

COUNTY OF EL DORADO

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JAMES S. MITRISIN
Clerk of the Board



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June 14, 2016

Chairman Mark Leno
Joint Budget Conference Committee
California State Legislature
State Capitol, Room 5019
Sacramento, California 95814

RE: California Endangered Species Act Permit Application Fees #802 - OPPOSE

Dear Chairman Leno:

On behalf of El Dorado County, I write to express our opposition to the proposed application fees for permits required to comply with the California Endangered Species Act (CESA).

As you may know, all counties are required to comply with CESA by obtaining incidental take permits for a number of county projects including land use, transportation infrastructure, general planning, flood control, and water management activities. The proposed fees are brand new, not proposed for a phase-in, and would range in cost from \$7,500 to \$30,000.

The proposed fee also gives the Department of Fish and Wildlife (CDFW) the authority to charge an additional fee of up to \$10,000 if the original fees are deemed to be insufficient. This is an enormous amount of leeway to give an agency, especially since allowing CDFW the authority to ask for more money to complete their work does not exactly provide an incentive for an efficient permit review process. Most state fee structures do not include such a provision, and since the proposal also grants authority to CDFW to review and adjust the fee structure, we feel the additional charge is unnecessary and excessive.

While we understand the importance of local and state agencies having the ability to raise revenue to cover the costs of the services they provide, the fees proposed are excessive and could result in counties having to defer important public projects due to cost issues. Of particular concern is the impact on local projects that provide infrastructure maintenance and repair. Unfortunately, maintenance agencies have very limited funding options to pay for repair, replacement and maintenance of roadway, bridge and drainage infrastructure. Consequently, any new fees could significantly impact their ability to move forward with such work.

El Dorado County, being a small rural county, isn't in a position where we can easily raise our own fees in order to cover such a costly new state fee structure.

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For the above reasons, El Dorado County opposes the proposed CESA permit applications fees. We would encourage you to continue discussions with both the Rural County Representatives of California and the California State Association of Counties regarding an alternative approach, as they represent local jurisdiction interests in this matter. If you have specific questions about how this will affect El Dorado County, please contact Bard Lower, Director, Transportation Division, at (530) 621-7533.

Sincerely,

Ron Mikulaco, Chair,
Board of Supervisors

RM:SMP/BL:lks

cc: The Honorable Edmund G. Brown Jr., Governor
Members of the California State Assembly
Members of the California State Senate
Martha Guzman-Aceves, Deputy Legislative Secretary, Office of Governor Brown
Catherine Freeman, Consultant, Senate Budget and Fiscal Review Committee
Rocel Bettencourt, Senate Republican Consultant
Gabrielle Meindl, Consultant, Assembly Budget Committee
Daniel Ballon, Assembly Republican Consultant