

9.1 Introduction

The Endangered Species Act (ESA) requires that habitat conservation plans specify “the funding that will be available to implement” actions that minimize and mitigate impacts on covered species.¹

The Natural Community Conservation Planning Act (NCCPA) requires that natural community conservation plans (NCCPs) contain “provisions that ensure adequate funding to carry out the conservation actions identified in the plan.”² In compliance with the ESA and NCCPA, this chapter identifies:

- Planning-level estimates of all BRCP costs over the 50-year permit term;
- Planning-level estimates of all relevant BRCP costs in perpetuity (i.e., after the permit term);
- Sources and uses of funding that will be relied on for BRCP implementation;
- Mechanisms that will be used to secure funding; and
- Assurances provided by the Permit Applicants that adequate funding will be available to support the implementation of the Plan.

To comply with the NCCPA, the BRCP Permit Applicants are committed to the implementation of the BRCP in its entirety, including actions to mitigate impacts and actions to contribute to the conservation of natural communities and covered species. The BRCP Permit Applicants are committed to acquiring the funding necessary to implement the BRCP.

The uses of funding identified herein are for long-term planning purposes only. The Executive Director of the Butte Regional Conservation Plan Joint Powers Authority (BRCP JPA), supported by Butte County Association of Governments (BCAG) staff, will prepare a budget for Plan implementation annually, based on current information and projections regarding HCP/NCCP assets, revenues, and expenses. The proposed Budget shall be presented to BRCP JPA for consideration and approval with any changes the BRCP JPA deems necessary. In this chapter, the major cost categories considered are:

- Conservation Measures;
- Environmental Compliance;
- Monitoring;
- Administration and Management;
- Changed Circumstances;
- Endowment Costs; and
- Contingency

¹ United States Code (U.S.C.) §1539(a)(2)(A).

² California Fish and Game Code § 2820(a)(10).

9.2 Estimate of Implementation Costs

9.2.1 Scope and Purpose of the Implementation Cost Analysis

The BRCP identifies conservation actions that will be implemented over the 50-year implementation period to meet the biological goals and objectives and to comply with the requirements of the ESA and the NCCPA (see Sections 5.3, *Biological Goals and Objectives*, and Section 5.4, *Conservation Measures*). Among those actions are measures to avoid, minimize, and mitigate impacts of the covered activities (described in Chapter 2, *Covered Activities*) on natural communities and covered species (described in Chapter 3, *Ecological Baseline Conditions*, and Appendix A, *Covered Species Accounts*) and to provide for the conservation of natural communities and covered species. In addition, the BRCP includes the implementation of monitoring and adaptive management actions (Section 7.2., *Monitoring and Adaptive Management Development Process*, and Section 7.3, *Monitoring and Adaptive Management Content and Monitoring Requirements*) and steps to respond to changed circumstances (Section 8.5.1, *Changed Circumstances and Unforeseen Circumstances*).

The BRCP implementation cost analysis estimates the total cost to implement the BRCP over 50 years. The implementation cost estimates are used to establish the local share and federal/state share of funding requirements for BRCP implementation (Section 9.3, *Funding Sources and Assurances*). The cost analysis details cost estimates for each of the following cost categories.

- **Conservation Measures.** Cost estimates are provided for each of the 14 conservation measures described in Section 5.4.³ The cost estimates for conservation measures only include, except where noted otherwise, costs directly associated with implementation of the actions required to physically implement each measure, including any associated avoidance and minimization measures (see Chapter 6, *Conditions on Covered Activities*). Costs associated with planning, permitting, monitoring, conducting surveys, and related actions that support the physical implementation of conservation measures are, except as noted in Appendix F, *Implementation Cost Supporting Materials*, included under other cost categories in this chapter.
- **Environmental Compliance.** This category includes costs associated with complying with other laws and regulations and obtaining associated permits necessary to implement some of the conservation measures. Conservation measures that are expected to require such compliance are those that require vegetation and ground disturbing activities such as restoring habitat (e.g., riparian and wetlands habitat restoration) or require disturbance of streams to enhance existing habitat, such as in-channel placement of spawning gravels.
- **Monitoring and Other Surveys.** This category includes costs associated with implementing the monitoring plan (see Section 7.3) and conducting pre-land acquisition and other surveys related to the management of conservation lands.
- **Administration and Management.** This category includes costs necessary to administer implementation of the BRCP, including personnel and ongoing personnel expenses, office equipment and supplies, contracted services, and other overhead and related expenses. A description of the BRCP Implementing Entity and administrative functions is provided in Chapter 8, Section 8.2, *Implementation Structure*.

³ In some cases, Conservation Measure costs are captured within other cost categories of the BHCP.

- **Changed Circumstances.** This category includes costs of implementing measures to respond to changed circumstances. The range of measures to address changed circumstances is described in Section 8.5.1, *Changed and Unforeseen Circumstances*.
- **Post-BRCP Permits.** This category includes the costs associated with raising an endowment that would fund ongoing management of conservation lands after the 50-year BRCP incidental take permits expire.

The estimate of costs supports projections of necessary funding to implement the BRCP. However, costs may be greater or less than the estimates provided. Regardless, the BRCP Permittees are committed to funding the full implementation of the BRCP, as described under Section 9.3.3, *Funding Assurances*.

9.2.1 Cost Estimation Methods

This section summarizes the methods and assumptions used to estimate implementation costs for each of the cost categories. Detailed descriptions of methods and assumptions used to estimate costs for each of the cost categories are presented in Appendix F, *Implementation Cost Supporting Materials*. Implementation cost estimates represent average planning-level cost estimates in 2018 dollars. Specific investments (such as specific land acquisitions, restoration projects, or monitoring efforts) are expected to show significant cost volatility around the assumed averages, given the unique effects of parcel-specific characteristics on costs. The implementation cost estimates are considered best estimates in 2018 dollars, given the information available and current market conditions.

Major considerations and assumptions used to estimate total implementation and per unit costs included the following parameters:

- **Land Protection and Restoration Goals.** Total BRCP costs are driven largely by the natural community and covered species habitat protection and restoration objectives (Tables 5–3, *Natural Community Protection Targets by CAZ and Total Protection Commitments*, 5–4, *Restoration Targets by CAZ and Total Restoration Commitments*, and 5–5, *BRCP Covered Species Modeled Habitat Protection Commitments*) which will require protection of approximately 74,731 acres.
- **Acquisition Approach.** Land can be acquired for habitat protection through either permanent conservation easement or fee title ownership. In most instances, permanent conservation easement acquisitions are preferred, as they allow for continued land use practices in the working landscapes of Butte County (e.g., farming, ranching, and other land uses) and can be less costly to acquire and maintain compared to fee title acquisitions. In some instances, fee title acquisition will be necessary, such as areas where habitat will be restored, where more intensive habitat management is required, and where landowners prefer a fee titlesale.
- **Acquisition Size.** Large parcel acquisitions will generally be preferred because of their typically lower per acre cost and greater efficiencies (e.g., lower transactional costs), but smaller parcels with particularly high biological value also will be pursued. Based on a review of the available parcel sizes, the cost analysis assumes an average transaction size of 160 acres.
- **Implementation Schedule.** The term of the BRCP is 50 years and includes a timeline for implementation of the conservation component activities divided into five periods, each a decade long (Tables 8–1, *Land Acquisition Schedule for Conservation Component*; Table 8–2,

Schedule for Species Conservation Actions of Specified and 8–3, Schedule for Restoration for Giant Garter Snake and Greater Sandhill Crane Conservation Components). The conservation component cost estimates are detailed for each 10-year period. The timing of conservation measures will be largely determined by the timing and pace of covered activities. The conservation strategy must be implemented at or faster than the rate at which impacts on habitat or covered species occur so that conservation always stays ahead of impacts and rough proportionality is maintained (see Section 8.3, Implementation Timing for details). There is no set schedule for the covered actions or associated mitigation. In the absence of a mitigation implementation schedule, the cost analysis used the assumption that the acquisition of lands to protect and restore habitat for mitigation would be implemented proportionately on the same schedule as land acquisitions for the conservation component (Tables 8–1 to 8–3).

- **Unit Cost Research.** The cost analysis reflects unit cost research for conservation measures and other cost categories. The original cost data was developed in 2010 and 2011 and was updated in 2018. In general, the unit cost driver and unit cost estimates were based on one or a combination of the following approaches:
 - **County-Specific Data.** In some cases, most notably for land values, per-acre values were developed primarily from Butte County information. Land value estimates were originally developed based on information provided by appraisals, County assessor information, commercial land value databases, and interviews with selected appraisers, brokers, and land trust operators active in the area in 2011. They were updated to 2018 land values based on appraisal reports on agricultural land values, a review of active transactions, selected interviews, and other real estate market and agricultural market data.
 - **Literature Review and Case Studies.** Costs for a number of the conservation measures and monitoring requirements were developed based on a review of available literature and personal communications. Some of the case studies provided unit costs from Butte County cases, though literature from other locations also were considered when the conservation activity and habitat characteristics were similar. Cost assumptions from 2011 were inflated into 2018 dollars using the Consumer Price Index to reflect the overall cost escalation in the economy.⁴
 - **Existing Conservation Plans.** While all regional conservation plans are different, experiences associated with administration and management of approved HCPs and NCCPs provide useful cost indications for the BRCP. Cost assumptions used in several other California regional conservation plans were considered while developing the cost estimates in this analysis. Information from the East Contra Costa County HCP/NCCP, San Joaquin County HCP, and Natomas Basin HCP proved useful to costing the aspects of the BRCP where activities were similar. Experiences in other plans with ongoing endowments and other costs where circumstances are sufficiently similar provided useful cost indications.
 - **BRCP-Specific.** The BRCP JPA, as the BRCP Implementing Entity, will be responsible for undertaking all necessary tasks to implement the BRCP (See Section 8.2, *Implementation Structure*). The specific activities required under the BRCP as well as the existing capabilities and capacities of BCAG were taken into account in estimating the additional needs for staffing and equipment.

⁴ The US Bureau of Labor Statistics Consumer Price Index for the Western US, all urban consumers, reveals 15.5 percent inflation between 2011 and 2018.

In instances where a cost could be included in more than one cost category, that cost was allocated to the most appropriate cost category, as described in Appendix F. All costs are expressed in 2018 dollar terms to allow for better comparability of real costs through time and to avoid the impact of making specific assumptions about the uncertain rate of inflation.

Implementation costs are divided between the “mitigation component” and the “conservation component” of the BRCP. Costs in both components include the necessary conservation measures, environmental compliance, habitat monitoring, administration and management, post-permit endowment, and cost contingency. The mitigation component of costs includes the necessary expenses to implement mitigation measures that address the impacts of BRCP covered activities (see Chapter 2, *Covered Activities*). Changed circumstances response costs are only included in the mitigation component. The conservation component of costs includes the costs of all actions under the Conservation Strategy that are implemented to conserve natural communities and contribute to the recovery of covered species above and beyond the mitigation measures.

The cost summary divides costs into the mitigation and conservation components based on the primary purpose of BRCP conservation actions (i.e., mitigation of impacts resulting from covered activities or contribution to recovery of covered species in the Plan Area). The cost estimates provide the basis for determining funding needs. Appendix F, *Implementation Cost Supporting Materials* further details the methodologies, assumptions, and results of the BRCP cost estimates.

The following sections provide a general overview of the methods and assumptions used to prepare cost estimates for each of the BRCP cost categories. Detailed descriptions of methods and assumptions are provided in Appendix F.

9.2.1.1 Conservation Measure Cost Estimation Methods

Conservation measure CM1, Acquire Lands requires acquisition of lands that support existing habitat and lands that are suitable for habitat restoration to achieve natural community and covered species habitat objectives (Section 5.4.1.1, *CM1: Acquire Lands* and Tables 5–3 and 5–4). Available lands meeting BRCP natural community protection and restoration requirements will be acquired through conservation easement or in fee title ownership at fair market value. The values of fee title ownership and conservation easement on land is based on land value research concerning transactions in the Plan Area. The average per-acre value assumptions reflect available information on current land values for agricultural and other land in the Plan Area. Estimated costs for CM1, Acquire Lands also capture all land acquisition costs associated with implementation of conservation measures CM12, Conserve Butte County Meadowfoam and CM13, Conduct Surveys to Locate and Protect New Occurrences of Butte County Checkerbloom.

Cost estimates for conservation measures CM2, CM4 through CM11, and CM14 are based on actual or estimated costs of similar conservation actions implemented or planned under other conservation programs and conservation measure-specific assumptions regarding how each of these conservation measures will be implemented in the Plan Area (Appendix F). Costs for implementing conservation measures CM3 is strictly administrative and are included in the Administration and Management cost category. Additional administrative costs associated with CM12 and CM13 also are included in the Administration and Management cost category.

9.2.1.2 Environmental Compliance Cost Estimation Methods

Environmental compliance costs are applicable to BRCP terrestrial and aquatic habitat restoration projects (see Section 5.4.2.1, *CM4: Develop and Implement Site Specific Wetland and Riparian Restoration Plans*) and encompass costs necessary to prepare NEPA, California Environmental Quality Act (CEQA), Clean Water Act (CWA), National Historic Preservation Act (NHPA), and other environmental compliance documents and secure associated permits and authorizations. The cost estimates included in this analysis assume an average restoration project size of about 40 acres. The average environmental compliance cost per restoration project is estimated at \$133,000, including NEPA and CEQA, CWA, NHPA, and other environmental compliance laws and regulations.⁵ The NHPA costs only include the cost of a cultural inventory and if significant cultural resources are found the NHPA compliance cost could increase considerably. The cost analysis assumes that other BRCP implementation actions, such as land acquisition, ongoing maintenance and habitat management, and monitoring and other survey work, will not require environmental compliance and associated costs.

9.2.1.3 Monitoring and Other Surveys Cost Estimation Methods

Surveys and other activities associated with BRCP monitoring requirements are described in Section 7.2. Monitoring costs include surveys necessary to evaluate lands for acquisition into the BRCP conservation lands system, baseline surveys of BRCP protected lands, and surveys necessary to locate spawning gravel replenishment sites, and to collect seed from and monitor effects on plant occurrences from which seed is collected to establish new plant occurrences. The primary cost factor in this category are labor costs, since equipment needs are minimal. The monitoring and other survey cost estimates represent planning-level assumptions based on typical conditions.

9.2.1.4 Administration and Management Cost Estimation Methods

The structure of and responsibilities for implementing the BRCP program are described in Section 8.2, *Implementation Structure*. The BRCP JPA be the Implementing Entity and will be responsible for implementation of the BRCP, including all elements of the mitigation and conservation components. To carry out the responsibilities associated with implementing the BRCP, BCAG will provide support staff, supplies, and professional services.

Cost estimates reflect data reported by other approved HCP/NCCP implementing entities in California. The specific assumptions concerning administration and management costs are presented in Appendix F.

9.2.1.5 Changed Circumstances Cost Estimation Methods

Changed circumstances are described in Section 8.5.1. Costs for changed circumstances include actions necessary to address affected covered species habitat conditions on BRCP conservation lands. Any costs associated with changed circumstances that require only an administrative response (e.g., coordination with the permitting agencies) are included in administration and management costs. In the event that changed circumstances affecting habitat conditions on

⁵ CWA Section 404 wetland delineation costs are included in monitoring costs described in Section 9.2.2.3, *Monitoring and Other Surveys Cost Estimation Methods*.

conservation lands occur, BCAG may implement, as appropriate, the planned responses identified for each of the changed circumstances described in Section 8.5.1.

Conservation measures that may require actions related to changed circumstances are CM4: Develop and Implement Site Specific Wetland and Riparian Restoration Plans CM5: Enhance Protected Natural Communities for Covered Species. The cost analysis assumes that the cost for implementing responses to changed circumstances will be 10 percent of the total implementation costs for these conservation measures. This assumption is considered reasonable because it effectively assumes that the intended habitat functions for covered species on up to 10 percent of conservation lands that could be affected by changed circumstances. Any greater magnitude of habitat failure would be considered catastrophic and beyond the financial resources of BCAG to address.

9.2.1.6 Endowment Cost Estimation Methods

After the BRCP incidental take permits expire (50 years following their issuance), the management and maintenance of BRCP conservation lands will continue in perpetuity. To pay for these ongoing costs, a non-depleting endowment will be built over the 50 years of the BRCP implementation period. This endowment will be sufficient to generate interest payments that support annual BRCP costs in perpetuity.

The cost estimate for funding the endowment is based on an assumed real interest rate of 3.0 percent.⁶ This assumption reflects a review of other regional HCPs and is believed to be reasonable. Furthermore, this assumption is consistent with the endowment requirements maintained by the California Department of Fish and Wildlife and the endowment program operated by the National Fish and Wildlife Foundation. The assumed rate of return anticipates that the BRCP JPA will be able to use a fund manager that specializes in long-term endowment management for HCP/NCCPs in California.

To determine the necessary size of the endowment, the cost analysis identifies necessary ongoing conservation land maintenance, management, and administration costs in the post-BRCP permit period. By the end of the BRCP permits period, all conservation measures will have been implemented and compliance and effectiveness monitoring requirements achieved. Consequently, there are no post-BRCP permits implementation costs associated with land acquisition, habitat restoration, environmental compliance, most monitoring/surveys, and changed circumstances categories. Administration and management costs during the post-BRCP permit period are assumed to be substantially reduced from such costs during BRCP implementation due to greatly reduced responsibilities of BCAG. Conservation land management and maintenance costs in the post-BRCP permit period include labor and material and supply costs necessary to maintain conservation land infrastructure (e.g., fences, fire breaks, roads), land management practices (e.g., grazing), and management of water for specific species habitats. Specific assumptions are described in Appendix F.

9.2.1.7 Contingency

To account for uncertainties in costs, an average contingency of approximately 10% is included in the cost estimate. Specific assumptions for the contingency are described in Appendix F. The contingency fund will be used on a short-term basis to offset any program costs that are higher than

⁶ A “real” interest rate is adjusted to remove the effects of inflation (i.e., net interest over-and-above inflation).

predicted by this Plan. Contingency funds are modest because Habitat Plan fees are designed to keep pace with rising Plan costs, particularly for land acquisition (see *BRCP Fees* below).

Contingency funds will be used only when needed to address costs beyond those predicted in this cost estimate and in annual budgets of the Implementing Entity.

Contingency funding will generally be used to pay for expected management that simply costs more than budgeted, or for minor adjustments in management that result in higher costs. Adaptive management needs may arise throughout the permit term in response to monitoring results or external data that dictates shifts in management techniques and protocols. Costs for routine adaptive management needs are included in the Conservation Measures cost category. Additional management needs could be addressed through contingency funding. Contingency costs are assumed to be needed only during the permit term because some Plan costs will disappear (e.g., land acquisition) and other costs will drop substantially after the permit term.

9.2.2 Mitigation and Conservation Components of Cost Estimates

The mitigation component of BRCP implementation costs specifically reflects the costs of implementing mitigation measures that address the effects of the covered activities on natural communities and covered species (see Appendix F for a description of assumptions used to identify the mitigation component costs for each of the cost categories).

9.2.2.1 Mitigation Component BRCP Implementation Cost Estimate

Total mitigation component costs under the BRCP are estimated to be about \$175 million in 2018 dollar terms (Table 9-1, *Summary of BRCP Mitigation Implementation Costs by Cost Category*). These costs address the mitigation requirements for impacts on biological resources resulting from new development within the Plan Area that will require mitigation. The total mitigation component costs reflect the mitigation requirements if all of the covered activities (see Chapter 2, *Covered Activities*) are implemented (i.e., full build-out of the County's and cities' general plans, transportation plans, and other plans and activities). For those covered activities that are not implemented, mitigation will not be required and the total mitigation costs will be lower than indicated in Table 9-1.

9.2.2.2 Conservation Component BRCP Implementation Cost Estimate

Total conservation component costs for BRCP implementation over the 50-year BRCP implementation period are estimated to be \$258 million in 2018 dollar terms (Table 9-2). These costs address the implementation of conservation actions that contribute to the conservation of natural communities and the conservation and recovery of covered species and do not include costs for avoiding, minimizing, and mitigating impacts of the covered activities. As shown in Table 9-1, *Summary of BRCP Conservation Component Implementation Costs by Cost Category*, the total estimated conservation component cost over 50 years includes approximately \$190 million to implement the conservation measures, representing 74 percent of costs of the BRCP conservation component. Protecting 45,728 acres of natural communities (CM1, Acquire Lands) requires the largest investment, with an estimated cost of approximately \$160 million (Appendix F).

9.3 Funding Sources and Assurances

To comply with the NCCPA, the BRCP Permit Applicants are committed to the implementation of the BRCP in its entirety, including actions to mitigate impacts and actions to conserve natural communities and covered species. The BRCP Permittees are committed to acquiring the funding necessary to implement the full BRCP.

This section identifies the anticipated sources of funding between the Permittees and federal, state, and other local sources. Funding sources are separated between the “local share” and the “federal/state share” of plan implementation. The local share of funding ensures that the effects on biological resources of the Permittees’ actions and the actions the Permittees authorize others to conduct (i.e., the covered activities) are minimized and mitigated and also ensures a contribution to conservation of natural communities and species. Funding of additional contributions to the conservation of natural communities and the recovery of covered species under the BRCP will come from a variety of state and federal funding sources.

- **Local Funding Sources:** The local share of funding will be derived primarily from fees assessed on individual projects and additional moneys sought from various sources. Local funding sources are detailed in Section 9.3.1, *Local Funding Sources*. Local funding sources will pay for all of the mitigation component of the BRCP and a portion of the conservation component of the BRCP.
- **Federal/State Funding Sources:** Various federal and state sources will contribute a substantial portion of funding to support the conservation component of the BRCP. Potential Federal/State funding sources are detailed in Section 9.3.2, *Federal/State Funding Sources*.

BCAG as the Implementing Entity is responsible for securing all sources of funding (see Section 9.3.3, *Funding Assurances*).

9.3.1 Local Funding Sources

This section describes the local sources of funding. Local funding will be used to implement the entire mitigation component of the BRCP and a portion of the contribution to the conservation of natural communities and covered species. Local funding will be derived primarily from BRCP fees assessed on covered activities implemented in the Plan Area as described in Section 9.2.1.1, *Mitigation Component of Local Share Funding*; additional moneys sought from various sources to fund a portion of the BRCP conservation component described in Section 9.2.1.2; and Permittee-derived funds to support shortfalls, if any, in endowment returns to support post-permit implementation activities as describe in Section 9.2.1.3, *Funding Post-Permit Land Management*.

9.3.1.1 BRCP Fees

This section describes the local sources of funding to implement all of the mitigation component of the BRCP (see Chapter 2, *Covered Activities*).

The funding for mitigation relies on development-based mitigation fees. As individual covered activities are proposed and approved in the Plan Area, public and private project proponents will be required to pay a mitigation fee for covered activities that remove natural communities and covered

species habitat.⁷ BRCP fee funds will be used to acquire lands identified for habitat protection and restoration and to implement applicable conservation measures and monitoring for the purpose of mitigation.⁸ Under the BRCP, payment of the mitigation fees by project proponents provides for part of their compliance with the BRCP and their authorization to use the Permits.⁹ The mitigation fees do not address the cost of implementing the applicable BRCP avoidance and minimization measures described in Chapter 6, *Conditions on Covered Activities*, that are the responsibility of project applicants.

The BRCP Fees include a “Base Fee,” a “Riparian Restoration Mitigation Fee” (Riparian Fee), a “Vernal Pool Restoration Mitigation Fee” (Vernal Pool Fee), an “Emergent Wetland Restoration Mitigation Fee” (Emergent Wetland Fee), a “Butte County Meadowfoam Habitat Fee (Meadowfoam Habitat Fee),” and a “Water and Irrigation District Channel Maintenance Fee” (Water District Fee). The Base Fee is applied to all fee-paying land cover types removed by proposed projects (see below). The Base Fee will be used to pay for all costs necessary to satisfy the mitigation requirements of the BRCP.¹⁰

The Riparian, Vernal Pool, and Emergent Wetland Fees apply to the specific amounts of riparian, vernal pool, and emergent wetland removed by covered activities. The Riparian Fee, Vernal Pool Fee, and Emergent Wetland Fee cover habitat restoration implementation costs, environmental compliance costs of restoration projects, restoration establishment-stage monitoring, and costs for responses to changed circumstances related to habitat restoration. The Riparian Fee, Vernal Pool Fee, and Emergent Wetland Fee are charged in addition to the Base Fee for projects that will remove riparian, vernal pool (and other seasonal wetlands), and emergent wetland natural communities.¹¹

The Butte County Meadowfoam Habitat Fee specifically addresses impacts to suitable habitat for this species. This fee is needed because land values in and around Chico, where the central populations of Butte County meadowfoam occur, are higher than elsewhere in the Plan Area. The Meadowfoam Habitat Fee is charged in addition to the Base Fee for each acre of suitable habitat or occupied habitat for this species directly and permanently impacted, as defined by the species habitat distribution model. If vernal pools or other seasonal wetlands occur within Butte County meadowfoam suitable habitat to be removed, the Vernal Pool Fee must be paid in addition to the Meadowfoam Habitat Fee and the Base Fee for each acre of delineated wetland.

⁷ Habitat removal is defined as habitat that is physically removed (e.g., graded, paved over) or is isolated by the project from other areas of habitat such that the remaining land no longer functions as habitat for covered and other native species. The process for determining the extent of habitat that will be removed by a proposed project for the purpose of determining mitigation fees is described in Section 8.4, *Process for BRCP Implementation*.

⁸ The Implementing Entity may opt to use mitigation fees to purchase credits at an existing mitigation bank rather than implementing the mitigation actions directly – for more details, see Section 8.4, *Process for BRCP Implementation*.

⁹ Additional avoidance and minimization measures may apply in specific circumstances and to specific species, including habitat survey requirements under the BRCP.

¹⁰ The Base Fee addresses all mitigation costs excluding BRCP mitigation action expenditures that are paid for through Riparian, Vernal Pool, Emergent Wetland, Butte County meadowfoam, and Water/Irrigation District fees.

¹¹ Other seasonal wetlands” are jurisdictional wetlands under section 404 of the CWA that are seasonally inundated or saturated but do not support vernal pool plant species. Funding of compensatory mitigation (restoration) of other seasonal wetlands is included in the Vernal Pool Fee. Impacts on other seasonal wetlands are charged the same fee (the Vernal Pool Fee) as impacts on vernal pools.

Water Districts will pay the Base Fee, converted into an annual payment, to address impacts on emergent wetland habitat in water conveyance channels that result from regular channel maintenance activities.

Projects that have temporary impacts will pay the same base fee but only once for the same area of impact.

Further explanation of all fee types is provided below.

Determination of BRCP Fees

The BRCP Base Fee covers the costs of implementing all required mitigation for habitat impacts attributable to the covered activities, except for habitat restoration-related mitigation (i.e., riparian, vernal pools, and emergent wetland), Butte County meadowfoam-related, and water/irrigation district-related actions (Table 9-3, *BRCP Fee Calculations*).

The per-acre Base Fee is calculated by dividing the aggregate base mitigation costs (i.e., total costs less specific restoration costs, additional costs for Butte County meadowfoam habitat, and water/irrigation district administrative costs) by the total acreage impacted by BRCP covered activities. Table 9-3 provides of the basis for the initial BRCP Base Fee that will be charged in the first year of Plan implementation. The process for adjusting this fee annually is described later in this section.

The habitat restoration fees will be applied in addition to the Base Fee to projects that remove riparian, vernal pool (and other seasonal wetlands), and emergent wetland natural communities and other wetlands (e.g., agricultural wetlands, managed wetlands, managed seasonal wetlands). The restoration fees pay for costs incurred to restore riparian, vernal pool, and emergent wetland land cover types in addition to the protection of existing that is addressed through the Base Fee. The process and assumptions used to develop the restoration mitigation cost estimates are described in Appendix F in Section F.2.4, *CM4: Develop and Implement Site Specific Wetland and Riparian Restoration Plans* and F.2.8, *CM8: Restore Giant Garter Snake Habitat*.

Table 9-3 also shows the per-acre restoration fee for riparian, vernal pool, and emergent wetland. These fees are calculated by dividing the total estimated habitat restoration-related mitigation costs for each of the land cover types by the total number of “Basis Acres” of impacts on each of the relevant land cover types. The basis acres in Table 9-3 reflect the total acres of impacts on natural communities and agricultural habitat allowable under the BRCP (see Table 9-3 footnotes).

Calculation of Fees for Individual Projects

The Base Fee must be paid for the entire area of the proposed project site that impacts BRCP natural communities and covered species habitat, defined as fee-paying land cover types. Table 9-4, *BRCP Fees by Land Cover Type*, provides a summary of fees required for each land cover type, including jurisdictional wetlands. Mapped BRCP land cover types that are not considered covered species habitat and therefore not included in the Base Fee calculation are orchard/vineyard, non-native woodland, dredger tailings with herbaceous vegetation, urban, ranchettes-wooded, ranchettes-open, and disturbed ground.¹² The process for determining the acreage of impacts used in the calculation of fees is described in Section 8.4.2, *Tracking Impacts and Conservation*.

¹² Some amount of chaparral and conifer dominated forest communities may be affected by BRCP covered activities. These communities and any listed species that may use them are not covered by the BRCP. Additional

Vernal Pool Fee

The Vernal Pool Fee must be paid for the total acreage of all jurisdictional vernal pools and other seasonal wetlands permanently directly and indirectly affected by the proposed project.¹³ One-half of the Vernal Pool Fee is paid for impacts on jurisdictional wetland portions of managed seasonal wetlands (Table 9-4).¹⁴ The affected jurisdictional wetlands acreage will be determined by a jurisdictional field survey that is verified by the USACE or other proper authority. If impacts on vernal pools and other seasonal wetlands are avoided through project design (i.e., no direct or indirect impacts) and the avoided vernal pools and other seasonal wetlands meet the BRCP requirements for conservation lands, then this fee is not required. Avoidance and minimization measures are described in Chapter 6, *Conditions on Covered Activities*. BRCP requirements for conservation lands are provided in Section 5.2.3, *Assembly of Conservation Lands*, and CM1, *Acquire Lands*.

Emergent Wetland Fee

The Emergent Wetland Fee must be paid for the total acreage of all jurisdictional permanent emergent wetlands directly and permanently affected by the proposed project. One-half of the Emergent Wetland Fee is paid for impacts on managed wetlands and one-quarter of the Emergent Wetland Fee is paid for impacts on jurisdictional wetlands portions of agricultural lands (Table 9-4).¹⁵ The effected jurisdictional wetlands acreage will be determined by a jurisdictional field survey that is verified by the USACE or other proper authority. If impacts on emergent wetlands are avoided through project design (i.e., no direct or indirect impacts) and the avoided emergent wetlands meet the BRCP requirements for conservation lands, then this fee is not required on the avoided portions. Avoidance and minimization measures are described in Chapter 6, *Conditions on Covered Activities*. BRCP requirements for conservation lands are provided in Section 5.2.3 and CM1. *Acquire Lands*.

Riparian Fee

The Riparian Fee must be paid for the total acreage of all BRCP mapped cottonwood willow riparian forest, valley oak riparian forest, and willow scrub, and stream-associated dredger tailings riparian forest and scrub land cover types that are directly affected by the proposed project. The Riparian Fee is not required for the removal of non-stream-associated dredger tailings riparian forest and scrub land cover type. However, the Base Fee must be paid for the removal of non-stream-associated dredger tailings riparian forest and scrub land cover type. The effected extent of riparian habitat will be based on the overlap between the proposed development and the location of riparian natural communities. If riparian habitat impacts are avoided through project design, then this fee is not required on the avoided portions. See examples in Figure 9-1 for examples of fee calculations. Avoidance and minimization measures are described in Chapter 6, *Conditions on Covered Activities*.

mitigation under CEQA or other regulations may be required on a project-by-project basis.

¹³ Isolation of vernal pools and other seasonal wetlands within a development area is considered an indirect impact and the Vernal Pool Fee must be paid for all acres of vernal pools and other seasonal wetlands that are isolated by a project.

¹⁴ A portion of the managed seasonal wetlands loss will be mitigated through vernal pool creation, as described in Chapter 5.

¹⁵ Impacts to managed wetlands and jurisdictional wetlands within agricultural lands will be mitigated through creation or restoration of emergent wetlands, as described in Chapter 5.

Butte County Meadowfoam Fee

Due to the higher cost of land within and near the City of Chico relative to other parts of the Plan Area, an additional fee of \$29,000 will be charged for each acre of suitable or occupied habitat for Butte County meadowfoam removed within the Butte County meadowfoam population. This fee applies to impacts on mapped Butte County meadowfoam habitat and reflects an assumed 10-to-1 mitigation ratio. This ratio is a substantial reduction from the typical ratio of 19-to-1 typically applied to projects at the time the BRCP was approved. The reduction is justified because of the substantial economies of scale of the BRCP and the greater effectiveness of the mitigation through the Plan. This fee is in addition to the Base Fee and Vernal Pool Fee (where applicable). The presence of suitable or occupied habitat for Butte County meadowfoam will be determined based on the definition of these habitats provided in Appendix A.21.

Transportation and Utility Projects

For transportation and utility projects, the Base Fee will be paid for all acres lost of fee-paying land cover types within the entire width of the project. Fee paying impacts include the project's direct footprint of development and adjacent lands on which temporary impacts occur or where vegetation will be maintained at a degraded condition (e.g., mowing, vegetation trimming, mechanical removal of vegetation). See diagram in Figure 9-1, *Mitigation Fee Area for Transportation and Utility Projects*. The Vernal Pool Fee, Emergent Wetland Fee, and Riparian Fee will be paid for all impact acres of respective wetland and riparian resources within the direct footprint and the temporary/maintenance areas of transportation and utility projects (Figure 9-1).

Temporary Impacts

Temporary effects and subsequently temporary fees will only occur in those land cover types that are capable of being restored (or restoring on their own naturally) to pre-project conditions within a year of disturbance: grasslands, the grassland components of vernal pool complexes and oak savanna, and agricultural lands. Projects that are subject to the temporary effect fee will pay the fee on the portion of the site in which the temporary effects occur, in one of two ways, as selected by the applicant.

- If the frequency of the effect over the permit term can be predicted, the applicant may pay the fee for infrequent treatments up front to address all effects during the permit term. This discounted fee is calculated as a fraction of the full land cover fee. The total fee will be calculated using the formula below. (F = the number of calendar years in the remainder of the permit term in which the activity occurs.)

$$\text{Temporary Effect Fee} = \text{Land cover fee} \times \text{area of temporary effect in acres} \times (F/50)$$

To qualify for the temporary effect fee, the maximum time allowed for a site to return to pre-project conditions will be one year from the end of construction. With the denominator held at 50 years, the formula discounts the fee for temporary effects that occur less frequently or that occur later in the permit term. The project proponent must document to the satisfaction of the Permittee with jurisdiction over the project that the disturbance and site recovery occurred at or better than the predicted timeline.

or

The applicant may pay the full land cover fee (see Section 9.3.1.1, *BRCP Fees*) and retain the ability to disturb the area as often as necessary during the permit term.

For example, if a project proponent has a temporary effect that occurs in one year of the 50-year permit term on a total of 3.0 acres and the land cover fee per acre is \$5,000 (in the example only; the actual land cover fee will vary annually), the project proponent would pay \$300 ($= \$5,000 \times 3.0 \times [1/50]$).

Temporary effects that occur in the same location repeatedly during the permit term and that pay the full land cover fee will be counted and tracked as a permanent effect. Temporary effect fees paid on a site cannot be credited toward any permanent effect fees that may be required on the same site in the future.

As described below, all or a portion of the temporary effect fee can be waived in exchange for land dedication or wetland restoration, based on the nature of the effect. The amount waived will be determined by BCAG on a case-by-case basis, according to the rules and principles described below.

Water and Irrigation District Impacts

Water and irrigation district covered activities include the maintenance of approximately 5 miles of channels that could result in periodic or repeated removal of an estimated 121 acres of habitat that supports covered species (particularly giant garter snake). The four participating water and irrigation districts (Western Canal Water District, Biggs-West Gridley Water District, Butte Water District, and Richvale Irrigation District) each will pay their fair share of the BRCP base fee to the BRCP JPA. Each water and irrigation district will pay an annual fee to BCAG that represents their annual share of the total impact described above. Their share of the total impact was determined based on the relative sizes (in acres) of each water and irrigation district. The fee calculations are shown in Table 9-5 below. This fee supports BCAG's administration of the Plan on behalf of the water districts and BRCP JPA.

Avoidance of Resources to Reduce Fee

Project proponents may avoid impacts to lands that support fee-paying land cover types to reduce their fee payments, at the discretion of BCAG. Avoided lands with natural communities and covered species habitat that meet the requirements for BRCP conservation lands are not included in the calculation for the Base Fee, Vernal Pool Fee, Emergent Wetlands Fee, Riparian Fee, or Meadowfoam Habitat Fee, except when isolation effects or other indirect effects are identified. BRCP requirements for conservation lands are provided in Section 5.2.3 and CM1, Acquire Lands. These impact fees may only be waived where habitat lands meet the requirements of the BRCP Conservation Strategy (Chapter 5, *Conservation Strategy*).

Mitigation Fee Adjustment Process

Land costs in many areas of California have historically increased at rates that exceed the rate of inflation in the economy. Significant demand for housing and relatively limited housing supply can increase housing prices, and in turn increase the market value of developable land. Other BRCP costs, including the cost of staff, supplies, and equipment involved in managing, operating, restoring, and maintaining the BRCP conservation lands system, are more likely to trend upward with the inflation in the broader economy. These factors coupled with the dynamic nature of the costs associated with implementation of regional habitat conservation plans (HCPs) and NCCPs over long timeframes—including land acquisition, habitat restoration, management, monitoring, and administration costs—requires a flexible approach to funding and mitigation fee adjustment through time. To avoid mitigation fees becoming inadequate to pay for actual costs, a process of

regular fee adjustment is critical. The mitigation fee adjustment process will involve two primary updating mechanisms that BCAG will use for adjusting fee levels:

1. **Automatic Fee Increases through Cost Index** – An automated increase through the specified cost indices will be applied in all years, except those for which a detailed cost/fee review is conducted.
2. **Periodic Detailed Cost/Fee Review** – At specified intervals (Years 3 and 6, and every four years thereafter; timing adjustable by BCAG), a thorough evaluation of BRCP implementation costs will be conducted and used to recalculate the mitigation fee levels required to cover mitigation costs.

This dual approach will be used to adjust funding levels during BCRP implementation as described below.

Automatic Fee Adjustment

The variation in the cost of land due to site-specific factors means that it is difficult to develop land cost indices. However, annual changes in agricultural land value can be estimated from published sources, such as the ASFMRA values.¹⁶ BCAG will construct an annual index from the data by calculating the year-to-year change in the median value, weighted by the types of agricultural lands that will compose the reserve system.¹⁷ The index will be a rolling average of the change over the prior five-year period, to smooth out the large fluctuations in agricultural land values mentioned above and avoid similar fluctuations in the BRCP fees. For non-land BRCP costs, BCAG will rely on the Consumer Price Index (CPI) from the U.S. Bureau of Labor Statistics for the Chico, CA Metropolitan Statistical Area. BCAG may decide to use other indices during Plan implementation if other indices are developed that better predict the costs of the Plan.

On April 1 of each year following issuance of BRCP permits, the BRCP Implementing Entity will adjust all mitigation fees based on changes in these indices. The BRCP Joint Powers Authority (JPA) Board of Directors will then approve and adopt the revised fee schedule by July 1 of the same year. This refinement will allow for an annual inflationary or deflationary adjustment of the fees.¹⁸

Automatic fee adjustments will be applied in all years when the periodic detailed cost/fee adjustments are not conducted (see the following section, *Period Cost Review and Fee Adjustment*). Following periodic cost/fee reviews, the next year's automatic fee adjustment will be based on the new fee approved in the year of the review.

Periodic Cost Review and Fee Adjustment

A detailed review of actual implementation costs will be conducted periodically during BRCP implementation. Mitigation fee adjustments may be made by BCAG based on the periodic cost review. The cost review process will include a review of the actual and estimated costs that underpin the current fee schedule (see Section 9.3 and Appendix F).

¹⁶ The American Society of Farm Managers and Rural Appraisers (ASFMRA) is the largest professional society for rural property land experts in the United States.

¹⁷ The index shall be weighted by projected agricultural land categories that will be acquired, including irrigated cropland, rice land, and rangeland, as appropriate.

¹⁸ There is no ideal cost index for habitat mitigation costs. An inflationary index provides an interim adjustment process to adjust costs until sufficient new data is available to conduct a detailed cost review.

To conduct a detailed cost review, the BRCP Implementing Entity will review its actual cost expenditures as well as other indicators of cost changes. This review will include the assembly and analysis of data associated with actual land transactions as well as the actual cost of habitat restoration, management, maintenance, monitoring, and administration. Actual Implementing Entity cost experience may be supplemented with other relevant cost information where appropriate (e.g., other land transactions data). Once the revised cost estimates are completed, the mitigation fees will be recalculated to determine the fee level necessary to cover mitigation costs and ensure sufficient funding is available to meet the BRCP's mitigation obligations. These mitigation fee estimates will then be compared with current fee levels to determine what fee adjustments are required. The BRCP JPA Board of Directors must approve fee adjustments.

The administrative burden of conducting detailed cost reviews every year along with the limited new information developed over the course of a single year makes annual reviews impractical. Consequently, detailed reviews will be conducted in implementation at regular intervals through Year 45 (Years 3 and 6, and every four years thereafter; timing adjustable by BCAG). BCAG will initiate the technical cost review by no later than January 15 of the relevant year with completion of the proposed revised fee schedule expected by April 30. The Board of the JPA will then approve and adopt the revised fee schedule by July 1 of the same year.

In between the detailed reviews, annual indexed inflationary or deflationary adjustments will be made to the fee schedule (see section above, *Automatic Fee Adjustment*). BCAG may adjust the schedule for detailed reviews if deemed necessary to better track changing costs. Changes in the review schedule may be needed in periods of significant cost change, for example when land values are rapidly increasing or decreasing, fee levels may quickly become outdated.

Mitigation Fee Context

The existing project-by-project process of compliance with federal and state endangered species laws and regulations requires permit applicants to incur a range of costs associated with species and habitat surveys, impact analyses, mitigation planning, negotiations with the regulatory agencies (e.g., U.S. Fish and Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], California Department of Fish and Wildlife [CDFW], and Regional Water Quality Control Board [RWQCB]), document preparation, permit application review and processing, project delays, habitat set-asides and acquisition, habitat restoration, and short-term and long-term monitoring. The mitigation fees associated with implementing BRCP covered projects would replace most of these project-by-project costs.¹⁹

Timing of Mitigation Fee Payment

For private projects, mitigation fees are required to be paid before or at the time the grading permit for the project is issued. If a grading permit is not required, fees must be paid before or at the time the first construction permit is issued. For public projects, mitigation fees must be paid to the Implementing Entity prior to implementing the covered activity. For public projects conducted by outside contractors, the timing of fee payment may coincide with the award of the construction contract because this represents the time at which the public agency commits to implementing the

¹⁹ The BRCP includes requirements for specific species and habitat surveys and impact avoidance and minimization measures to be implemented by the project applicant at their own expense in addition to the payment of mitigation fees.

project. In cases where projects are phased, fees may be paid by private or public applicants by phase, as long as grading has not commenced on subsequent phases of the project.

Land in Lieu of Fees

Private landowners (i.e., project proponents) or Permittees may own land that can help to meet the conservation goals of the BRCP. Project proponents that own land within areas determined to be a priority for implementation of the BRCP may wish to transfer fee title or place a conservation easement on all or a portion of their property to satisfy their own mitigation requirements from covered activities on the site or off-site. If the Implementing Entity and the wildlife agencies approve this transfer or easement dedication, it can reduce or eliminate BRCP fees required for the covered activity. Alternatively, project proponents may prefer to acquire their own mitigation lands consistent with the BRCP and transfer title of these lands or dedicate easements to the Implementing Entity consistent with the BRCP instead of paying all or a portion of the BRCP fees.

The BRCP JPA Board of Directors will consider requests for a BRCP fee reduction or waiver in exchange for land dedication (title transfer or conservation easement) on a case-by-case basis. Land will be eligible for BRCP fee credit if the land satisfies the criteria below.

- The land satisfies the criteria for reserve lands in Chapter 5, *Conservation Strategy*, as demonstrated by a field assessment conducted by the project proponent and verified in the field by BCAG;
- The land is within an area considered to be a priority for acquisition (see Chapter 5, *Conservation Strategy*), or the unique and high biological values on the site justify its inclusion in these designated areas; and
- The transaction is approved for the reserve system by the BCAG and the wildlife agencies, consistent with their review and approval authority over all land acquisitions for the reserve system.

Project proponents must fill out an application, which is available on BCAG's web site that provides baseline data on the properties that are proposed in lieu of BRCP fees, including the biological value to the BRCP. Documentation should explain how the site will help to meet land acquisition requirements and relevant biological goals and objectives. The property owner also must provide access to the proposed site to allow BCAG staff or their designees to survey the site and verify its biological value for the reserve system. BCAG may require the project proponent to bear some or all of the costs of the evaluation, including potential surveys, and the process through which the landowner places an easement on the property. If the BRCP JPA Board of Directors decides to accept the land in lieu of fees, the cost of surveys will either be counted against the fees owed or reimbursed by the BCAG. BCAG may also require a project proponent to pay the cost of other due diligence, such as a Phase 1 site assessment, appraisal, and title search.

BCAG will determine the amount of BRCP fee credit based on the fair market value of the property. BCAG must also ensure that it has sufficient funds with which to conduct necessary management and monitoring of the proposed land in lieu. If BCAG finds that sufficient funds are available or are expected to be available for its operational costs associated with the land, it will allow credit of the land in lieu against all of the BRCP fee, except for the portion of the fee dedicated to the endowment contribution. If BCAG does not have or will not have sufficient funds for the operating costs associated with the property, BCAG may credit only the land in lieu against the portion of the BRCP

fee that pays for land acquisition (in these cases, the project proponent would pay the remainder of the fee).

If land proposed for dedication is of sufficient conservation value to the reserve system, BCAG may offer additional incentives to the project proponent for the land dedication. BCAG will determine the conservation value of the land that has been proposed for transfer based on the current and projected land acquisition needs of BCAG and the ability of the proposed site to meet those needs. In limited circumstances, and only late in the permit term (e.g., Years 35–50), BCAG may, for sites with high conservation value, credit the land dedication against the full value of the BRCP fee, including the share of the fee for the endowment. This full fee credit is available only in circumstances where BCAG can document that the endowment is fully funded or can be fully funded from other expected sources.

If a landowner or Permittee conveys a portion of the development site (either in fee simple or through a conservation easement) for inclusion in the BRCP's reserve system and BCAG and the wildlife agencies approve the inclusion, BCAG will not assess the land cover and/or land cover temporary effect fees on the portion of the property included in the reserve system. Landowners may also provide land separate from development sites for the reserve system, if approved by BCAG and the wildlife agencies. In both cases, for land provided on or off the covered activity site, landowners and Permittees that convey land to BCAG may receive credit for the dollar value of these acquisitions against BRCP fees that might be owed by the landowner or Permittee because of the effects of their covered activities. Land to be conveyed by a landowner or Permittee will be eligible for BRCP fee credit if the land satisfies the criteria described below.

BCAG will determine the value of the conveyance of land to BCAG and any credit against BRCP fees on a case-by-case basis. Landowners or Permittees that convey land may be required to still pay a portion of the land cover fee to pay for BRCP costs related to land management, monitoring, and other operational costs. Any land provided in lieu of BRCP fees must contribute toward the implementation objectives and requirements of the BRCP. BCAG will consider all of the following as part of quantifying the credit:

- The extent to which the land would contribute toward the implementation objectives and requirements of the BRCP,
- The fair market value of the land based on an appraisal,
- Actual land transactions costs, and
- Actual costs of biological survey work performed to provide baseline data for the BRCP, if applicable.

BCAG will award any credits against BRCP fees from land conveyed after the conveyance has been completed.

Land cannot be dedicated in lieu of wetland fees (only emergent wetland restoration projects can be provided in lieu of emergent wetland fees).

BCAG or local jurisdiction that processes the development application may charge additional administrative fees to account for the cost of reviewing and processing BRCP applications for the use of receiving land in lieu of fees.

Participating Special Entities

For activities performed by a Participating Special Entity (PSE), the PSE will pay any applicable BRCP fees to receive take authorization. BCAG will also require an additional fee to cover the direct and indirect costs of extending permit coverage under the BRCP, including the cost of BCAG staff time to assist with permit coverage and a portion of the cost of conservation measures that support species conservation.

Fee Exemption for Minimum Parcel Size

Permittees with land use authority (i.e., the County and cities) have the option of setting a minimum parcel size for fees at 0 to 1 acre. The County or a city participating in the BRCP may incorporate this minimum parcel size into their implementing ordinance, indicating that parcels at or below the minimum parcel size are exempt from BRCP fees.

9.3.1.2 Conservation Component of Local Funding

As a joint HCP/NCCP the BRCP must provide for the conservation of species within the biological and geographic context of the Plan Area. Accordingly, BRCP biological goals and objectives go beyond the mitigation of impacts that result from covered activities and include contributions to the conservation and recovery of covered species and the conservation of natural communities, including ecological processes, habitat gradients, and biodiversity. This section describes the local sources of funding to implement components of the BRCP that exceed mitigation requirements.

The total area for land acquisition under the BRCP to achieve the BRCP biological goals and objectives is 74,731 acres (see Table 5-3 and 5-4). As shown in Table 9-7, about 29,000 acres are associated with the mitigation component and 45,700 acres are associated with the conservation component. The acreage split by Local Share and Federal/State Share funding sources for the acquisition of conservation lands, including the conservation and mitigation components of the BRCP, is also presented in Table 9-6, *Funding Sources for Preserve System Lands by Acreage*. The total for the local share is 49,580 acres, including 29,003 acres associated with the mitigation component and 20,577 associated with the conservation component. The sources of Federal/State BRCP funding are described in Section 9.3.2.

The following are BRCP conservation components that will be funded through local, State, and Federal funding sources.

- The acquisition of 22,863 acres of oak woodland and savanna, grassland, grassland with vernal swale complex, riparian habitats, emergent wetlands, managed wetlands, streams, ponds, rice, irrigated pasture, and irrigated cropland land cover types and associated covered species habitats;
- Restoration of 250 acres of giant garter snake habitat;
- Screening of up to 12 water diversions on streams;
- Placement of up to 15,000 cubic yards of salmonid spawning gravels;
- 50 percent of costs associated with removal of impediments to fish passage (removal of debris from BRCP protected channels); and

- Implementation of all habitat management, monitoring, changed circumstance remedial measures, post-BRCP permit management and monitoring actions, and administration of the BRCP associated with the above actions.

An estimate of the cost and funding share between the Local Share (Fee Funding plus Other Local Funding) and the Federal/State Share is provided in Table 9-8.

The following subsections describe the various funding sources that may be used to support the Local Share of funding for the conservation component of the BRCP.

Local Government Funding Sources

There is a range of local and regional funding sources that have been used to support habitat conservation and agricultural land preservation in California. Many of these funding sources require voter approval. Some funding sources represent an alternative way to acquire funding from development rather than via mitigation fees, and are an alternative to mitigation fees (rather than a wholly distinct funding approach).

While alternative funding sources currently are not proposed in the BRCP, examples of innovative approaches to local and regional government funding sources include:

- sales tax measures in San Diego County that fund transportation and open space;
- sales tax measures in Sonoma County that fund open space and agricultural land preservation;
- property tax assessments and parcel taxes in Alameda County that fund parks and open space preservation and development;
- property tax assessments and parcel taxes in Contra Costa County that fund parks and open space preservation and development;
- Mello-Roos Community Facilities District special taxes in Solano County for open space preservation; and
- homeowner's association fees on development in areas surrounding San Bruno Mountain in San Mateo County.

These examples of local and regional funding sources are not proposed or required to support BRCP implementation and are provided here only as examples of possible approaches that the Permittees may decide, individually or collectively, to use to fund BRCP during implementation.

Private Foundation Grants

There are a number of private foundations and non-profits that have provided significant funding for open space and habitat acquisition and restoration. Foundations and non-profits with major presences in California and applicable missions include:

- David and Lucile Packard Foundation;
- The Columbia Foundation;
- William and Flora Hewlett Foundation;
- The Irvine Company; and
- the National Fish and Wildlife Foundation

BCAG will seek grant funding for the conservation component of the BRCP from these and other similar organizations.

Conservation Partner Activities

The activities of regional and national land trusts national, regional and local land agencies, non-profits and foundations often provide substantial support for the achievement of conservation goals. Examples of land trusts and other non-profit conservation partners in Butte County are the Northern California Regional Land Trust, the Nature Conservancy, and the Chico State University Chico Research Foundation.

Between 1997 and 2013, the combined efforts of these types of agencies in Butte County have resulted in the protection of 9,800 acres of conservation lands in Butte County averaging about 640 acres per year.²⁰ Based on this historic track record for just these three conservation partners (and the assumption that additional conservation partners are likely to participate during the 50-year period of BRCP implementation), the BRCP could acquire 32,000 acres over 50 years, more than needed to achieve the non-fee funded 22,863-acre conservation land acquisition. In addition, an estimated 2,500 acres of agricultural lands may be acquired under the Butte County Agricultural Mitigation Ordinance over the BRCP implementation period, most or all of which are expected to meet BRCP conservation requirements.

The prior and future conservation efforts of land trusts and other conservation organizations in Butte County will contribute directly to the conservation goals of the BRCP and will indirectly fund BRCP implementation through the raising and investment of their own funding. Lands acquired and protected or restored for the conservation of species and habitats within the Plan Area by nongovernmental organizations such as land trusts and conservancies and other non-profit conservation partners, will be counted toward the Local Share contribution to the conservation component of the BRCP.

Other Mechanisms for Land Conservation and Local Share Funding

There are a number of additional mechanisms through which land conservation can be achieved in the Plan Area. In many California counties, private donations of valuable open space have made important contributions to conservation efforts. These donations carry potential tax-benefits for the donor, though are often driven by individual preferences and values rather than financial concerns.

Additional regulatory conservation tools, such as clustering ordinances and transfer of development rights programs, have sometimes been successful in California (e.g., Livermore, San Luis Obispo), though care must be taken to avoid overlap with and duplication of mitigation requirements.

In addition to the direct Local Share funding sources described above, support for the operation of BRCP may also be provided indirectly through the in-kind provision of staff support by BCAG and other Permittees.

²⁰ Estimated as 4,700 acres by the Northern California Land Trust over 15 years for 313 acres/year; 1,000 acres over 14 years by The Nature Conservancy for 71 acres/year; and 4,100 acres over 16 years by the Chico Research Foundation for 256 acres/year. The sum is $313 + 71 + 256 = 640$ acres/year and $640 \text{ acres/year} \times 50 \text{ years} = 32,000$ acres.

Other Local, State, or Federal

The funding category Other Local, State or Federal Sources includes a modest assumption of about \$13 million of future funding from new local, state, or federal funding sources. As described in the rest of this chapter, during the 50-year term of the BRCP permit, local agencies are expected to generate new local sources of funding through a variety of mechanisms such as donations of land, surcharges on Special Participation Entities, or future open space taxes and fees. Although not expected to be substantial, these future new local funding sources could contribute to the conservation costs of the BRCP. Similarly, it is anticipated that additional state and federal funding sources will arise during the 50-year term of the permit. New federal and state grant programs would add to the federal and state funding. These new grant programs may also be more flexible than existing federal or state grants in terms of what types of HCP/NCCP costs they can cover.

9.3.1.3 Funding Post-Permit Land Management

At the end of the 50-year permit period, ongoing annual costs will remain that will require funding in perpetuity. All habitat protection, enhancement, and restoration will have been completed and at that point the ongoing costs will be substantially less than costs during the permit period. The primary focus of ongoing efforts will be conservation land management, along with a reduced level of administrative, legal, and monitoring activities. Funding of the operations of BCAG to manage and monitor the BRCP conservation lands system after the 50-year permit period will be provided through the returns on an endowment fund built during the 50-year permit period. The endowment fund is described in Section 9.3.2.6, *Post-BRCP Permit Endowment Cost Estimation Methods* and in Section F.7, *Post-BRCP Permit Implementation Costs*. While the endowment will be built from various funding sources, all post permit funding is the responsibility of the Permittees. Any shortfalls in returns from the endowment to meet the funding requirements for managing the BRCP conservation lands will be the responsibility of and addressed by the Permittees.

9.3.2 Federal/State Funding Sources

As a joint HCP/NCCP the BRCP must provide for the conservation of species within the biological and geographic context of the Plan Area. This section describes the Federal/State sources of funding to support implementation of the components of the BRCP that contribute to the conservation and recovery of covered species and provide for the conservation of natural communities in the Plan Area. Funding from these sources will be used by BCAG to protect, enhance, restore, and manage species occurrences, species habitat, and natural communities as described in Chapter 5, *Conservation Strategy*.

The total area for land acquisition under the BRCP to achieve the BRCP biological goals and objectives is 74,731 acres. The acreage split by funding sources for the acquisition of conservation lands to protect and restore habitat, including the conservation and mitigation components, is presented in Table 9-7. All Federal/State funding supports the implementation of BRCP conservation components only. An estimate of the funding allocations between the local sources and potential Federal/State funds is provided in Table 9-8. (The description of the implementation costs [Section 9.2 and Appendix F] provides the details and rationale for the breakdown of implementation costs between the conservation component and mitigation component of BRCP Conservation Strategy). Funding of the BRCP conservation component will be shared between local funding (see Section 9.3.1.2) and Federal/State funding sources described here.

The following are BRCP conservation components that will be funded through Federal/State funding and Other Local, Federal/State sources.

- The acquisition of 22,864 acres of oak woodland and savanna, grassland, grassland with vernal swale complex, riparian habitats, emergent wetlands, managed wetlands, streams, ponds, rice, irrigated pasture, and irrigated cropland land cover types and associated covered species habitats;
- Restoration of 250 acres of giant garter snake habitat;
- Screening of up to 12 water diversions on streams;
- Placement of up to 15,000 cubic yards of salmonid spawning gravels;
- 50 percent of costs associated with removal of impediments to fish passage (removal of debris from BRCP protected channels and repair of the Iron Canyon Fish Ladder); and
- Implementation of all habitat management, monitoring, changed circumstance remedial measures, post-BRCP permit management and monitoring actions, and administration of the BRCP associated with the above actions.

The total conservation component of the BRCP costs is estimated at about \$258 million in 2018 dollar terms over the 50-year permit term (see Section 9.3 and Appendix F). BCAG is responsible for acquiring sufficient funding to implement the conservation actions within the timeframes presented in Section 8.2, *BRCP Implementation Schedule*. BCAG will work with federal and state agencies to identify and secure funding for non-mitigation conservation activities. Support for securing funding from USFWS, NMFS, CDFW, Natural Resources Conservation Service (NRCS), U.S. Environmental Protection Agency (EPA), and USACE will be particularly important. Similar to the implementation of other HCPs and NCCPs, a broad range of funding sources will be required over the period of BRCP implementation. The following subsections provide more detail on potential federal and state funding sources.

9.3.2.1 Introduction to Federal/State Sources

The U.S. Congress and the California Legislature have determined that conserving species and their natural habitats is an issue of both national and state importance. The federal and state governments will strive to assist local governments and property owners to assemble, manage, and monitor the BRCP. This assistance would provide for the conservation of covered species and reduce or avoid the need to list additional species as threatened or endangered. Federal contributions to the BRCP are earmarked only for the portion of the BRCP that provides for the conservation of covered species in the Plan Area. Federal contributions cannot be used for the mitigation component of the BRCP.

State or federal funding for land acquisition could come from a variety of sources, including several sources administered by CDFW and USFWS (Table 9-8). The state and federal governments will strive to offer as many funding opportunities to BRCP as is possible. The record of state and federal funding for approved HCP/NCCPs in California suggests state and federal government will contribute the estimated funding. In addition, new funding sources are expected to arise, increasing the likelihood of achieving this goal even further. If, however, after the exercise of all available authority and utilization of all available resources, the CDFW, USFWS, and NMFS are unable to provide the estimated funding to the BRCP, then BCAG, CDFW, USFWS, and NMFS will re-evaluate the BRCP and work together to develop a mutually acceptable solution.

Implementation of the BRCP is subject to the federal Anti-Deficiency Act and the availability of appropriated funds. Nothing in this Plan will require the obligation, appropriation, or expenditure of any money from the United States Treasury. USFWS or NMFS will not be required to expend any federal agency's appropriated funds until an authorized official of that agency commits these funds in writing. Similarly, CDFW will not be required to expend any state agency's appropriated funds until an authorized official of that agency commits these funds in writing. The state and federal agencies will use their best effort to contribute the amount of land identified below.

9.3.2.2 Federal Funding Sources

As described above and in Table 9-8, *Likely Federal and State Funding Sources for HCPs and NCCPs in California*, there are a variety of existing federal sources that could help to fund the conservation component of the BRCP. The federal source that is likely to provide one of the largest state and federal shares of funding for the BRCP is the USFWS's Cooperative Endangered Species Conservation Fund, authorized under Section 6 of the federal ESA. USFWS annually provides significant funds to local jurisdictions that develop and implement regional HCPs. The Section 6 grant program is divided into three funding categories: HCP Assistance (for planning), HCP Land Acquisition, and Recovery Land Acquisition Grants. CDFW applies for and administers these grants. Once the federal ESA permit is issued, the BRCP will be eligible for HCP Land Acquisition grants.

HCP Land Acquisition grants can pay for land acquisition (conservation easement or fee title), transaction costs, and pre-acquisition surveys and inventories. These grants can also pay for management or monitoring costs after acquisition as long as those funds represent a minority of the cost of the project and they are spent within the three-year term of the grant award. It is possible these spending limitations could change during the 50-year permit term, in which case this funding source might be used to pay for more types of HCP/NCCP costs than those related strictly to land acquisition (or initial management or monitoring).

From 2002 to 2016, USFWS has made available, on average, \$34.9 million per year in land acquisition funds nationally. Of this, an average of approximately 45 percent—nearly \$20 million—was dedicated annually for land acquisition for HCPs and NCCPs in California. From 2002-2016, California has received more than \$241 million in land acquisition funding for approved HCPs and NCCPs, by far the largest percentage contribution to any state. Funding for the HCP Land Acquisition program has declined substantially since 2010. It appears to have stabilized at about \$15 million every year since 2012, although competition for grants has increased as the federal government approves more regional HCPs. This program has been in existence since 2002, however, and it remains the most important source of regional HCP land acquisition funding from the federal government. The program is assumed to continue and provide funding for the BRCP.

Other existing federal grant programs that could provide additional funding to the BRCP, particularly for wetland restoration, are the North American Wetlands Conservation Act Grant Program and the Central Valley Project Improvement Act Habitat Restoration Program (see Table 9-6). The BRCP also assumes additional funding over the 50-year permit term from new local, state, and federal sources not currently identified.

9.3.2.3 State Funding Sources

As described in Table 9-6, *Likely Federal and State Funding Sources for HCPs and NCCPs in California*, there are a variety of sources available for state funding, including existing California propositions

(e.g., Proposition 1, passed by voters in 2014). Proposition funding for the BHCP can come from a variety of sources, including the Wildlife Conservation Board and the California Department of Parks and Recreation. More state bond measures for open space preservation and management are expected to be issued as California propositions during the 50-year term of the BRCP. For example, Proposition 84 was passed by California voters in the November 2006 General Election by a margin of 53.7 percent. This bond provided funding for water, park, and natural projects, including \$90 million for certain NCCPs. Additional open space bonds that provide funding for which HCP/NCCPs are eligible are expected to be placed on the statewide ballot several times during the 50-year permit term. A recent parks and open space bond that appeared on the June 2018 ballot passed and is anticipated to provide \$52 million for land acquisition to support approved NCCPs throughout California, administered by the Wildlife Conservation Board.²¹ Other existing state funding sources may include the Sustainable Agricultural Lands Conservation Program described in Table 9-6, *Likely Federal and State Funding Sources for HCPs and NCCPs in California*. The BRCP also assumes additional funding over the 50-year permit term from new local, state, and federal sources not currently identified *Sources*.

9.3.3 Funding Assurances

The Permittees, led by BCAG, are committed to securing sufficient funds within the required timeframe to implement the BRCP Conservation Strategy in its entirety. Funding for the mitigation component of the BRCP (i.e., payment of impact fees) will be provided by project applicants to BCAG under the process described in Section 8.4, *Process for BRCP Implementation*. Funding for the conservation component of the BRCP will be sought by BCAG and the Permittees from the sources identified in Section 9.3.1 and Section 9.3.2, and other appropriate sources. BCAG and the Permittees will secure sufficient funds within the timeframe identified in the BRCP implementation schedule (Tables 8-1, *Land Acquisition Schedule for Conservation Component* and 8-2, *Schedule for Conservation Component (i.e., Non-Mitigation) of Specified Biological Resources*) to implement the conservation component of the program.

It is anticipated that state and federal agencies, including the USFWS, NMFS, and CDFW, will contribute to the conservation component of the BRCP. The Permittees recognize that state and federal funds cannot be guaranteed in advance of the approval of yearly budgets, nor can they be guaranteed by agency staff without the authority to commit these funds. However, the Permittees assume and request the assurance that the USFWS, NMFS, and CDFW will make every effort to assist BCAG in securing the funding outlined in this chapter to contribute to species recovery and to help implement the conservation component of the BRCP.

²¹ State Senate Bill (SB) 5, The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018. The total funding provided by SB 5 is approximately \$4.0 billion.

Table 9-1. Summary of BRCP Mitigation Implementation Costs by Cost Category¹

Cost Category	Estimated Cost
Conservation Measures	\$127,431,000
Environmental Compliance	\$1,986,000
Monitoring	\$3,951,000
Administration and Management	\$16,437,000
Changed Circumstances	\$3,445,000
Endowment Costs	\$4,841,000
Contingency	\$16,741,000
Total	\$174,832,000

¹Discrepancies in total values due to rounding. Cost estimates are rounded to the nearest \$1,000.

Table 9-2. Summary of BRCP Conservation Component Implementation Costs by Cost Category¹

Cost Category	Conservation Costs by Implementation Period					Total Estimated Costs
	Years 1-10	Years 11-20	Years 21-30	Years 31-40	Years 41-50	
Conservation measures	\$26,602,000	\$40,293,000	\$54,753,000	\$45,310,000	\$22,806,000	\$189,764,000
Environmental compliance	\$386,000	\$572,000	\$623,000	\$338,000	\$169,000	\$2,089,000
Monitoring	\$1,202,000	\$1,776,000	\$2,597,000	\$3,024,000	\$2,224,000	\$10,823,000
Administration and management	\$5,044,000	\$5,218,000	\$5,218,000	\$5,218,000	\$5,218,000	\$25,915,000
Changed circumstances	\$0	\$0	\$0	\$0	\$0	\$0
Endowment for post-BRCP implementation	\$1,011,000	\$1,680,000	\$2,266,000	\$1,878,000	\$798,000	\$7,633,000
Contingency	\$3,168,000	\$4,668,000	\$6,156,000	\$5,058,000	\$2,571,000	\$21,620,000
Total	\$37,413,000	\$54,207,000	\$71,613,000	\$60,825,000	\$33,785,000	\$257,843,000

¹Discrepancies in total values due to rounding. Cost estimates are rounded to the nearest \$1,000.

Table 9-3. BRCP Fee Calculations

BRCP Fee	Mitigation Cost	Basis Acres ²	Fee Per Impact Acre
Base Fee	\$129,312,067	23,803	\$5,433
Riparian Fee ¹	\$13,726,290	181	\$75,836
Vernal Pool Fee ¹	\$17,151,321	297	\$57,749
Emergent Wetland Fee ¹	\$7,653,319	85	\$90,039
Butte County Meadowfoam Habitat Fee	\$6,989,000	241	\$29,000
Total	\$174,831,997		

¹ Mitigation costs for Riparian, Vernal Pool, and Emergent Wetlands are based on the cost of restoration (CM4) and associated environmental compliance, funding for changed circumstances, and contingency for all restoration projects over the entire 50-year term of the BRCP.

² "Basis Acres" is the acreage of impact on natural communities and agricultural habitat allowable under the BRCP.

(Table 4-2). Riparian Fee Basis Acres are the total projected acres of impacts that will require the riparian fee (65 acres of riparian forest, 105 acres of dredger tailing with streams, and 11 acres of willow scrub). Vernal Pool Fee Basis Acres are the total projected acres of impacts that require the vernal pool fee (296 acres of vernal pools and 1 acre of managed seasonal wetlands). Note that vernal pool restoration activities will occur within grassland areas acquired as part of the BHCP preserve. Emergent Wetlands Fee Basis Acres are the total projected acres of impacts that require the emergent wetlands fee (35 acres from emergent wetland, 39 from rice, 10 from irrigated rice, and one from irrigated pasture).

Table 9-4. BRCP Fees by Land Cover Type

Land Cover Type/Wetland Type	Pay Base Fee (yes or no)	Additional Fees	Comments
Grassland	Yes	See comment	Vernal Pool Fee and Emergent Wetland Fee as additional fees for delineated wetland acres present within this land cover type.
Grassland with Vernal Swale Complex	Yes	See comment	Vernal Pool Fee and Emergent Wetland Fee as additional fees for delineated wetland acres present within this land cover type. If modeled habitat for Butte County meadowfoam is present, an additional fee may also apply.
Vernal Pools and Other Seasonal Wetlands	See comment	Vernal Pool Fee	Base Fee paid for the overall lands in which the wetlands occur (including the delineated wetland area). Vernal Pool Fee based on delineated wetland area.
Stock Ponds	See comment	No	Base Fee paid for the overall lands in which the ponds occur.
Cottonwood-Willow Riparian Forest	Yes	Riparian Fee	

Land Cover Type/Wetland Type	Pay Base Fee (yes or no)	Additional Fees	Comments
Valley Oak Riparian Forest	Yes	Riparian Fee	
Willow Scrub	Yes	Riparian Fee	
Herbaceous Riparian and River Bar	Yes	No	
Dredger Tailings with Riparian Forest and Scrub (stream associated)	Yes	Riparian Fee	
Dredger Tailings with Riparian Forest and Scrub (not stream associated)	Yes	No	
Dredger Tailings with Sparse Herbaceous Vegetation	No	No	
Emergent Wetland	Yes	Emergent Wetland Fee	Emergent Wetland Fee based on delineated wetland area.
Managed Wetland	Yes	50% of Emergent Wetland Fee	50% of Emergent Wetland Fee applied to delineated wetland area (mitigation ratio is 50% of ratio of Emergent Wetland).
Managed Seasonal Wetland	Yes	50% of Vernal Pool Fee	50% of Vernal Pool Fee applied to delineated wetland area (mitigation ratio is 50% of ratio of Vernal Pool ratio).
Open Water	Yes, but see comment	No	No impacts projected for mapped open water (e.g., Lake Oroville, Thermalito Forebay and Afterbay). Impacts not covered by BRCP.
Major Canal	Yes, but see comment	No	No impacts projected for Cherokee Canal. Impacts to all other canals addressed by Water District fee.
Chaparral	No, but see comment	No	Not covered under BRCP. There may be costs for mitigation if required under CEQA or NEPA.
Blue Oak Woodland	Yes	No	
Blue Oak Savanna	Yes	No	
Interior Live Oak Woodland	Yes	No	
Mixed Oak Woodland	Yes	No	
Conifer-Dominated Forest	No, but see comment	No	Not covered under BRCP. There may be costs for mitigation if required under CEQA or NEPA.
Nonnative woodlands	No	No	
Orchards / Vineyards	No	No	

Land Cover Type/Wetland Type	Pay Base Fee (yes or no)	Additional Fees	Comments
Rice	Yes	No (yes, if wetlands present – 25% of Emergent Wetlands Fee)	25% of Emergent Wetland Fee applied to delineated wetland area.
Cropland (Non-Rice)	Yes	No (yes, if wetlands present – 25% of Emergent Wetlands Fee)	25% of Emergent Wetland Fee applied to delineated wetland area.
Irrigated Pasture	Yes	No (yes, if wetlands present – 25% Emergent Wetlands Fee)	25% of Emergent Wetland Fee applied to delineated wetland area.
Urban	No	No	
Ranchettes – Wooded	No	No	
Ranchettes – Open	No	No	
Disturbed Ground	No	No	
Jurisdictional Wetlands – Any Seasonal Type ¹	Yes, but included in fee paid on land cover type acreage	Vernal Pool Fee	Vernal Pool Fee based on delineated jurisdictional wetland acreage for seasonal wetland types within any of the larger land cover types, except riparian types for which Riparian Fee is paid.
Jurisdictional Wetlands – Any Permanent Type ¹	Yes, but included in fee paid on land cover type acreage	Emergent Wetland Fee	Emergent Wetland Fee based on delineated jurisdictional acreage for permanent wetland types within any of the larger land cover types, except riparian types for which Riparian Fee is paid.

¹ For all Section 404 jurisdictional wetlands delineated within any land cover type and affected by a project, the Vernal Pool Fee must be paid for impacts on vernal pools, swales, and other seasonal wetlands, the Emergent Wetland Fee paid for impacts on permanent wetland types; and the Riparian Fee paid for impacts on riparian forest and scrub habitats (riparian fees apply to both Section 404 jurisdictional and non-jurisdictional wetlands).

Table 9-5. Water and Irrigation District BRCP Fees

Water and Irrigation District	Total Area (acres)	Proportion of Total Area¹	Share of Total Impact (acres)	Total Fee²	Annual Fee³
Biggs West Gridley Water District	34,812	24%	29.04	\$157,774	\$3,155
Richvale Irrigation District	37,731	26%	31.46	\$170,922	\$3,418
Western Canal Water District	47,288	33%	39.93	\$216,940	\$4,339
Biggs Water District	23,514	16%	19.36	\$105,183	\$2,104
Total All Districts	143,345	100%	121.0	\$657,393	\$13,148

¹ Based on the proportional size of each irrigation district's service area.

² Total Fee = Base Fee \$5,433 X share of total impact.

³ Annual Fee = Total Fee /50 years.

Table 9-6. Funding Sources for Conservation Lands by Acreage

Funding Source	Non-Fee Funded		Fee Funded		
	Non-Fee Funded¹ (acres)	Percent Split	Fee Funded² (acres)	Percent Split	Total (acres)
Local	20,577	45%	29,003	100%	49,580
Federal/State	22,864	50%	0	0%	22,864
Other Local, Federal/State	2,287	5%	0	0%	2,287
Total	45,728	100%	29,003	100%	74,731

¹ Non-fee funds derived from conservation funding sources.

² Fee-funds are derived from component mitigation fees

Table 9-7. BRCP Cost and Funding Overview

Funding Source	Projected Amount	% of Funding	Share Source
Fee Funding			
Base Fee	\$129,312,067	30%	Local
Vernal Pool Fee	\$13,726,290	3%	Local
Wetland Fee	\$17,151,321	4%	Local
Riparian Fee	\$7,653,319	2%	Local
Butte County Meadowfoam Habitat Fee	\$6,989,000	2%	Local
Water and Irrigation District Fee	\$657,393	<1%	Local
Total Fee Funding	\$175,489,390	40%	Local

Funding Source	Projected Amount	% of Funding	Share Source
Non-Fee Funding			
Other Local Funding			
Land Acquisition by Local Land Agencies, Non-Profits, and Foundations ¹	\$92,946,731	21%	Mixed ²
Butte County Agricultural Mitigation Ordinance ³	\$23,750,000	5%	Local
Total Other Local Funding	\$116,696,731	27%	Mixed ²
Other Local, State and Federal Funding			
New State and Federal Funding	\$129,663,035	30%	Mixed ²
Other Local, State and Federal Funding	\$12,966,303	3%	Mixed ²
Total Non-Fee Funding	\$259,326,070	60%	
Total Funding and Plan Costs			
Total Funding	\$434,815,460	100	

¹ Land acquisition by local land agencies, non-profits and foundations are assumed to total 20,577 acres over the 50-year period of implementation. Acquisition costs based on average per acre cost for Plan including transaction costs, etc.

² Funding sources may be a mix of local sources, state grant, and federal grants.

Assumes 2,500 total acres of irrigated cropland protected with easements via Butte County agricultural mitigation ordinance over 50-year period of implementation.

Table 9-8. Likely Federal and State Funding Sources for HCPs and NCCPs in California

Program Name	Program Administrator	Funding Source	Funding Available in California	Year	Description	Eligibility	HCP/NCCP Potential
Endangered Species Act Cooperative Endangered Species (Section 6) Grants	U.S. Fish and Wildlife Service, California Department of Fish and Wildlife	Federal	\$2,000,000 annual award cap per plan	2002–present (cap began 2014)	Grants for HCP land acquisition; current USFWS policy requires non-federal match of 25%.	Approved HCPs (see text for details)	Strong
				2001–present	Grants for recovery land acquisition; current USFWS policy requires non-federal match of 25%.	Draft and approved recovery plan for endangered or threatened species	
Land and Water Conservation Fund ^a	U.S. Fish and Wildlife Service, California Department of Parks and Recreation	Federal	\$2,300,000 maximum grant request	1964–present	Dollar-for-dollar matching grants for planning, acquisition, and development of outdoor recreation areas and facilities.	Cities, counties, and districts with authority to acquire, develop, operate, and maintain public park and recreation areas	Moderate
North American Wetlands Conservation Act Grant Program ^c	U.S. Fish and Wildlife Service	Federal	\$21.9 million awarded nationwide in 2017	1996–present	Program provides matching grants to aid wetland conservation projects, including land acquisition, restoration, and enhancement. Non-federal match must be at least 1:1.	Non-federal agencies, organizations, or individuals	Uncertain
Central Valley Project Improvement Act Habitat Restoration Program	U.S. Fish and Wildlife Service and U.S. Bureau of Reclamation	Federal	\$3,200,000	2015	Provides funds for land acquisition, management, monitoring, research, and restoration for endangered/threatened species affected by the CVP.	Federal and state government agencies, private non-profit or profit organizations, and individuals	Strong
Watershed Restoration and Delta Water	California Department of Fish and Wildlife	State, Proposition 1	\$372,500,000 over the life of the proposition	Expected 2015–2025	Provides \$285 million for ecosystem restoration projects outside the	Public agencies, nonprofit organizations, public utilities, federally	Strong

Program Name	Program Administrator	Funding Source	Funding Available in California	Year	Description	Eligibility	HCP/NCCP Potential
Quality and Ecosystem Restoration Programd					Sacramento-San Joaquin Delta and \$87.5 million for projects that benefit the Delta.	recognized Indian tribes, state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies engaged in either watershed restoration projects of statewide importance outside the Delta or projects benefiting water quality, ecosystem restoration, and fish protection in the Delta	
Water Quality, Supply, and Infrastructure Improvement Act of 2014	Wildlife Conservation Board	State, Proposition 1	\$5,000,000	2015–present		Approved NCCPs in the Delta	Strong
Oak Woodlands Conservation Act of 2001 and Rangelands, Grazing Land, and Grassland Protection Program	Wildlife Conservation Board		\$5,000,000		Grants for purchase of oak woodland easements, restoration or enhancement projects, long-term leases, or cost-sharing incentive payments.	Approved Oak Woodlands Management Plan	Moderate
Habitat Conservation Fund ^e	California Department of Parks and Recreation	State, Other ^f	\$2,000,000 annually	1990–present	Program requires 50% match from grantees for nature interpretation programs that bring urban residents into park and wildlife areas, protection of various plant and animal	Cities, counties, and districts	Moderate

Program Name	Program Administrator	Funding Source	Funding Available in California	Year	Description	Eligibility	HCP/NCCP Potential
					species, and acquisition and development of wildlife corridors and trails.		
Sustainable Agricultural Lands Conservation Program	California Strategic Growth Council	State, Other ^g	Up to \$100,000,000 in FY 2014–15 for sustainable agricultural land strategy planning efforts; up to \$4,000,000 in FY 2014–15 for grants for agricultural conservation easement acquisition		Supports the protection and management of California's agricultural lands with the goal of preventing increases in greenhouse gas (GHG) emissions by limiting opportunities for expansive, vehicle- dependent forms of development. The program accomplishes this through three major elements (sustainable agricultural land strategy plans, agricultural conservation easements, and financial incentives for adoption and use of land management practices), which emphasize planning, the permanent protection of farm and ranch lands through agricultural easements, and support for agricultural programs that reduce GHG emissions.	Sustainable Agricultural Land Strategy Plans – Counties and/or cities in collaboration with other partners that will inventory and evaluate agricultural lands and develop local strategies for long-term protection Agricultural Conservation Easements – Cities, counties, nonprofit organizations, resource conservation districts, regional park or open space districts, or regional park or open space authorities that have conservation of farmland among their stated purposes, as prescribed by statute or as expressed in the entity's locally adopted policies	Moderate
Notes:							
a. California Department of Parks and Recreation 2014a.						e. California Department of Parks and Recreation 2014b.	
b. Natural Resources Conservation Service 2014.						f. Established by the California Wildlife Protection Act of 1990, Proposition 117.	
c. U.S. Fish and Wildlife Service 2017.						g. Appropriations from the Budget Act of 2014 to the Greenhouse Gas Reduction Fund.	
d. Water Quality, Supply, and Infrastructure Improvement Act of 2014.							

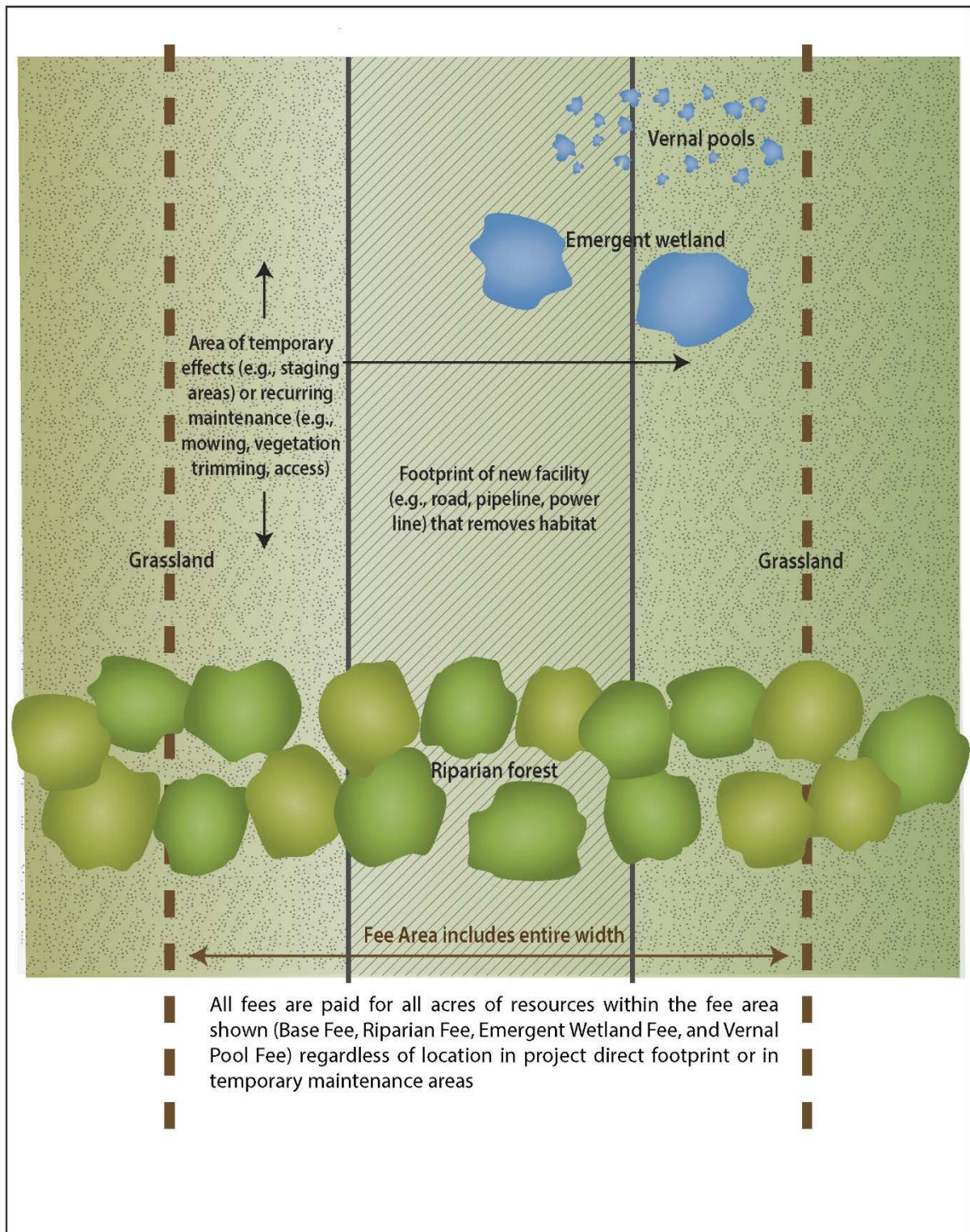


Figure 9-1. Mitigation Fee Area for Transportation and Utility Projects