



# Yolo Habitat Conservancy

County of Yolo • City of Davis • City of Winters • City of West Sacramento  
City of Woodland • University of California, Davis

## Yolo HCP/NCCP Early Payment of Mitigation Fees Policy

Date Adopted by the Yolo Habitat Conservancy Board: March 19, 2019

### 1. PURPOSE:

The Yolo Habitat Conservancy (Conservancy) may adopt guidelines to assist in the implementation and administration of all aspects of the Conservancy's mitigation fee ordinance (Ordinance No. 2018-01) not previously considered. The Yolo Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP) Early Payment of Mitigation Fees Policy allows public and private applicants to pay Yolo HCP/NCCP mitigation fees up to a year prior to the applicant obtaining a building permit, grading permit, or other discretionary approval from a Yolo HCP/NCCP member agency. The policy also allows Special Participating Entities (SPEs) to pay Yolo HCP/NCCP mitigation fees up to a year prior to initiating the activity for which they seek Yolo HCP/NCCP coverage from the Conservancy, as well as seek up to two one-year extensions.

### 2. SCOPE

This policy applies to all public and private applicants subject to the mitigation fee provisions of the Yolo HCP/NCCP, including SPEs.

### 3. POLICY

The Conservancy's mitigation fee ordinance does not preclude early payment of fees. The Conservancy will allow early payment of mitigation fees by a public or private applicant prior to the applicant obtaining a building permit, grading permit, or other discretionary approval from a Yolo HCP/NCCP member agency. The policy also allows SPEs to pay Yolo HCP/NCCP mitigation fees prior to initiating the activity for which they seek Yolo HCP/NCCP coverage from the Conservancy.

To qualify for early fee payment, the applicant must complete the Yolo HCP/NCCP application and the fees and conditions to be imposed verified by member agency or Conservancy staff.

The public or private applicant, upon early payment of mitigation fees, will not be subject to any future Yolo HCP/NCCP mitigation fee increases, except that subsequent changes to a project which necessitate additional fees will be subject to the fee rate at the time of modification or revision.

Pre-paid mitigation fees by a private applicant are considered locked in when received by member agency staff along with a completed Yolo HCP/NCCP application. Pre-paid mitigation fees by a public agency applicant are considered locked in when received by the Conservancy along with a completed Yolo HCP/NCCP member agency project reporting form or SPE Agreement, or when a payment agreement is reached. Pre-paid mitigation fees remain locked in for one year with the exception of fees paid by member agencies prior

to the end of 2018 to provide initial funding for Plan implementation, which are locked in permanently. The private or public project proponent may subsequently request up to two one-year time extensions. If the activity utilizing Yolo HCP/NCCP permit coverage is not initiated within the allotted timeframe, the project will lose its locked-in status and be subject to the mitigation fee rates at the time in which the private project obtains a building permit, grading permit, or other discretionary approval from a Yolo HCP/NCCP member agency or at the time the public project or SPE project initiates the activity for which they have obtained Yolo HCP/NCCP coverage from the Conservancy.

No refunds will be issued by the Conservancy to an applicant who pays mitigation fees early.

