

Appendix A
Implementing Ordinance Template

MODEL IMPLEMENTING ORDINANCE
ORDINANCE NO. _____

AN ORDINANCE OF THE [BOARD OF SUPERVISORS OF THE COUNTY OF PLACER/CITY COUNCIL OF THE CITY OF LINCOLN] ADDING [TITLE/CHAPTER #] TO THE [COUNTY OF PLACER/CITY OF LINCOLN] CODE

WHEREAS, the County of Placer (“County”), the City of Lincoln (“City”), the Placer County Water Agency (“PCWA”), and the South Placer Regional Transportation Authority (“SPARTA”) developed the Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan (“HCP/NCCP”) and the Western Placer County Aquatic Resource Program (“CARP”).

WHEREAS, the County developed the Placer County In-Lieu Fee Program (“In-Lieu Fee Program”).

WHEREAS, the HCP/NCCP, the CARP, and the In-Lieu Fee Program collectively comprise the Placer County Conservation Program (“PCCP”).

WHEREAS, the HCP/NCCP has been developed to:

- preserve the ecosystems of the western portion of Placer County (“Plan Area”), which include the [*County of Placer/City of Lincoln*];
- conserve and prevent further endangerment of the species that are dependent upon those ecosystems;
- comply with federal and state laws that protect such species; and
- obtain long-term authorized Take coverage through permits from the U.S. Fish and Wildlife Service (“USFWS”), the National Marine Fisheries Service (“NMFS”), and the California Department of Fish and Wildlife (“CDFW”) for the activities of the County, the City, the PCWA, and SPARTA and to extend such authorized Take coverage to private project applicants under the County’s or City’s jurisdiction and to participating special entities.

WHEREAS, the CARP has been developed to:

- protect Aquatic Resources of Placer County and to preserve and enhance their aquatic functions and values;
- comply with federal laws that protect Waters of the United States and state laws that protect Waters of the State;
- support the issuance of permits from the U.S. Corps of Engineers (“USACE”) and the Central Valley Regional Water Quality Control Board (“CVRWQCB”) authorizing minimal impacts to such waters for the activities of the County, the City, the PCWA, and SPARTA and to private project applicants under the County’s or City’s jurisdiction; and

- support abbreviated federal procedures for the USACE’s issuance of permits authorizing impacts to Waters of the United States that are more than minimal for the activities of the County, the City, PCWA, SPARTA and private project applicants.

WHEREAS, the In-Lieu Fee Program has been developed to:

- provide an effective regional compensatory mitigation program in western Placer County for impacts to aquatic resources authorized by the USACE in Clean Water Act Section 404 permits;
- comply with the USACE and U.S. Environmental Protection Agency (“USEPA”) Compensatory Mitigation Rule requirements for compensatory mitigation projects for impacts to Waters of the United States;
- allow project proponents to fulfill compensatory mitigation requirements for impacts to Waters of the United States by payment of a fee; and
- consolidate funding for compensatory mitigation projects in western Placer County to implement larger, more comprehensive, more efficient, and more beneficial mitigation projects compared to project-by-project mitigation.

WHEREAS, the HCP/NCCP and the CARP were developed by the County, the City, the PCWA, and SPRTA in cooperation with the USFWS, NMFS, CDFW, the USACE, the USEPA, and the CVRWQCB, and in consultation with stakeholder groups and the general public.

WHEREAS, the In-Lieu Fee Program was developed by the County, in cooperation with the City, the USACE, the USEPA and the CVRWQCB, and in consultation with stakeholder groups and the general public.

WHEREAS, the Placer County Board of Supervisors approved the In-Lieu Fee Program and authorized the County Executive Officer to sign the In-Lieu Fee Program Enabling Instrument on _____, 201_, copies of which are on file in the County’s Community Development Resource Agency.

WHEREAS, on _____, 201_, the [*Board/Council*] certified the Environmental Impact Report for the HCP/NCCP and CARP projects and made appropriate findings pursuant the California Environmental Quality Act (“CEQA”) (Public Resources Code § 21000 et seq.), under Clearinghouse No. _____.

WHEREAS, the [*Board/Council*] approved the HCP/NCCP and the CARP, and authorized the [*Board Chair/City Manager*] to sign the HCP/NCCP Implementing Agreement and the Joint Exercise of Powers Agreement Creating the Placer Conservation Authority, on _____, 201_, copies of which are on file with the [*Clerk of Board/City Clerk*] and the [*e.g., Community Development Resource Agency*].

WHEREAS, as a result of the adoption of the HCP/NCCP by the [County/City], the [County/City] received long-term endangered species permits/authorized Take coverage from the USFWS, the NMFS, and the CDFW. The Take authorizations cover the [County/City's] own activities and, in addition to coverage of its own public projects, the [County/City] will be able to extend authorized Take coverage to private Project Applicants under its jurisdiction. Rather than separately permitting and mitigating individual projects, the HCP/NCCP evaluates natural resource impacts and mitigation requirements comprehensively in a manner that is more efficient and effective for at-risk species and their essential habitats. The USFWS, NMFS, and CDFW Take authorizations also provide assurances that no further commitments of funds, land, or water from covered public and private projects will be required to address impacts on Covered Species beyond that described in the HCP/NCCP, as long as the HCP/NCCP is properly implemented.

WHEREAS, as a result of the adoption of the CARP by the [County/City], the [County/City] USACE [has issued/will issue] a permit that covers certain projects that will have minimal impacts to Waters of the United States. The wetland permit [covers/will cover] the [County/City's] own activities and, in addition to coverage of its own public projects, the [County/City] will be able to extend wetland permit coverage to private Project Applicants and public agencies under its jurisdiction. Rather than separately permitting and mitigating individual projects, the CARP evaluates aquatic resource impacts and mitigation requirements comprehensively in a manner that is more efficient and effective for Aquatic Resources of Placer County and their aquatic functions and values.

WHEREAS, as a result of the approval of the In-Lieu Fee Program, the County [received/will receive] approval from the USACE to create mitigation "credits" that can be used to fulfill Clean Water Act Section 404 compensatory mitigation requirements for development projects in western Placer County. The PCA will implement the In-Lieu Fee Program on behalf of the County. The In-Lieu Fee Program does not include procedures or requirements for development projects. Rather, it enables the PCA to create mitigation credits under Clean Water Act Section 404 by protecting, enhancing and restoring aquatic resources.

The HCP/NCCP, CARP and In-Lieu Fee Program are complementary programs that will be jointly implemented using the land acquisition, protection, management, enhancement, and restoration actions set forth in the HCP/NCCP.

WHEREAS, the PCCP incorporates the HCP/NCCP, CARP and In-Lieu Fee Program into a comprehensive local program that strengthens local control over land use and natural resource protection and more efficiently protects natural resources by creating new reserves that will be larger in scale, more ecologically and hydrologically viable, and easier to manage than the individual mitigation sites created under the current individual project-by-project approach. The PCCP is intended to protect the existing character of the [County/City] and the region through the implementation of a system of

reserves which will provide for permanent open space, habitat conservation for species covered by the HCP/NCCP, and protection for Aquatic Resources of Placer County.

WHEREAS, the PCCP provides a more efficient and streamlined approach for complying with state and federal environmental laws for both public and private projects that is intended to:

- reduce the time and resources previously required to obtain state and federal permits;
- preserve the ability of affected property owners to make reasonable use of their land consistent with the requirements of applicable laws, which include but are not limited to the National Environmental Policy Act (“NEPA”) (42 U.S.C. §§ 4321-4347), the California Environmental Quality Act (“CEQA”) (Public Resources Code § 21000 et seq.), the Federal Endangered Species Act (“ESA”) (16 U.S.C. §§ 1531-1544), the California Endangered Species Act (“CESA”) (Fish & Game Code § 2050 et seq.), the California Natural Community Conservation Planning Act (“NCCPA”) (Fish & Game Code §§ 2800-2835); the Clean Water Act (“CWA”) (33 U.S.C. §§1251-1387), and the Porter Cologne Water Quality Control Act (California Water Code section 13000 et seq.; and
- maintain economic development within the [County/City] by providing a streamlined environmental review and permitting process from which development can proceed in an orderly manner.

WHEREAS, the County and the City formed the Placer Conservation Authority (“PCA”), a joint powers agency, to administer and implement the HCP/NCCP, the CARP and the In-Lieu Fee Program.

WHEREAS, the purpose and intent of this Placer County Conservation Program Ordinance is to:

- protect vegetation communities and natural areas in western Placer County that are known to support threatened, endangered, or key sensitive populations of fish and wildlife species;
- protect Aquatic Resources of Placer County, which include Waters of the United States and Waters of the State, and to preserve their aquatic functions and values;
- help to achieve the goals set forth in the HCP/NCCP, the CARP, and the In-Lieu Fee Program;
- protect the existing character of the [County/City] and the region by creating a system of reserves that will provide for permanent open space, habitat conservation for species covered by the HCP/NCCP, and aquatic resource protection for Aquatic Resources of Placer County;
- preserve the ability of affected property owners to make reasonable use of their land consistent with the requirements of applicable laws, which include but are

not limited to the CEQA, NEPA, ESA, CESA, NCCPA, CWA, and the Porter Cologne Water Quality Control Act;

- insure the collection of PCCP development fees to support implementation of the PCCP; and
- maintain economic development within the [County/City] by providing a streamlined environmental review and permitting process from which development can proceed in an orderly manner.

WHEREAS, the [County/City] General Plan, adopted by the [Board/Council] on [Date], (“General Plan”), includes land use, open space, and conservation goals, policies, standards and programs that anticipate, support, and complement the PCCP.

WHEREAS, Article 11, Section 7 of the California Constitution authorizes the [County/City] to enact measures that protect the health, safety, and welfare of its citizens.

WHEREAS, the Mitigation Fee Act, Government Code Section 66000 et seq. authorizes the [County/City] to impose fees and other exactions to provide necessary funding for public facilities required to mitigate the negative effect of new development projects within the Plan Area.

WHEREAS, a public hearing to consider this Ordinance was noticed in accordance with State law and, on [date], the [Board of Supervisors/City Council] held the public hearing.

WHEREAS, the [County/City] has considered the General Plan, the HCP/NCCP, the CARP, the In-Lieu Fee Program, and the EIR/EIS, and all written material and oral testimony presented before and during the public hearing, and desires to establish development fees as described in Chapter 9 of the HCP/NCCP.

NOW, THEREFORE, THE [BOARD/COUNCIL] OF THE [COUNTY OF PLACER/CITY OF LINCOLN] DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS

The [Board of Supervisors/City Council] finds and determines as follows:

- A. The foregoing recitals are true and correct and are incorporated herein by reference.
- B. There is a need to establish a comprehensive framework to protect and conserve species, Aquatic Resources of Placer County, natural communities and ecosystems in [western Placer County/the City of Lincoln], while improving and streamlining the environmental permitting process for impacts of future development on rare, threatened, and endangered species and Aquatic Resources.

C. The PCCP, including the HCP/NCCP, the CARP, and the In-Lieu Fee Program, implemented in accordance with the Implementing Agreement, will:

1. provide comprehensive species, Aquatic Resources of Placer County, and ecosystem conservation and contribute to the recovery of endangered species within [*western Placer County/the City of Lincoln*];
2. provide a balance between open space, agriculture, habitat, and all forms of development;
3. reduce the cost and increase the clarity and consistency of federal and state permitting;
4. consolidate and streamline these processes into one, locally controlled process;
5. ensure the efficient and timely development of public facilities and related services;
6. encourage, where appropriate, multiple uses of protected areas;
7. share the costs and benefits of the PCCP as widely and equitably as possible; and
8. protect the rights of private property owners.

D. Adoption and implementation of this Ordinance will enable the [*County/City*] to promote the health, safety and welfare of all of its residents by helping to achieve the goals set forth in the General Plan, HCP/NCCP, the CARP, and the In-Lieu Fee Program, and to preserve the ability of affected property owners to make reasonable use of their land consistent with the General Plan, NEPA, CEQA, ESA, CESA, NCCPA, CWA, and the Porter Cologne Water Quality Control Act and other applicable laws.

SECTION 2. PLACER COUNTY CONSERVATION PROGRAM IMPLEMENTATION ORDINANCE

[*Title/Chapter*] _____ is hereby added to the [*County of Placer/City of Lincoln*] Code to read as follows:

CHAPTER _____ PLACER COUNTY CONSERVATION PROGRAM IMPLEMENTATION ORDINANCE

Sections:

_____ **Summary**
_____ **Definitions**

- _____ Purpose
- _____ Incorporation of HCP/NCCP and CARP by Reference
- _____ Applicability
- _____ Responsibility for Administration
- _____ Land Conversion Authorization Requirements
- _____ Application Requirements
- _____ PCCP Development Fees
- _____ Authorization of Take and Impacts to Aquatic Resources of Placer County
- _____ Enforcement

[Section] Summary

This article provides for the adoption of procedures to implement the Placer County Conservation Program, the adoption of requirements for development to avoid or minimize impacts to natural resources, and the adoption of fees to be used for the conservation of natural resources in mitigation of the impacts of development in [western Placer County/the City of Lincoln].

[Section] Definitions

The definitions set forth in this section shall govern the application and interpretation of this Ordinance. Words and phrases not defined in this section shall be interpreted so as to give this Ordinance its most reasonable application.

- A. “Aquatic Resources of Placer County” has the meaning defined in the County Aquatic Resource Program. Aquatic Resources of Placer County include stream systems, and the bed, bank, channel of lakes, ponds, reservoirs within the Plan Area of the Habitat Conservation Plan/Natural Community Conservation Plan, as well as riparian habitats with upland components, which are supported by stream hydrology and are considered a sensitive habitat.
- B. “Building Permit” means a permit for the construction, assembly, or installation of a structure that requires attachment to the ground.
- C. “County Aquatic Resource Program” or “CARP” means the Western Placer County Aquatic Resource Program adopted by the [County/City] on _____, 201_, and any amendments thereto.
- D. “Covered Activity” means a covered activity under the HCP/NCCP, as provided in Chapter 2 of the HCP/NCCP.
- E. “Covered Species” means the species, listed and non-listed, whose conservation and management are provided for in the HCP/NCCP and for which incidental Take is authorized by the Wildlife Agencies pursuant to the Take Permits: [list species here.]

- F. “Development Project” means any project or activity within the [*County/City*] that requires a Land Conversion Authorization.
- G. “Habitat Conservation Plan/Natural Communities Conservation Plan” or “HCP/NCCP” means the Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan adopted by the [*County/City*] on _____, 201_, and any amendments thereto.
- H. “Implementing Agreement” means that agreement made and entered into by and among [*identify signatories*] that defines the parties’ respective roles and responsibilities and provides a common understanding of actions that will be undertaken to implement the HCP/NCCP.
- I. “In-Lieu Fee Program” means the Placer County In-Lieu Fee Program approved by the Placer County Board of Supervisors on _____, 201_, and any amendments thereto.
- J. “Land Conversion Authorization” means any permit or approval that authorizes a ground disturbing activity, including, but not limited to, [*list County’s/City’s applicable land use approvals here, such as tentative map, parcel map, conditional use permit, site development permit, planned development permit, or special use permit*].
- K. “Ordinance” means this [*title/chapter*].
- L. “PCCP Development Fees” or “Fees” means the fees adopted by the [*County/City*] in accordance with Chapter 9, Section 9.4 of the HCP/NCCP, and the Fee Study in support thereof, and any amendments and adjustments to those fees. PCCP Development Fees consist of the following types of fees:
 - 1. Land Conversion Fee;
 - 2. Special Habitat Fees; and
 - 3. Temporary Effect Fee.
- M. “Placer Conservation Authority” or “PCA” means the joint exercise of powers agency formed on _____, 201_, by and among the County and the City pursuant to the Joint Powers Act, Gov. Code § 6500 et seq.
- N. “Project Applicant” means any person or entity applying for a Land Conversion Authorization for a Covered Activity.
- O. “Reserve System” means the Reserve System that will be assembled through the HCP/NCCP and the CARP to provide for the conservation of Covered Species and Aquatic Resources of Placer County.

- P. “Take” and “Taking” have the same meaning provided by the Federal Endangered Species Act (“ESA”) (16 U.S.C. §§ 1531-1544) and its implementing regulations with regard to activities subject to the ESA, and also have the same meaning provided in section 86 of the California Fish and Game Code with regard to activities subject to the California Endangered Species Act (“CESA”) (Fish & Game Code § 2050 et seq.), and the California Natural Community Conservation Planning Act (“NCCPA”) (Fish & Game Code §§ 2800-2835).
- Q. “Take Permits” means the federal incidental Take permits issued by United States Fish and Wildlife Service and the National Marine Fisheries Service pursuant to Section 10(a)(1)(B) of the ESA, and the state Take authorization issued by CDFW pursuant to Section 2835 of the California Fish and Game Code, to the Placer Conservation Authority, the County of Placer, the City of Lincoln, the Placer County Water Agency and the South Placer Regional Transit Authority.

[Section] Purpose

The purpose of this [*Title/Chapter*] is to implement the Placer County Conservation Program in order to provide a regulatory framework for promoting the protection and recovery of natural resources, including Covered Species and Aquatic Resources of Placer County, while streamlining the permitting process for both publicly funded and privately funded planned development in the [*County of Placer/City of Lincoln*]. The Placer County Conservation Program includes the Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan (“HCP/NCCP”), the Western Placer County Aquatic Resource Program (“CARP”), and the Placer County In-Lieu Fee Program. The HCP/NCCP was developed by the County, the City, PCWA, and SPRTA, in cooperation with the USFWS, the NMFS, and the CDFW, and in consultation with stakeholder groups and the general public. The CARP was developed by the County, the City, PCWA, and SPRTA in cooperation with the USACE, the USEPA, and the CVRWQCB, and in consultation with stakeholder groups and the general public. The In-Lieu Fee Program was developed by the County in association with the USACE, the USEPA, and the CVRWQCB, and in consultation with stakeholder groups and the general public.

[Section] Incorporation of HCP/NCCP and CARP by Reference

The HCP/NCCP and CARP are incorporated by reference as though fully set forth herein. Complete copies of the HCP/NCCP and CARP are available for inspection at the Office of the [*County/City*] Clerk and the [*administering department, e.g., Community Development Resource Agency*], and on the [*County’s/City’s*] website.

[Section] Applicability

- A. This Ordinance shall apply to all Development Projects within the HCP/NCCP Plan Area, consisting of Plan Area A and Plan Area B, as further defined and described Chapter 3 of the HCP/NCCP, except for the following:
1. Any Development Project that is not a Covered Activity under the HCP/NCCP, as set forth in Chapter 2, Section 2;
 2. Development Projects that the *[administrator]* determines are entirely within managed water or urban land cover types, as defined in the HCP/NCCP;
 3. Development Projects in Plan Area B and in the Valley Subarea of Plan Area A that are constructed on parcels equal to or less than 20,000 square feet at the time of Plan adoption;
 4. Improvements of less than 5,000 square feet of new impervious surface to existing improved sites, regardless of parcel size, including new structural improvements and installation of roads, sidewalks, hardscape and other impervious surfaces;
 5. Development Projects for which project-specific state and federal take authorizations have been issued under the ESA and CESA;
 6. Development Projects for which USFWS, NMFS, and CDFW provide written confirmation to the PCA that ESA and CESA permits are not necessary or that compliance with the ESA and CESA has been achieved by other means; and
 7. Development Projects that have obtained vested *[County/City]* entitlements prior to the adoption of this Ordinance, unless post-Ordinance adoption (a) the Development Project entitlements are subsequently amended through the discretionary review process, or (b) the Development Project entitlements' term expires, or (c) a Project Applicant with such vested entitlements elects to participate in the program set forth in this Ordinance.

- B. This Chapter establishes requirements and application procedures whereby Project Applicants may receive authorization for the incidental take of Covered Species under state and federal law and authorization for impacts to Aquatic Resources of Placer County, subject to the Applicants' compliance with all of the terms and conditions required by this Chapter, including compliance with applicable terms and conditions of the HCP/NCCP, the Implementing Agreement, and the CARP.

[Section] Responsibility for Administration

The *[identify administrator, the Community Development Resource Agency Director, for example.]* shall administer and apply the provisions of this Chapter for the *[County/City]*.

[Section] Land Conversion Authorization Requirements

All Project Applicants for Development Projects that are subject to this Ordinance shall comply with the conditions on Covered Activities in Chapter 6 of the HCP/NCCP and Section 6 of the CARP. Applicable conditions on Covered Activities from Chapter 6 of the HCP/NCCP and Section 6 of the CARP, as determined by the *[administrator]*, shall be included in each Land Conversion Authorization approval for such Development Projects.

[Section] Application Requirements

- A. Each Land Conversion Authorization application for a Development Project that is subject to this Ordinance shall include details, in the form and manner required by the *[administrator]*, of the methods and timing by which the project will comply with the HCP/NCCP and the CARP. Every such application shall be accompanied by a completed HCP/NCCP participation package, as set forth in Chapter 6, Section 6.2, of the HCP/NCCP and shall include any additional contents and requirements set forth by the *[administrator]* for implementation of this Ordinance.
- B. The *[administrator]* shall review HCP/NCCP participation packages for completeness. The HCP/NCCP participation package for a Development Project must be reviewed and approved for completeness before the Land Conversion Authorization application for the Project can be deemed complete.

[Section] PCCP Development Fees

- A. The PCCP Development Fees are hereby adopted in accordance with Chapter 9 of the HCP/NCCP for the purpose of mitigating impacts to open space, to habitat and species covered by the HCP/NCCP, and to aquatic resources covered by the CARP. PCCP Development Fee revenues will be used to fund the acquisition of land that does or could provide habitat for covered species, the management and enhancement of such land and habitat, the protection and enhancement of aquatic resources on such land, and the administrative actions necessary to

accomplish these tasks, as more particularly set forth in the HCP/NCCP and CARP. Because the tasks and actions set forth in the HCP/NCCP encompass the tasks and actions set forth in the CARP, the PCCP Development Fees set forth in the HCP/NCCP will fund both HCP/NCCP and CARP tasks and actions.

- B. The amounts and method of calculating the PCCP Development Fees, including the Land Conversion Fee, the Special Habitat Fees, and the Temporary Effect Fee, shall be adopted by [*Board of Supervisors/City Council*] fee resolution. The amount of the PCCP Development Fees shall be adjusted periodically based on determinations and assessments by the Placer Conservation Authority in accordance with Chapter 9, Section 9.4.1.7, of the HCP/NCCP. The adjusted PCCP Development Fee amounts shall be adopted by [*Board/Council*] fee resolution.
- C. Payment of applicable PCCP Development Fees shall be required for all Development Projects subject to this article. Each Land Conversion Authorization for such Development Projects shall require the Project Applicant to pay such Fees in full to the [*City/County*] according to the payment schedule determined by the [*administrator*]. The [*administrator*] shall determine the PCCP Development Fee payment schedule for each such Development Project as follows:
1. For Development Projects that are approved as a single-phased project, PCCP Development Fees shall be paid in full prior to the issuance of the first Land Conversion Authorization;
 2. For Development Projects that are approved as phased projects, the PCCP Development Fees shall be paid prior to the issuance of the first Land Conversion Authorization for each phase, in proportion to the extent of land conversion associated with each phase, and prior to any ground-disturbing activities in each phase; and
 3. For Development Projects that require both Land Conversion Authorizations and Building Permits, the [*administrator*] may allow for the splitting of PCCP Development Fee payments, in which an initial payment is made prior to the issuance of the first Land Conversion Authorization, in proportion to the extent of land conversion associated with such Land Conversion Authorization, and subsequent payment(s) are made prior to the issuance of Building Permits, in accordance with Chapter 9.4.1.8 of the HCP/NCCP.
- D. If the Placer Conservation Authority authorizes another manner of compensatory mitigation in lieu of some or all of the PCCP Development Fees pursuant to Chapter 9, Section 9.4.1 (e.g., a land donation in lieu of payment of a portion of the PCCP Development Fees), the Project Applicant shall provide the [*City/County*] with written documentation from the Placer Conservation Authority of compliance with such alternative manner of payment and the dollar equivalent

amount of such alternative manner of compensatory mitigation, and the amount of the PCCP Development Fees owed for the Development Project shall be reduced accordingly.

- E. In the event the [administrator] determines that the HCP/NCCP, pursuant to Chapter 9, Section 9.4.1.2, exempts a Development Project from payment of the PCCP Development Fees, no PCCP Development Fees shall be required for the project.
- F. Any fee amounts paid for a Development Project pursuant to [identify fee ordinances for removal of native trees (oak trees, riparian woodlands, etc.) and open space impacts] shall be credited against the Land Conversion Fee assessed for the project.
- G. All PCCP Development Fees collected shall be transmitted to the Placer Conservation Authority quarterly, within thirty (30) days of the end of the quarter within which the fee was collected, for deposit into a separate account or fund, and for the investment, accounting and expenditure in accordance with the provisions of the this Ordinance and the Mitigation Fee Act.

[Section] Authorization of Take and Impacts to Aquatic Resources of Placer County

Upon approval of a Land Conversion Authorization incorporating all applicable HCP/NCCP and CARP conditions of approval, and payment in full of the PCCP Development Fees, the [administrator] shall extend the following to the Project Applicant:

- authorized Take coverage for the Development Project in accordance with the terms of the HCP/NCCP and the Implementing Agreement; and
- authorization to impact Aquatic Resources of Placer County in accordance with the terms of the CARP.

[Section] Enforcement

The [City/County] Planning Director shall be authorized to enforce the provisions of this Chapter by civil or administrative action as permitted by law and [County/City] Code.

SECTION 3. SEVERABILITY

If any part of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining portion of this Ordinance, and the [Board/Council] hereby declares that it would have adopted each provision of this Ordinance irrespective of the validity of any other provision.

[Include agency-specific adoption language and signature block]