates provided by a habitat restoration contracting firm, Habitat Restoration Sciences, Inc.

Based on this analysis, the individual native oak tree mitigation fee was calculated to be \$153.00 per-inch. In the case of Heritage Trees, the mitigation fee shall be \$459.00 per-inch (3:1 ratio). Table 6 summarizes the cost breakdown associated with the in-lieu fee for individual native oak trees.

**Table 6  
Individual Oak Tree In-Lieu Fee**

Activity	Cost per Inch
Acquisition and Planting	\$31.90
Initial Management & Monitoring (Years 1-7)	\$113.40
Administration (5%)	\$7.27
<b>Total Cost per Inch (non-Heritage Trees) (rounded to nearest whole dollar)</b>	<b>\$153</b>
<b>Total Cost Per Inch (Heritage Trees – 3:1 Ratio)</b>	<b>\$459</b>

*Source: New Economics & Advisory Oak Resource In-Lieu Fee Nexus Study (June 2016)*

As described in this ORMP, this per-inch mitigation fee may be paid as mitigation for impacts to individual native oak trees or Heritage Trees. The per-inch fee shall be multiplied by the total number of trunk diameter inches removed (dbh). The County shall deposit all oak tree in-lieu