

**East Contra Costa County Habitat Conservancy
Mitigation Fee Act Annual Reporting
2022 Mitigation Fees**

The Annual Report also functions as the East Contra Costa County Habitat Conservancy’s annual reporting on mitigation fees collected pursuant to California Government Code Section 66000 et seq. (“Mitigation Fee Act”), which requires local agencies to provide an accounting of fees charged for development projects. The requirement set forth under Government Code Section 66006(b)(1) provides that each local agency is required on an annual basis, within 180 days after fiscal year end (June 30), for each separate account, to make available to the public the following information.

1) A brief description of the type of fee in the account or fund, and the amount of the fee.

Development Fee

The purpose of the Development Fee is to mitigate for impacts to open space, habitat and species covered by the HCP/NCCP. The Development Fee revenues will be used to fund the acquisition of land that does or could provide habitat for covered species, the management and enhancement of that land and habitat, and the administrative actions necessary to accomplish these tasks, as more particularly set forth in the HCP/NCCP. The Development Fee imposed on a development project is determined based on the Development Fee Zone in which the project is located.

Wetland Mitigation Fee

The purpose of the Wetland Mitigation Fee is to mitigate for impacts to Jurisdictional Wetlands and Waters, riparian woodland/scrub, or stream buffers. The Wetland Mitigation Fee revenues will be used to fund the restoration, creation and management of Jurisdictional Wetlands and Waters and riparian woodland/scrub, and the administrative actions necessary to perform these tasks, as more particularly set forth in the HCP/NCCP.

2022 Fee Schedule

Fee Type (per acre, unless stated otherwise)	With Fee Audit¹	Without Fee Audit¹
<i>Development Fees</i>		
Zone 1	\$18,937.95	\$19,679.42
Zone II	\$37,875.90	\$39,358.84
Zone III	\$9,468.98	\$9,840.54
<i>Wetland Mitigation Fees</i>		
Riparian woodland/scrub	\$105,515.99	\$89,571.31
Perennial Wetland	\$159,911.71	\$122,571.26
Seasonal Wetland	\$374,220.31	\$265,571.06
Alkali wetland	\$378,310.21	\$251,428.23
Pond	\$205,923.71	\$133,571.25
Aquatic (open water)	\$102,962.44	\$67,571.34
Slough/Channel	\$147,029.10	\$152,428.36
Streams ≥ 25 ft wide (per linear foot)	\$542.59	\$730.25
Streams < 25 ft wide (per linear foot)	\$814.47	\$1,100.00

¹ The Permittees of the ECCC HCP/NCCP were on two different fee schedules for the reporting period. The Conservancy, County, Clayton, and Oakley adopted the 2017 Fee Audit and Nexus Study (Fee Audit) in 2021, and Pittsburg and Brentwood in March and April, 2022, respectively.

2) The amount of fees collected and interest earned, and the beginning and ending balance of the account or fund.

	Beginning Balance	Revenue	Interest Earned	Expended	Ending Balance
Development Fee	\$4,070,054	\$555,600	52,562	\$1,638,691	\$3,039,525
Wetland Mitigation Fee	\$0	\$82,328	\$17,455	\$99,783	\$0

3) An identification of each public improvement on which fees were expended and the amount of the expenditure on each improvement, including the total percentage of the cost of the public improvement that was funded with the fees.

Development Fees were expended on a variety of land acquisition, preserve management and monitoring, and habitat conservation plan implementation activities in 2022.

Wetland Mitigation Fees collected in 2022 were expended fully on the planning and design activities for the Knightsen Wetland Restoration and Flood Protection Project. The total cost of the planning phase for this project totals \$1,658,000, with 6.02% funded by Wetland Mitigation Fees and interest in 2022.

4) An identification of an approximate date by which the construction of the public improvement will commence if the Board determines that sufficient funds have been collected to complete financing on an incomplete public improvement, and the public improvement remains incomplete.

Construction of the Knightsen Wetland Restoration and Flood Protection Project is scheduled for construction in 2024/2025.

5) A description of each interfund transfer or loan from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans have been made.

6) The amount of refunds made pursuant to Government Code section 66001(e) and any allocations pursuant to Government Code section 66001(f).

No refunds were made.