

RESOURCE MANAGEMENT AGENCY PLANNING & BUILDING DEPARTMENT

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Norman L. Allinder, AICP
Director *NLA*

PLANNING COMMISSION DATE: February 5, 2013

AGENDA ITEM: #5

Countywide	Department of Fish and Game Fees
	Applicant: NA
CEQA	EXEMPT

REQUEST:

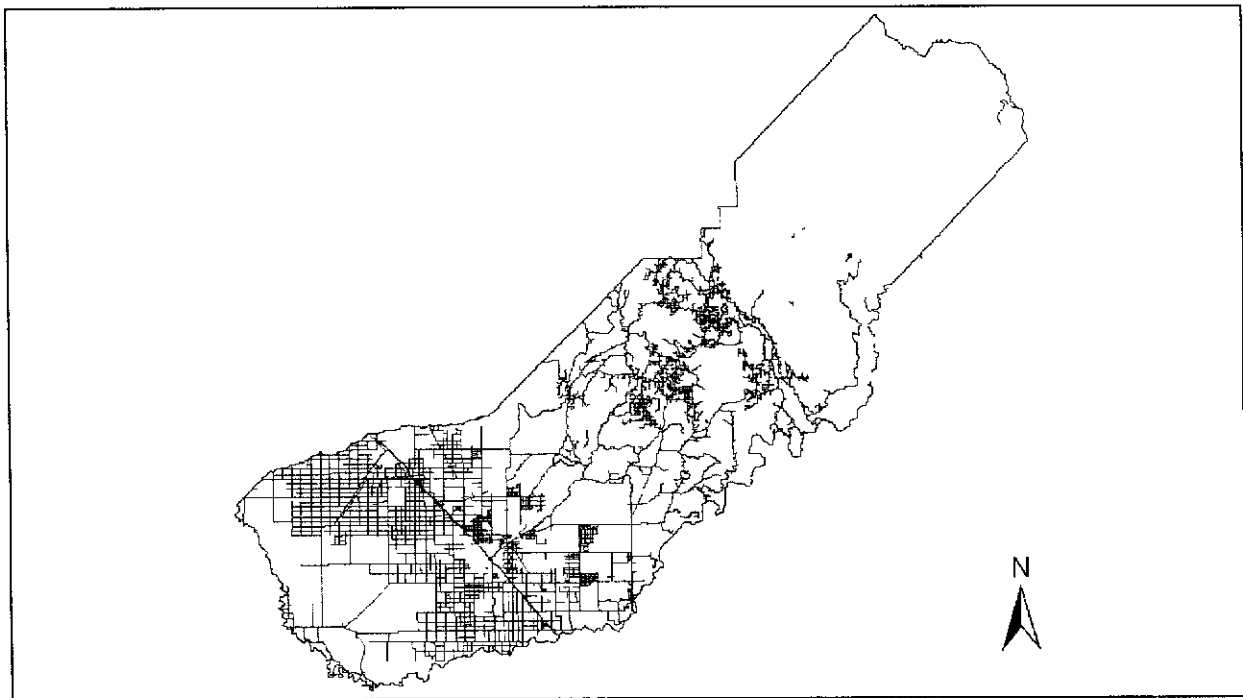
To accept the information as presented.

LOCATION:

The proposed fees will affect all of Madera County.

ENVIRONMENTAL ASSESSMENT:

Under the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3), and the Madera County Environmental Guidelines, the County has determined that this amendment will not have a significant effect on the environment and is exempt from CEQA.



RECOMMENDATION: To accept the information presented

PROJECT DESCRIPTION:

In 2006, the Department of Fish and Game took over responsibility of making de minimis findings from the local jurisdiction. In doing so, the DFG has made it a requirement to pay a certain amount of fees with the filing of CEQA documents (specifically Notice of Determinations). Per the Department of Fish and Game, the fees are to pay for CEQA related activities within their organization. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Game Code 711.4.

ORDINANCES/POLICIES:

Senate Bill 1535 (SB 1535) and Department of Fish and Game Code 711.4.

ANALYSIS:

In 2006, the Department of Fish and Game took over responsibility of making de minimis findings from the local jurisdiction. In doing so, the DFG has made it a requirement to pay a certain amount of fees with the filing of CEQA documents (specifically Notice of Determinations). Per the Department of Fish and Game, the fees are to pay for CEQA related activities within their organization. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Game Code 711.4.

The applicant has the option of applying for a Fee Waiver through the Department of Fish and Game, and there is no guarantee that the waiver will be granted. There have been only four waivers granted since 2006. The increase in fees does not affect the County Clerk filing fee of \$50, which has not increased in at least the last six years. There has been at least one occurrence where the Fish and Game attempt to get a filing fee for a project that was strictly a policy document and had no direct development attached to it (the most recent Housing Element update).

The Planning Department routinely submits requests for comments on projects to the Department of Fish and Game. But as can be seen on the attached graphs, there have been very few responses in return. Most of the responses received are in the form of boiler plate responses, with very little specific to the project at hand.

- Current Fees as of January 1, 2013:
 - Negative Declaration: \$2,151.25 – an increase of \$49.75 from 2012
 - Mitigated Negative Declaration Fee: \$2,151.25 – an increase of \$49.75 from 2012
 - Environmental Impact Report fee: \$2,995.25 – an increase of \$76.25 from 2012

GENERAL PLAN CONSISTENCY:

The increase in fees as shown does not affect the General Plan.

RECOMMENDATION:

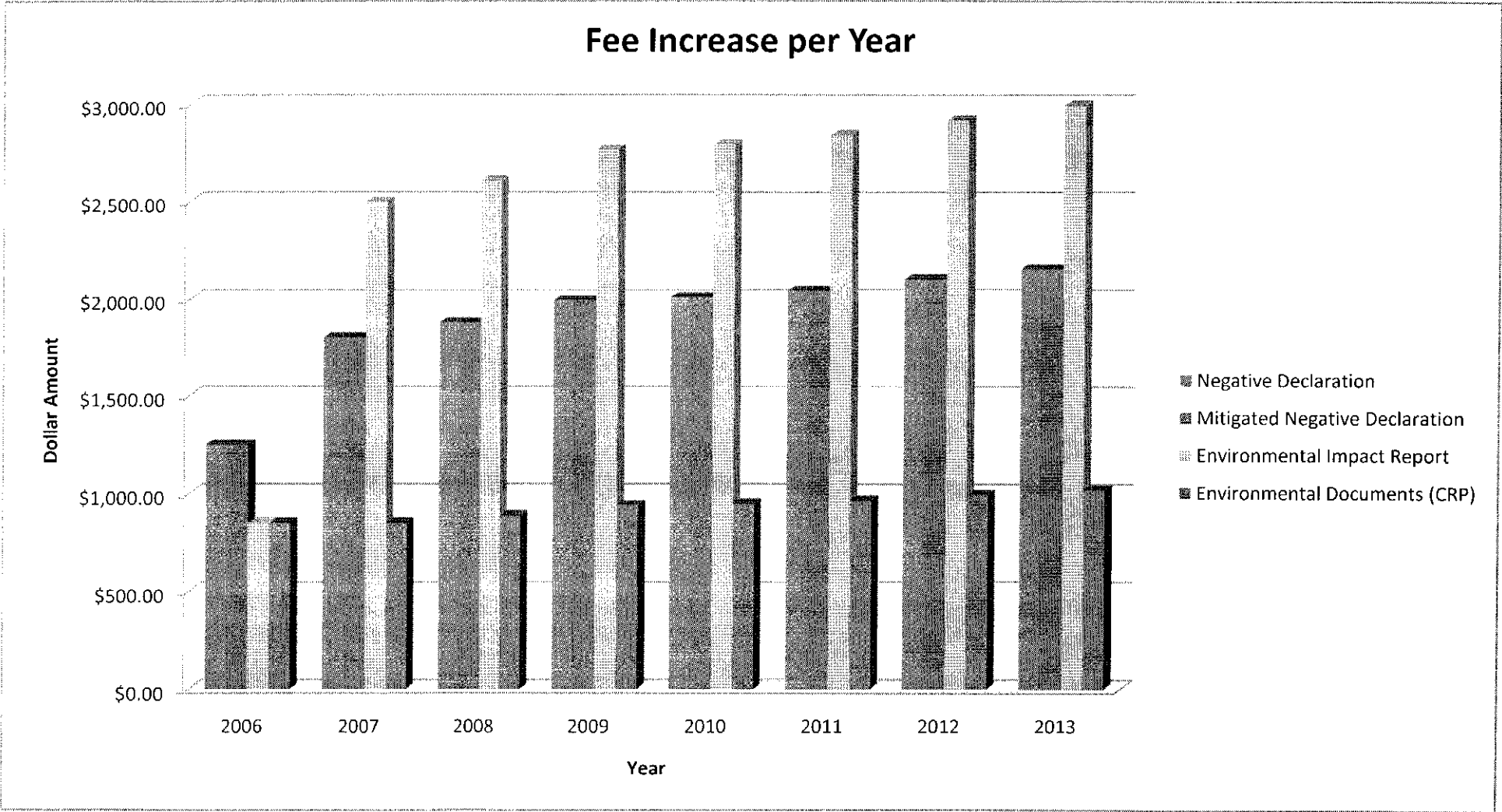
Accept the information as presented

ATTACHMENTS:

1. Exhibit A, Fish and Game fee information

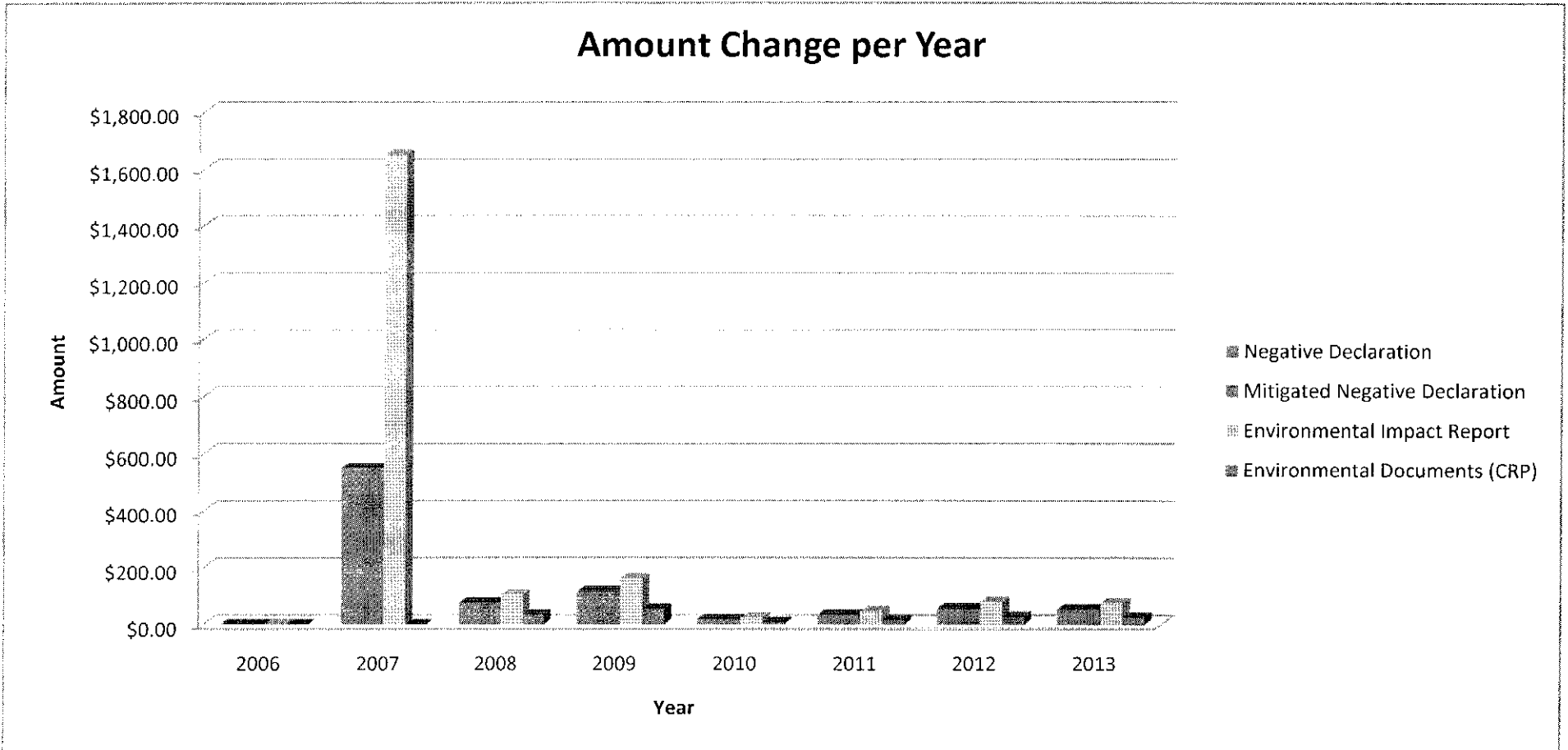
DFG CEQA Filing Fee Data

	2006	2007	2008	2009	2010	2011	2012	2013
Negative Declaration	\$1,250.00	\$1,800.00	\$1,876.75	\$1,993.00	\$2,010.25	\$2,044.00	\$2,101.50	\$2,156.25
Mitigated Negative Declaration	\$1,250.00	\$1,800.00	\$1,876.75	\$1,993.00	\$2,010.25	\$2,044.00	\$2,101.50	\$2,156.25
Environmental Impact Report	\$850.00	\$2,500.00	\$2,606.75	\$2,768.25	\$2,792.25	\$2,839.25	\$2,919.00	\$2,995.25
Environmental Documents (CRP)	\$850.00	\$850.00	\$886.25	\$941.25	\$949.50	\$965.50	\$992.50	\$1,018.50



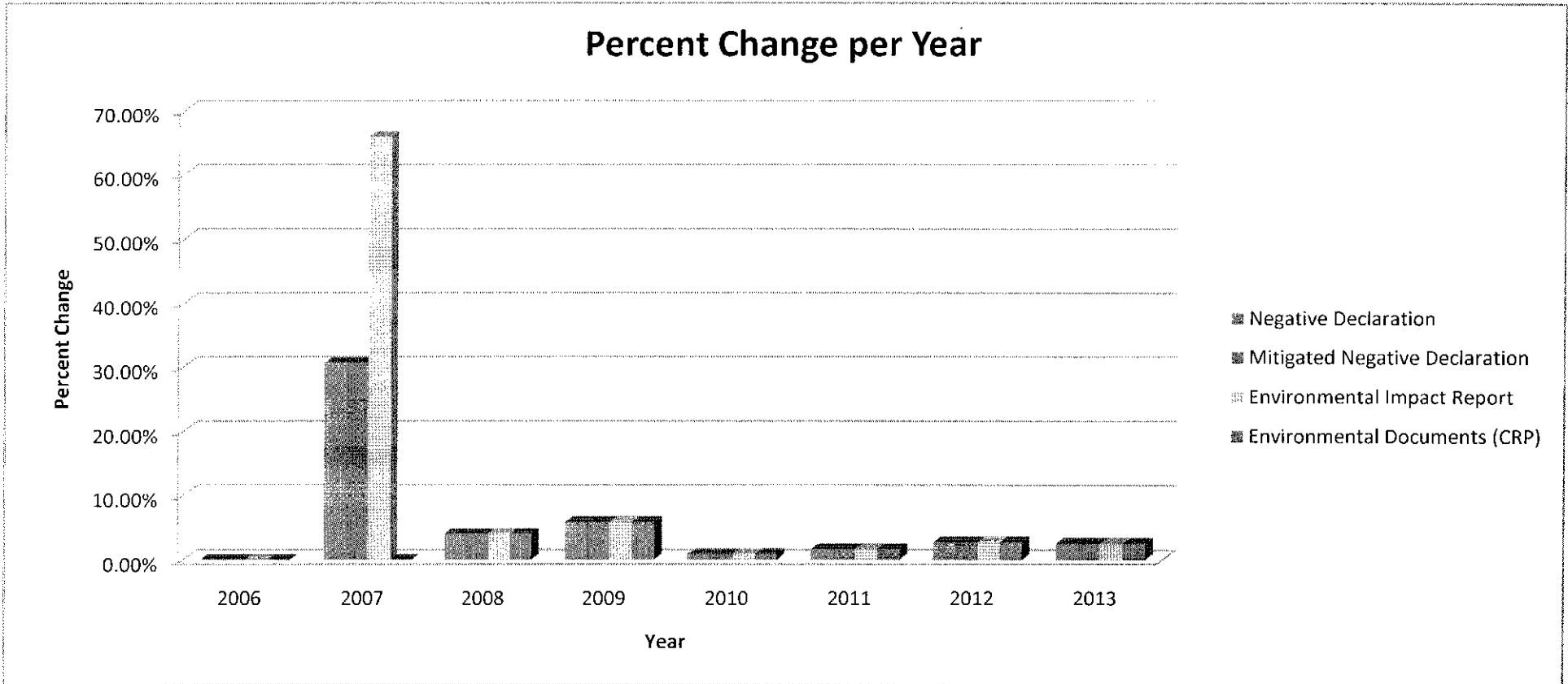
DFG CEQA Filing Fee Data

	2006	2007	2008	2009	2010	2011	2012	2013
Negative Declaration	\$0.00	\$550.00	\$76.75	\$116.25	\$17.25	\$33.75	\$57.50	\$54.75
Mitigated Negative Declaration	\$0.00	\$550.00	\$76.75	\$116.25	\$17.25	\$33.75	\$57.50	\$54.75
Environmental Impact Report	\$0.00	\$1,650.00	\$106.75	\$161.50	\$24.00	\$47.00	\$79.75	\$76.25
Environmental Documents (CRP)	\$0.00	\$0.00	\$36.25	\$55.00	\$8.25	\$16.00	\$27.00	\$26.00



DFG CEQA Filing Fee Data

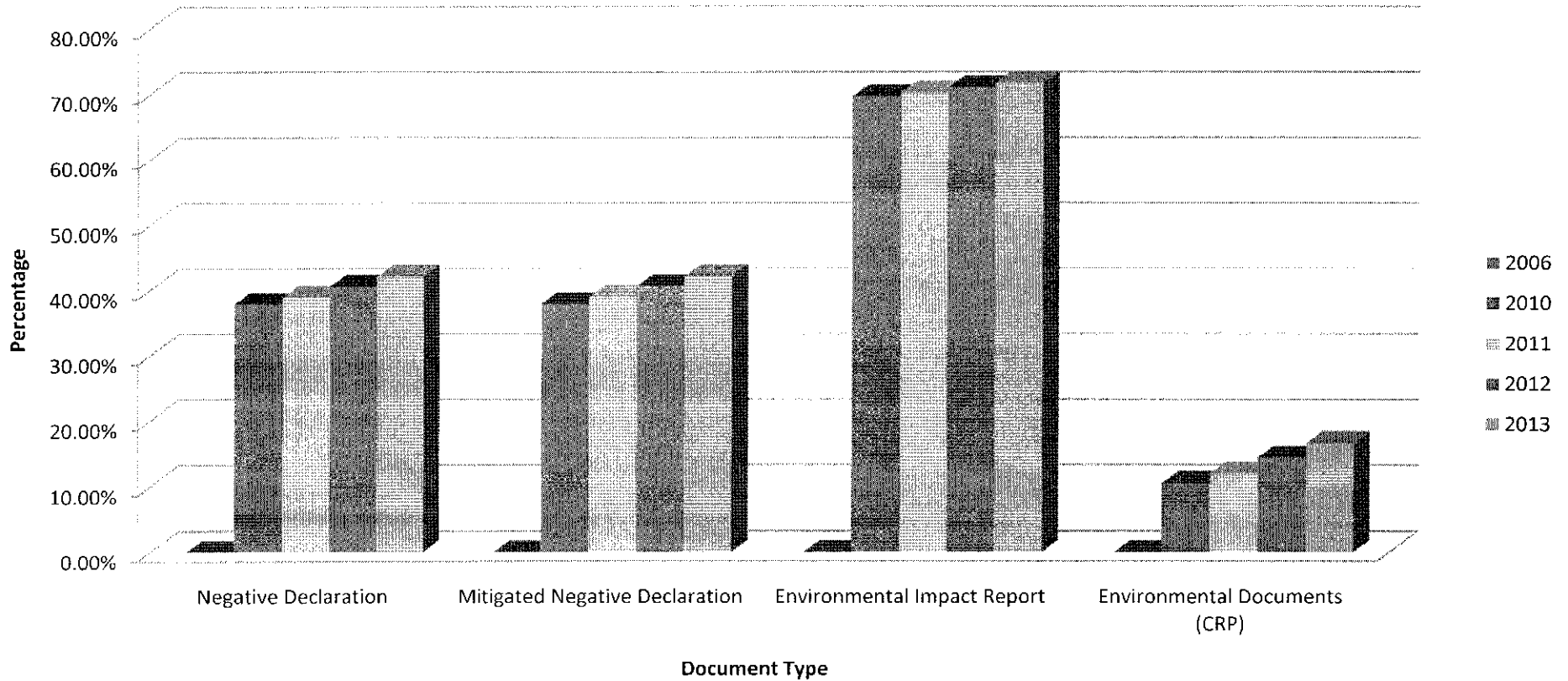
	2006	2007	2008	2009	2010	2011	2012	2013
Negative Declaration	0.00%	30.56%	4.09%	5.83%	0.86%	1.65%	2.74%	2.54%
Mitigated Negative Declaration	0.00%	30.56%	4.09%	5.83%	0.86%	1.65%	2.74%	2.54%
Environmental Impact Report	0.00%	66.00%	4.10%	5.83%	0.86%	1.66%	2.73%	2.55%
Environmental Documents (CRP)	0.00%	0.00%	4.09%	5.84%	0.87%	1.66%	2.72%	2.55%



DFG CEQA Filing Fee Data

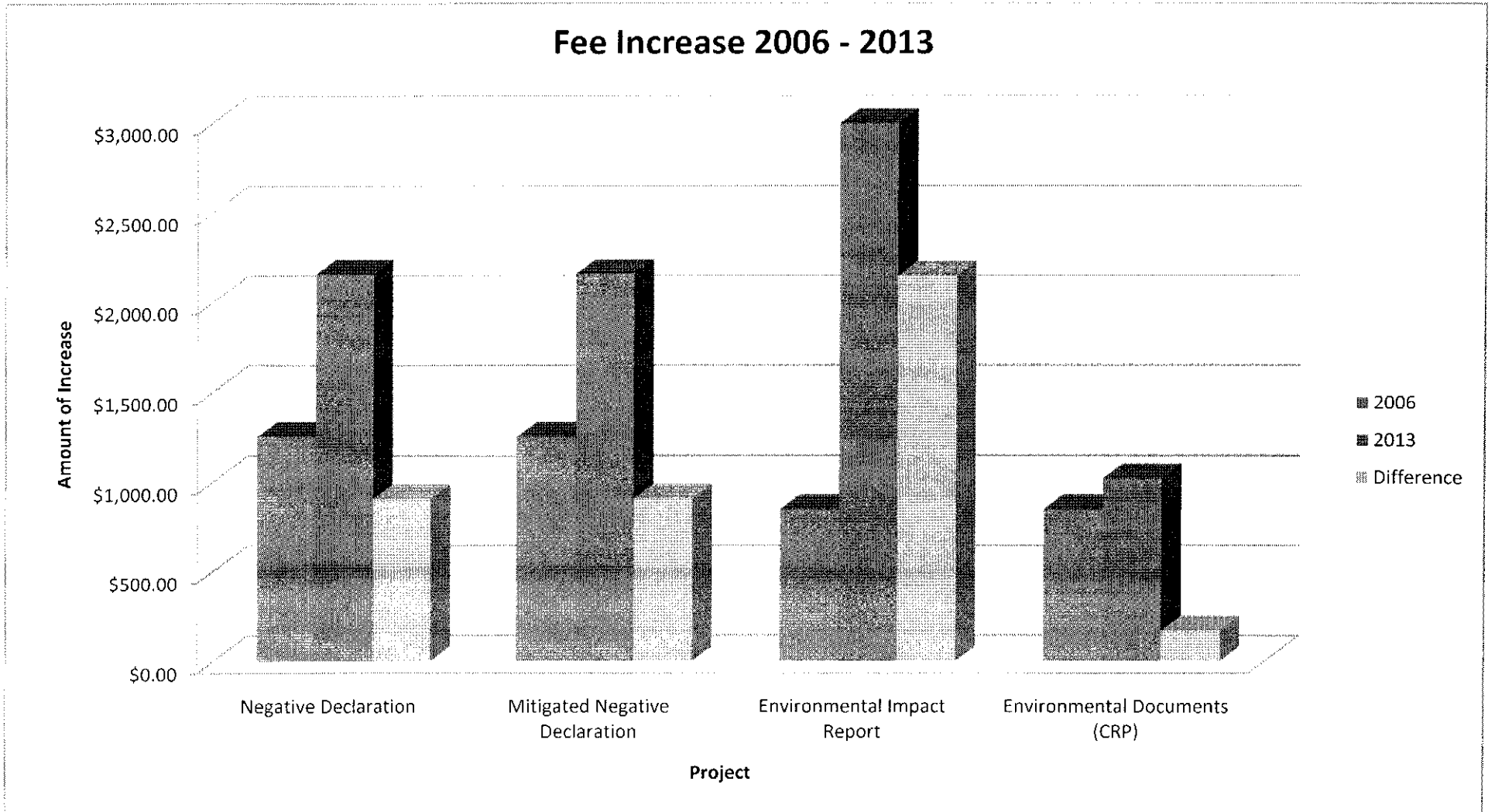
	2006	2010	2011	2012	2013
Negative Declaration	0.00%	37.82%	38.85%	40.52%	42.03%
Mitigated Negative Declaration	0.00%	37.82%	38.85%	40.52%	42.03%
Environmental Impact Report	0.00%	69.56%	70.06%	70.88%	71.62%
Environmental Documents (CRP)	0.00%	10.48%	11.96%	14.36%	16.54%

2006 - 2010, 2011, 2012 and 2013 Percentage Change



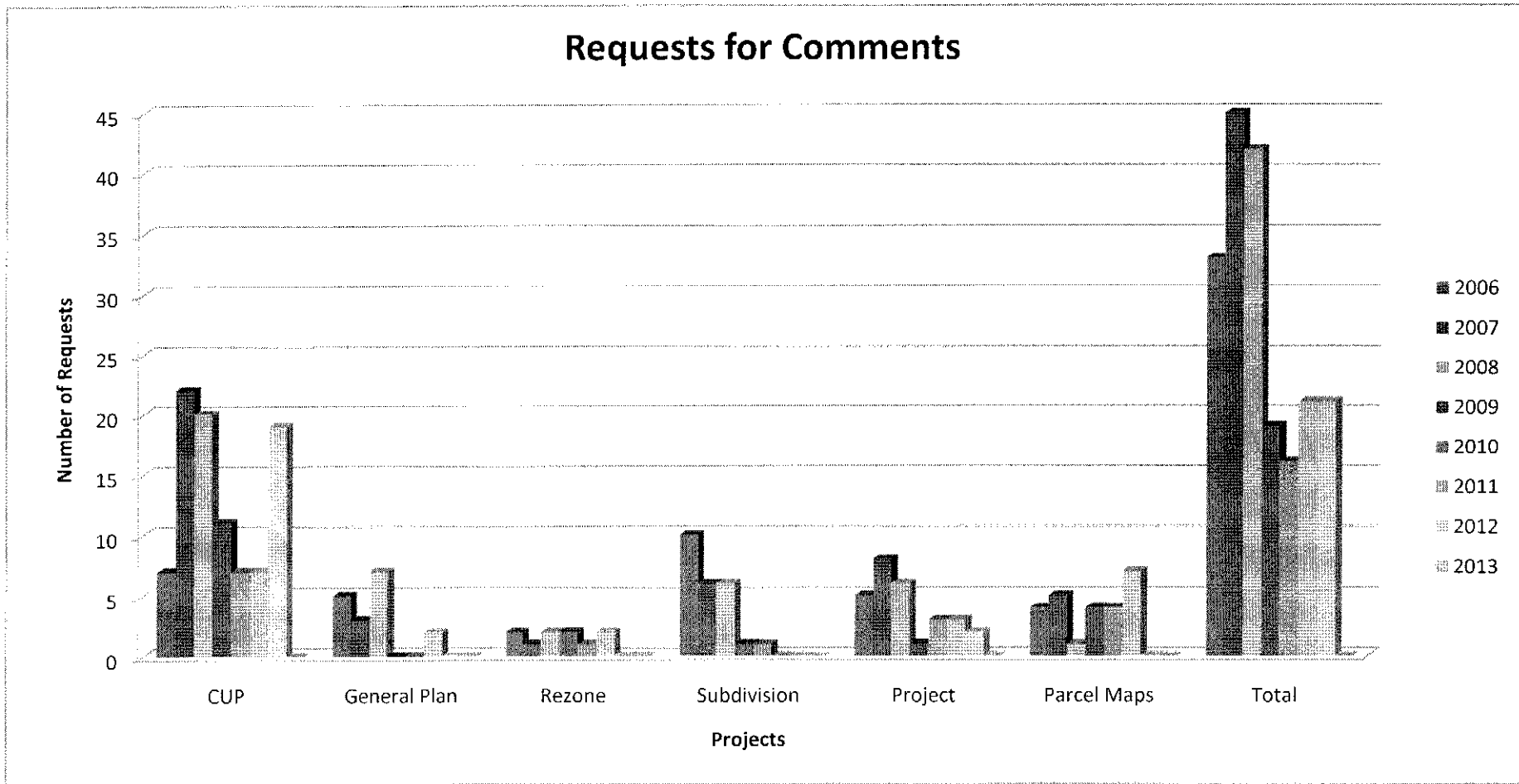
DFG CEQA Filing Fee Data

	2006	2013	Difference	
Negative Declaration	\$1,250.00	\$2,156.25	\$906.25	42%
Mitigated Negative Declaration	\$1,250.00	\$2,156.25	\$906.25	42%
Environmental Impact Report	\$850.00	\$2,995.25	\$2,145.25	72%
Environmental Documents (CRP)	\$850.00	\$1,018.50	\$168.50	17%



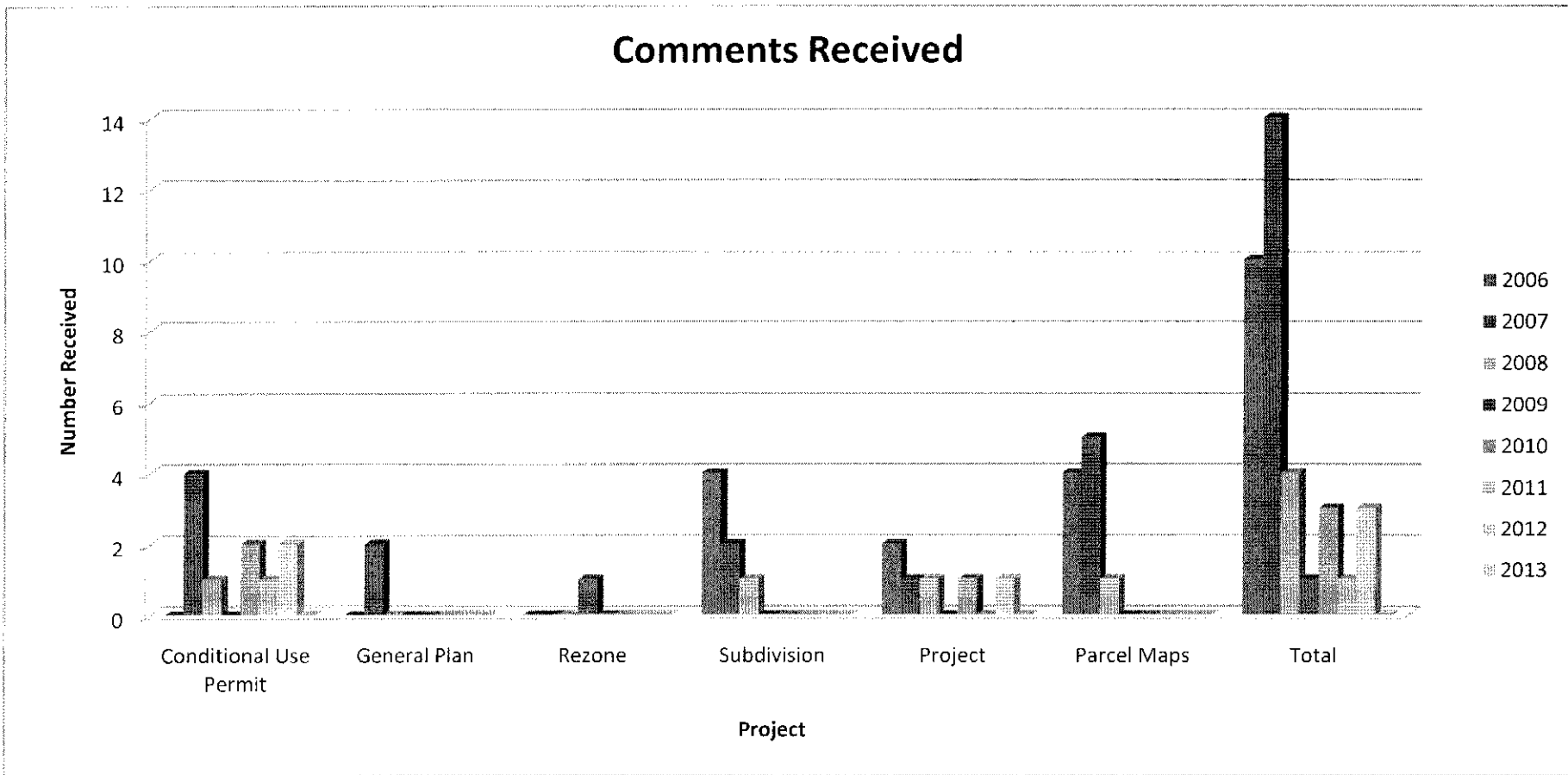
DFG CEQA Filing Fee Data

	2006	2007	2008	2009	2010	2011	2012	2013
CUP	7	22	20	11	7	7	19	0
General Plan	5	3	7	0	0	2	0	0
Rezone	2	1	2	2	1	2	0	0
Subdivision	10	6	6	1	1	0	0	0
Project	5	8	6	1	3	3	2	0
Parcel Maps	4	5	1	4	4	7	0	0
Total	33	45	42	19	16	21	21	0



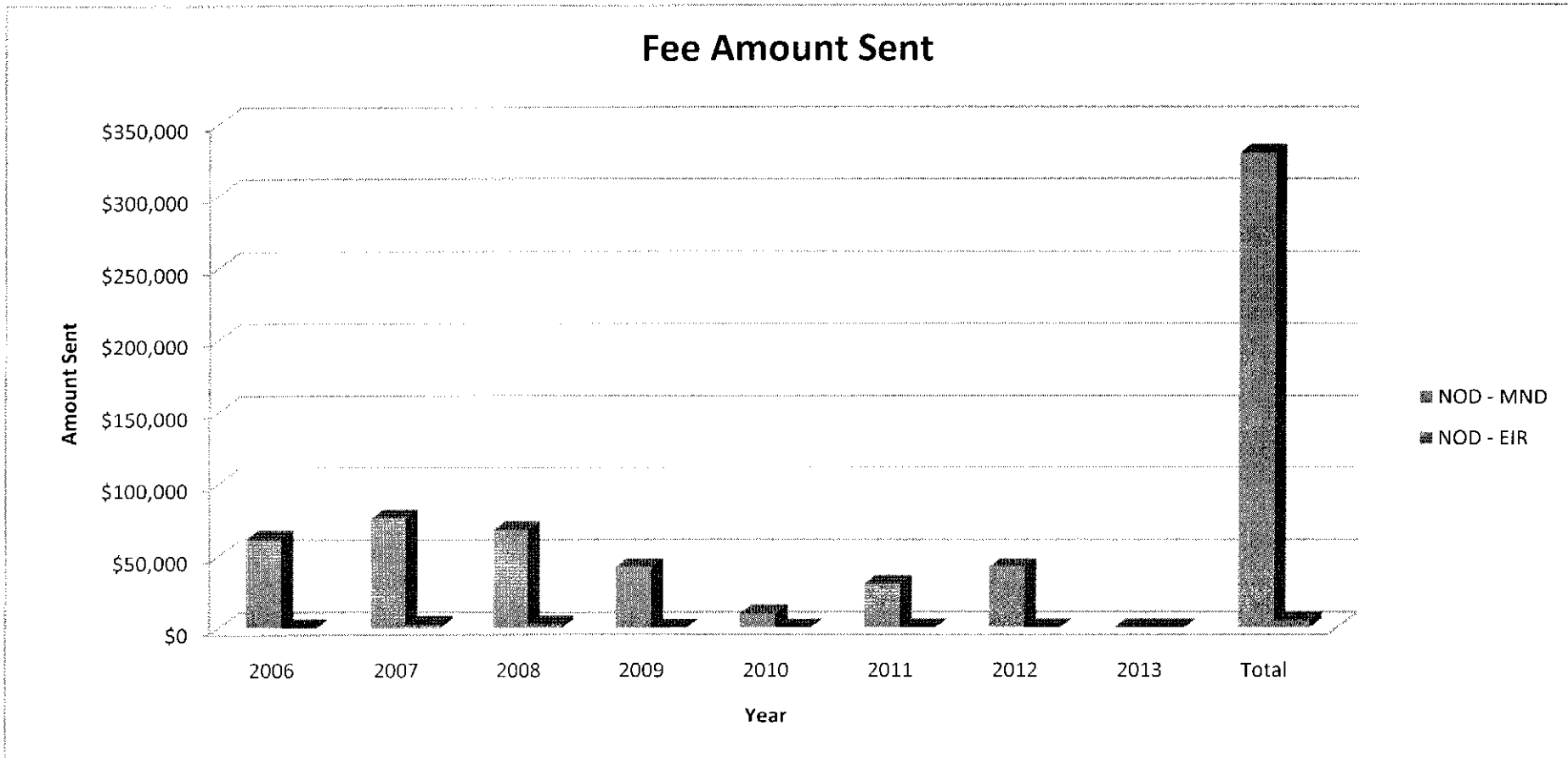
DFG CEQA Filing Fee Data

	2006	2007	2008	2009	2010	2011	2012	2013
Conditional Use Permit	0	4	1	0	2	1	2	0
General Plan	0	2	0	0	0	0	0	0
Rezone	0	0	0	1	0	0	0	0
Subdivision	4	2	1	0	0	0	0	0
Project	2	1	1	0	1	0	1	0
Parcel Maps	4	5	1	0	0	0	0	0
Total	10	14	4	1	3	1	3	0



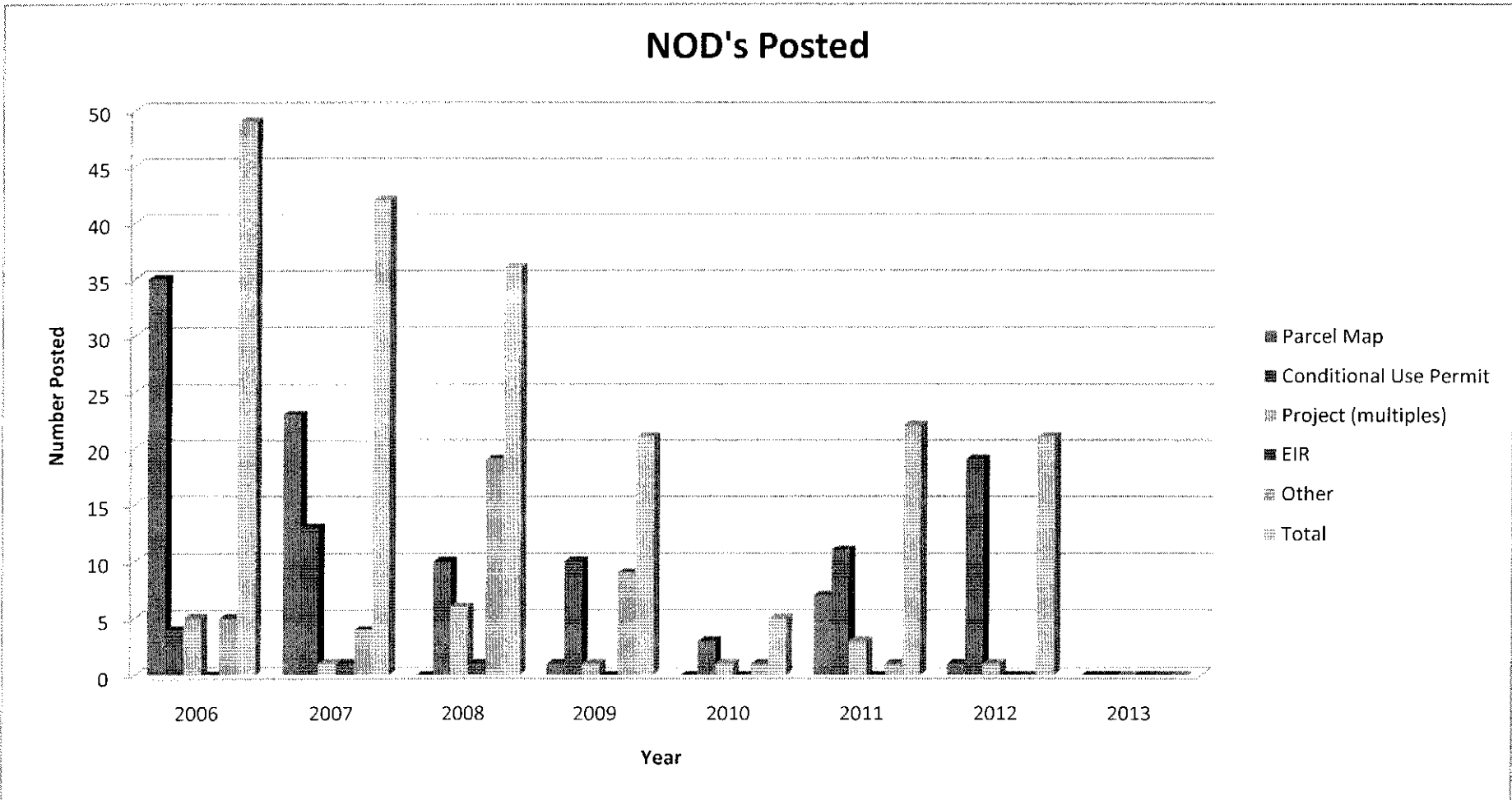
DFG CEQA Filing Fee Data

	2006	2007	2008	2009	2010	2011	2012	2013	Total
NOD - MND	\$61,250	\$75,600	\$67,563	\$42,215	\$10,051	\$30,718	\$42,030.00	\$0	\$329,427
NOD - EIR	\$0	\$2,500	\$2,607	\$0	\$0	\$0	\$0	\$0	\$5,107



DFG CEQA Filing Fee Data

	2006	2007	2008	2009	2010	2011	2012	2013
Parcel Map	35	23	0	1	0	7	1	0
Conditional Use Permit	4	13	10	10	3	11	19	0
Project (multiples)	5	1	6	1	1	3	1	0
EIR	0	1	1	0	0	0	0	0
Other	5	4	19	9	1	1	0	0
Total	49	42	36	21	5	22	21	0



DFG CEQA Filing Fee Data

	2006	2007	2008	2009	2010	2011	2012	2013
Conditional Use Permit	0	0	0	0	2	0	1	0
General Plan	0	0	0	0	1	0	0	0
Rezone	0	0	0	0	0	0	0	0
Subdivision	0	0	0	0	0	0	0	0
Project (multiple items)	0	0	0	0	0	0	0	0
Parcel Maps	0	0	0	0	0	0	0	0
Total	0	0	0	0	3	0	1	0

