AGENDA ITEM C-1b

CITY OF LODI
COUNCIL COMMUNICATION

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AGENDA TITLE: Set Public Hearing for October 17, 2012 to Consider Adopting a Resolution Setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees For 2013

MEETING DATE: October 3, 2012

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Set public hearing for October 17, 2012 to consider adopting a resolution setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2013.

BACKGROUND INFORMATION: On February 21, 2001, the City of Lodi adopted the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The Plan includes a schedule of fees to be paid by property owners who propose to develop their property with non-agricultural uses. These fees are used to mitigate for the cumulative impacts of new development on habitat lands within Lodi and San Joaquin County. According to the Plan, it is necessary for all jurisdictions covered by the Plan to approve the Habitat Conservation Plan (HCP) fees in order for the jurisdiction to continue to participate in the Plan. The fees are reviewed on an annual basis.

The 2012 per acre fees for all categories of habitat land have decreased. Fees are calculated based upon appraisal value of easements. Open Space lands have decreased from $7,195 to $6,364 (by 11.55 percent). Agriculture and Natural lands (the two largest categories) have decreased by 11.56 percent from $14,372 to $12,711. Fees for Vernal Pool (grasslands) habitat lands decreased by 10.71 percent from $41,534 to $37,087 and Vernal Pool (wetted lands) decreased by 4.45 percent from $81,989 to $78,311.

On Thursday, September 20, 2012, the SJCOG Board approved the attached HCP fee schedule for 2013. All local jurisdictions are requested to approve the new fee schedule that will take effect on January 1, 2013.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

Konradt Bartlam
Community Development Director

KB/IB
Attachment:
Fee Schedule 2013
J:\Community Development\Council Communications\2012\10-03 Set PH Habitat Fee.doc

APPROVED: _____
Konradt Bartlam, City Manager

SJCOG, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

Ken Vogel
CHAIR

Christopher Mateo
VICE CHAIR

Andrew T. Chesley
PRESIDENT

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF
SAN JOAQUIN

2013 Updated Habitat Fees*

Habitat Type	Fee Per Acre
Multi-Purpose Open Space	$6,364
Natural	$ 12,711
Agriculture	$ 12,711
Vernal Pool - uplands	$ 37,087
Vernal Pool - wetted	$ 78,311

* Effective January 1, 2013 – December 31, 2013

2013 Endowment Fees with In-lieu Land**

Type of Preserve	*Enhancement Cost/acre*	*Land Management Cost/acre*	TOTAL PER ACRE ENDOWMENT
Agricultural Habitat Lands	*$3,136.27*	*$1,785.92*	**$4,922.19**
Natural Lands	*$3,136.27*	*$1,785.92*	**$4,922.19**
Vernal Pool Habitat			
Vernal Pool Grasslands	*$590.61*	*$6,488.39*	**$7,079.00**
Vernal Pool Wetted	*$41,814.48*	*$6,488.39*	**$48,302.87**

** Effective January 1, 2013 – December 31, 2013 in lieu of fees to be used as the endowment for the dedicated land preserves (Category B + C)

VELB Mitigation

A special fee category shall apply when removal of elderberries occurs. The fee shall be paid to SJCOG, Inc. or a VELB mitigation bank approved by the Permitting Agencies. The current fee, as established in the VELB Conservation Fund Account managed by the Center for Natural Lands Management, and approved by the USFWS, is $1,800 per VELB Unit (one unit= one stem over 1" in diameter at ground level which is removed). Fees shall be established by the JPA during preconstruction surveys (i.e., counts of stems to be removed with and without exit holes shall be completed during preconstruction surveys) and shall be paid to the JPA prior to ground disturbance or stem removal, whichever comes first.

1.

Please immediately confirm receipt of this fax by calling 333-6702

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: **PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION SETTING SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES FOR 2013**

PUBLISH DATE: **SATURDAY, OCTOBER 6,2012**

LEGAL AD

TEAR SHEETS WANTED: **One (1) please**

SEND AFFIDAVIT AND BILL TO:
LNS ACCT. #0510052

RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, OCTOBER 4,2012

ORDERED BY: RANDI JOHL
CITY CLERK

Jennifer M. Robison

JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

Faxed to the Sentinel at 369-1084 at _____(time) on _____(date) _____(pages)
LNS _____ Phoned to confirm receipt of all pages at _____(time) ____ ____MB ____JMR (initials)

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DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION SETTING SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES FOR 2013

On Thursday, October **4,** 2012, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider adopting resolution setting San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2013 (attached and marked as Exhibit A) was posted at the following locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October **4,** 2012, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK

JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

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CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: October 17, 2012
Time: 7:00 p.m.

For information regarding this notice please contact:
Randi Johl
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, October 17, 2012,** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

a) Adopt resolution setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2013.

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you'may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl
City Clerk

Dated: October 3, 2012

Approved as to form:

D. Stephen Schwabauer
City Attorney