

Implementation Policy of the Yolo Habitat Conservancy Regarding Supplemental Charges related to Special Participating Entities Seeking Take Authorization

Updated September 16, 2019

The Yolo Habitat Conservancy (Conservancy) will require a Special Participating Entity (SPE) to pay a supplemental charge that is not included in the land cover or wetland fees to aid the Conservancy in covering costs associated with the implementation of the HCP/NCCP. In addition, the Conservancy will charge the SPE for all staff time associated with processing the SPE application and will require a deposit prior to starting work on the SPE application. The Conservancy may use the revenue from the supplemental charges for any purpose, including the following:

Additional Conservation Actions: Under the California Natural Community Conservation Planning Act a Natural Community Conservation Plan (NCCP) provides a method for conserving species on a large geographic scale and must contribute to recovery of covered species. The Yolo HCP/NCCP requires the Conservancy to assemble a reserve system that not only mitigates impacts to covered activities (mitigation) but also provides for the conservation of the 12 species covered by the Yolo HCP/NCCP (conservation). The land cover and wetland mitigation fees are used to pay for the mitigation component, whereas the Conservancy uses other sources, such as public funds and supplemental fees from SPES, to pay for the conservation component.

Plan Preparation: The cost to prepare the Yolo HCP/NCCP, which provides a countywide framework to protect natural resources in Yolo County and improve and streamline the environmental permitting process for endangered species impacts, was over \$10 million dollars between 2002 and 2018. This cost was covered mainly by grants secured by the Yolo Habitat Conservancy, as well as General Fund contributions from the member agencies. SPES did not contribute to the plan preparation cost.

Guidelines for Calculating the Contribution to Recovery

1. For projects with cumulative permanent land cover fees, temporary effect fees and wetland fees less than or equal to \$10,000 the Conservancy will require a minimum contribution to recovery charge of \$10,000.
2. For projects with cumulative permanent land cover fees, temporary effect fees and wetland fees greater than \$10,000 the SPE will pay a supplemental charge equal to the first \$10,000 (100%) plus one half of the remaining land cover and/or wetland fee total (50%).

Example: if the permanent land cover fee or temporary effects is \$20,000, the applicant would be required to pay a total of \$15,000 for the SPE supplemental

charge. This is calculated based on charging \$10,000 on the first \$10,000 (100%) and \$5,000 on the remaining \$10,000 (50%).

3. For projects with cumulative land cover and wetland fees greater than \$50,000 which are paying *permanent* land cover and/or wetland fees for *temporary* effects, the Conservancy will require a supplemental charge that is equal to the land cover and/or wetland fee up to \$10,000, plus one half of the remaining mitigation fee up to \$50,000, and an additional 10% charge on the remaining balance of the land cover and/or wetland fee for temporary effects.

Example: If the applicant's permanent land cover and/or wetland fee for temporary effects is \$80,000, the applicant would be required to pay a total of \$33,000 for the contribution to recovery charge. This is calculated based on charging \$10,000 on the first \$10,000 (100%), \$20,000 on the remainder up to \$50,000 (50% of \$40,000), and \$3,000 for the remaining \$30,000 (10%).

4. For projects that impose unique or challenging mitigation measures on the Conservancy, staff will recommend adjusting the supplemental charge to address the increased costs of fulfilling mitigation and species recovery obligations. Staff will recommend all supplemental charge adjustments to the Conservancy Board for approval.

Example: Additional supplemental charges may be required for projects with impacts to giant garter snakes, Swainson's hawk nest trees, or other species with unique mitigation requirements in the HCP/NCCP. Such actions may be more costly than standard habitat conservation and restoration measures.