

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development Af

BOARD AGENDA # 9:05 a.m. (C)

Urgent  Routine

AGENDA DATE April 28, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Public Hearing to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the Department of Planning and Community Development

STAFF RECOMMENDATIONS:

Conduct a public hearing to introduce and waive the first reading of an ordinance to amend existing fees for the Department of Planning and Community Development

FISCAL IMPACT:

The Planning and Community Development Department's proposed fee adjustments will allow for the recovery of costs related to carrying out lead agency responsibilities of the Surface Mining and Reclamation Act (SMARA). These include annual mine inspections and any resulting re-inspections conducted by an outside contractor and all other SMARA requirements performed by department staff.

(Continued on page 2)

BOARD ACTION AS FOLLOWS:

No. 2015-191

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION: INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE C.S. 1161

ATTEST:

  
CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-T-8

**FISCAL IMPACT: (Continued)**

Mine Inspection costs are estimated to range anywhere from \$2,000 to \$5,110 per mine for annual Inspections and a minimum of \$755 for re-inspections. It is anticipated that with the adjustments proposed, revenues to the Planning and Community Development Department will increase by approximately \$41,000 annually and would be necessary in order to recover actual costs incurred and avoid a deficit.

**DISCUSSION:**

The Department of Planning and Community Development, as Lead Agency, is responsible for insuring that Stanislaus County Mines are in compliance with their respective Reclamation Plans, the Surface Mining and Reclamation Act (SMARA), the Public Resources Code (PRC), and the California Code of Regulations (CCR). SMARA §2774(b) and CCR §3504.5(e) states that the lead agency shall inspect a mine no less than one time per year and that the mine operator shall be solely responsible for the reasonable cost of the inspection. Consequently, lead agencies may impose a fee upon each mining operation to cover the reasonable costs incurred in connection with implementing the requirements of SMARA. Since 2010, these fees have been \$783 for mine inspections and a minimum of \$222 for re-inspections per mine. A review of costs for Fiscal Years 2012-2013 and 2013-2014 reveal that fees collected have not been sufficient to fully recover the costs incurred related to administering the requirements of SMARA.

Tasks related to mine inspections have historically been completed by a vendor, with the administrative oversight performed by Department staff. The vendor used had been unchanged for the last 23 years. Purchasing advised that the Department embark on a Request for Qualifications (RFQ) and review the current vendor against current County procurement standards. The Department agreed that this was the prudent response and embarked on issuing an RFQ.

The RFQ was done in October 2014 in search for vendors that could perform mine inspections and assist with administering SMARA. Three proposals were received, and only two of the vendors met County procurement standards. The vendor that the Department had been utilizing for the last 23 years no longer meets County procurement standards and was not willing to incur additional costs associated with meeting the current standards, primarily around carrying the required amount of insurance. The qualifying vendors proposed estimates and hourly rates which are significantly higher than what the Department has paid for these services in the past. In 2014, vendor mine inspection costs totaled \$7,000 while the eligible proposals received in the RFQ range from an estimated \$18,000 to \$44,400 for vendors to conduct mine inspections and associated SMARA reports.

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A total cost forecast analysis was completed by the Department that captured staff costs and estimated contractor costs. This analysis revealed that the cost to administer SMARA will increase significantly upon the selection of a new vendor. Under the proposed new fee structure, the cost for annual inspections and SMARA administration are estimated to total as much as \$49,331 in Fiscal Year 2015-2016 compared to \$14,475 spent in Fiscal Year 2013-2014. Only \$11,059 was recovered in Fiscal Year 2013-2014 creating a deficit of \$3,416.

In preparation for the proposed mining fees, a review of mine related fees assessed in the counties of San Joaquin, Kern, Merced, Fresno, and Tulare was conducted. The review showed that mine inspection fees are not easily comparable due to varying fee structures. Some counties collect as hourly fees and others collect various mining fees which vary based on the size of the mining operation. Still, our proposed deposit amounts appear to be in-line with counties with comparable mining operations such as Fresno County whose fee for a staff inspection is \$2,257.

Key factors that contribute to future increased costs are the selection of a new SMARA vendor and the increasing amount of time spent administering SMARA due to legislative changes. Legislative changes include the Office of Mine Reclamation's (OMR) creation of a Lead Agency Review Team (LART) to oversee proper management of mines, changes to operating requirements for idle mines through Senate Bill 108, and the creation of a new annual mine inspection form MRRC-1 as allowed per SMARA code. The Lead Agency Review Team oversees SMARA administrative practices, conducts program audits, inspects mines, reviews reclamation plans and Financial Assurance Cost Estimates (FACE), and issues findings which require extensive Department staff response. The creation of form MRRC-1 requires extensive use permit research in order to complete and a lot of coordination with OMR which has added a significant amount of workload for Department staff who administer SMARA.

The Department's recommendation is to increase the fees for mine inspections to recoup actual costs with an initial deposit of \$2,000 required and a \$755 deposit for re-inspections; however, actual costs will vary based on the size of the mine and complexity of its associated Reclamation Plan. The change to collecting actual costs is necessary in order to avoid significant growth to the deficit related to SMARA administration costs. Mine inspection fees cost the miners \$783 each in Fiscal Year 2014-2015 and are estimated to average \$1,657 to \$3,542 for each miner in Fiscal Year 2015-2016 dependent upon final selection of a vendor. The proposed changes are found in the fee schedule included in Attachment 1.

Over the last three years, the miners had been advised that fees related to Mine inspections would need to increase. In February 2015, miners were sent correspondence informing them of the change needing to occur for mine inspections and any resulting re-inspections to recover actual costs incurred. A copy of the correspondence sent to mine operators is included as Attachment 2.

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While staff has responded to inquiries from several miners to confirm or explain the memo, none have indicated opposition to the proposed fees.

**POLICY ISSUES:**

An ordinance of the Board of Supervisors is required to increase or establish fees for the Planning and Community Development Department. The recommended action is consistent with the Board's priority of A Safe Community, A Healthy Community, A Well Planned Infrastructure System and the Efficient Delivery of Public Services by carrying out lead agency responsibilities and ensuring all SMARA requirements are followed.

**STAFFING IMPACTS:**

The implementation of the new fees will not affect current staffing levels. Instead, any workload impact will be redistributed among existing staff.

**CONTACT PERSON:**

Angela Freitas, Planning and Community Development Director.  
Telephone: 209-525-6330

**ATTACHMENTS:**

1. Proposed Ordinance and Fee Schedule – 2015
2. Letter dated February 25, 2015, sent to Mine Operators

ORDINANCE NO. C.S. \_\_\_\_\_

**AN ORDINANCE TO ADOPT A REVISED FEE SCHEDULE FOR SERVICES BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:**

**Section 1:** The Board of Supervisors hereby adopts the Department of Planning and Community Development 2015 Fee Schedule, attached as Exhibit 1 and incorporated by reference, a copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

**Section 2.** This ordinance shall be published once before the expiration of 15 days after passage of this ordinance, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California, and the ordinance shall take effect either (a) pursuant to Section 25123 of the Government Code, 30 days after the date of publication, or (b) pursuant to Section 66017 of the Government Code, 60 days following the final action on the adoption of the fees or charges, whichever date occurs last.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the \_\_\_\_ day of \_\_\_\_\_, 2015, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

\_\_\_\_\_  
Terrance Withrow,  
CHAIRMAN OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF STANISLAUS,  
STATE OF CALIFORNIA

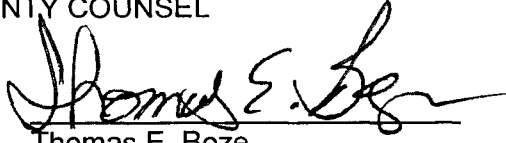
ATTEST:

CHRISTINE FERRARO TALLMAN  
CLERK OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By: \_\_\_\_\_  
Elizabeth A. King, Assistant Clerk of the Board

APPROVED AS TO FORM:  
JOHN P. DOERING  
COUNTY COUNSEL

By:

A handwritten signature in black ink, appearing to read "Thomas E. Boze", written over a horizontal line.

Thomas E. Boze  
Deputy County Counsel

2015 PLANNING FEES

| FEES   | ACTUAL COST                      | PLANNING         | PUBLIC WORKS <sup>(7)</sup> | DER <sup>(7)</sup> | PLAN. COMM. CLERK | CLERK OF THE BOARD | GEN PLAN MAINT    | FLOOD PLAIN ADMIN | GIS MAINT | TOTAL FEE        |  |
|--|----------------------------------|------------------|-----------------------------|--------------------|-------------------|--------------------|-------------------|-------------------|-----------|------------------|--|
| Adult Business Permit  |                                  | \$469            | \$70                        | \$410              |                   |                    | \$50              | \$50              | \$21      | \$1,070          |  |
| Ag Grievances <sup>*(1)</sup>  | Actual Cost Min Charge/ Deposit: | \$2,652          | \$210                       | \$410              | \$106             | \$200              | \$200             | \$200             | \$78      | \$4,056          | Deposit  |
| Alcohol Beverage Control (ABC) License   |                                  | \$72             |                             |                    |                   |                    |                   |                   | \$1       | \$73             |  |
| Appeal of Planning Commission Decision to Board of Supervisors                         |                                  | \$510            |                             |                    |                   | \$100              |                   |                   | \$12      | \$622            |  |
| Appeal of Staff Determination to Planning Commission                                   |                                  | \$510            |                             |                    | \$106             |                    |                   |                   | \$12      | \$628            |  |
| Building Permit Review <sup>*(4)</sup> SEE BELOW                                       |                                  | \$82             |                             |                    |                   |                    | \$1.28/<br>\$1000 |                   |           | \$82             | plus \$1.28/<br>\$1000                               |
| Business License Application   |                                  | \$73             |                             |                    |                   |                    |                   |                   |           | \$73             |  |
| Combination Application <sup>*(2)</sup>  |                                  |                  |                             |                    |                   |                    |                   |                   |           |                  | See Note 2 Below                                     |
| Community Plan Amendment   | Actual Cost Min Charge/ Deposit: | \$2,652          | \$340                       | \$410              | \$106             | \$200              | \$200             | \$200             | \$81      | \$4,189          | Deposit  |
| Condition of Approval or Development Standard Modification <sup>*(6)</sup>             |                                  | \$1,509          | \$450                       | \$160              | \$64              |                    |                   |                   | \$37      | \$2,220          |  |
| Continuance Request for PC   |                                  | \$206            |                             |                    | \$64              |                    |                   |                   |           | \$270            |  |
| Continuance Request for BOS  |                                  | \$206            |                             |                    | \$64              | \$100              |                   |                   |           | \$370            |  |
| Development Agreement <sup>*(1)</sup>  | Actual Cost Min Charge/ Deposit: | \$2,652          | \$210                       | \$410              | \$106             | \$200              | \$200             | \$200             | \$78      | \$4,056          | Deposit  |
| Environmental Impact Report <sup>*(1)</sup>  | Actual Cost                      |                  |                             |                    |                   |                    |                   |                   |           |                  | Actual Cost - To be determined on case-by-case basis |
| Separate fee charged in addition to regular application fee                            |                                  |                  |                             |                    |                   |                    |                   |                   |           |                  |  |
| General Plan Amendment <sup>*(1)</sup>   | Actual Cost Min Charge/ Deposit: | \$2,652          | \$210                       | \$410              | \$106             | \$200              | \$200             | \$200             | \$78      | \$4,056          | Deposit  |
| Historical Site Review (Staff Approval)  |                                  | \$469            | \$70                        | \$410              |                   |                    | \$50              | \$50              | \$21      | \$1,070          |  |
| Historical Site Permit (@ site/Planning Commission)                                    |                                  | \$1,437          | \$210                       | \$410              | \$64              |                    | \$100             | \$100             | \$46      | \$2,367          |  |
| Landscape Plan Review  |                                  | \$139            |                             |                    |                   |                    |                   |                   |           | \$139            |  |
| Landscape/Site Inspection  |                                  | \$103            |                             |                    |                   |                    |                   |                   |           | \$103            |  |
| Minor Lot Line Adjustment in R, C, M, PD, PL, IBP, LI Zones                            |                                  | \$170            | \$210                       | \$160              | \$53              |                    | \$50              | \$50              | \$14      | \$707            |  |
| Minor Lot Line Adjustment in A-2 Zone without Williamson Act                           |                                  | \$345            | \$695                       | \$160              | \$53              |                    | \$50              | \$50              | \$27      | \$1,380          |  |
| Lot Line Adjustment in A-2 Zone with Williamson Act                                    |                                  | \$618            | \$695                       | \$160              | \$53              | \$50               | \$50              | \$50              | \$33      | \$1,709          |  |
| Merger   |                                  | \$77             |                             |                    |                   |                    |                   |                   | \$2       | \$79             |  |
| Mine Use Permit/ Reclamation Plan (RP)/ RP Amendment <sup>*(1)</sup>                   | Actual Cost Min Charge/ Deposit: | \$2,652          | \$255                       | \$160              | \$106             |                    | \$200             | \$200             | \$70      | \$3,643          | Deposit  |
| Mines Inspections  | Actual Cost Min Charge/ Deposit: | \$783<br>\$2,000 |                             |                    |                   |                    |                   |                   |           | \$783<br>\$2,000 | Deposit  |
| Mine Reinspection (if required, 3-hour min. @ \$72/hr)                                 | Actual Cost Min Charge/ Deposit: | \$222<br>\$755   |                             |                    |                   |                    |                   |                   |           | \$222<br>\$755   | Deposit  |
| Mobile Home Application  |                                  | \$361            |                             |                    |                   |                    |                   |                   | \$7       | \$368            |  |
| Mobile Home Renewal  |                                  | \$52             |                             |                    |                   |                    |                   |                   | \$1       | \$53             |  |
| Mobile Home Renewal -Late Fee  |                                  | \$98             |                             |                    |                   |                    |                   |                   | \$1       | \$99             |  |
| Parcel Maps (R, C, M, LI, IBP, PD, PI Zones) <sup>*(6)</sup>                           |                                  | \$1,169          | \$450                       | \$410              | \$106             |                    | \$100             | \$100             | \$41      | \$2,376          | plus \$30/lot  |
| Parcel Maps (A-2 Zone, non-Williamson Act and < 4 parcels + remainder) <sup>*(6)</sup> |                                  | \$1,277          | \$450                       | \$410              | \$106             |                    | \$100             | \$100             | \$43      | \$2,486          | plus \$30/lot  |
| Parcel Maps (A-2 Zone, with Williamson Act or > 4 parcels + remainder) <sup>*(6)</sup> |                                  | \$1,967          | \$450                       | \$410              | \$106             |                    | \$100             | \$100             | \$57      | \$3,190          | plus \$30/lot  |
| Recirculation of Mitigated Negative Declaration <sup>*(1)</sup>                        | Actual Cost Min Charge/ Deposit: | \$1,118          | \$210                       | \$160              | \$106             |                    |                   |                   |           | \$1,594          |  |
| Rezone <sup>*(1)</sup>   | Actual Cost Min Charge/ Deposit: | \$2,652          | \$210                       | \$410              | \$106             | \$300              | \$200             | \$200             | \$78      | \$4,156          | Deposit  |
| Specific Plans <sup>*(1)</sup>   | Actual Cost Min Charge/ Deposit: | \$2,652          | \$340                       | \$410              | \$106             | \$200              | \$200             | \$200             | \$81      | \$4,189          | Deposit  |
| Staff Approval Permit - with referral  |                                  | \$469            | \$70                        | \$160              |                   |                    | \$50              | \$50              | \$16      | \$815            |  |
| Staff Approval Permit - without referral & Single Family Residence in Ag Zone          |                                  | \$324            |                             |                    |                   |                    | \$20              | \$20              | \$7       | \$371            |  |

EXHIBIT 1

| FEES   | ACTUAL COST                      | PLANNING | PUBLIC WORKS <sup>(7)</sup> | DER   | PLAN. COMM. CLERK | CLERK OF THE BOARD | GEN PLAN MAINT | FLOOD PLAIN ADMIN | GIS MAINT | TOTAL FEE |                       |
|--|----------------------------------|----------|-----------------------------|-------|-------------------|--------------------|----------------|-------------------|-----------|-----------|-----------------------|
| Street Name Change   |                                  | \$324    | \$125                       |       | \$106             |                    |                |                   | \$11      | \$566     |                       |
| Subdivision Ord. Exception   |                                  | \$1,931  | \$140                       | \$410 | \$106             |                    | \$100          | \$100             | \$55      | \$2,842   |                       |
| Tentative Subdivision Map <sup>*(3)</sup>                            | Actual Cost Min Charge/ Deposit: | \$2,652  | \$550                       | \$760 | \$106             |                    | \$200          | \$200             | \$89      | \$4,557   | Deposit plus \$30/lot |
| Time Extensions  |                                  | \$407    |                             |       | \$106             |                    |                |                   | \$10      | \$523     |                       |
| Use Permit - Agricultural - All Tiers <sup>*(6)</sup>                |                                  | \$1,931  | \$450                       | \$410 | \$106             |                    | \$100          | \$100             | \$55      | \$3,152   |                       |
| Use Permit - non-agriculture zones <sup>*(6)</sup>                   |                                  | \$1,421  | \$450                       | \$410 | \$106             |                    | \$100          | \$100             | \$45      | \$2,632   |                       |
| Use Permit - Requiring Board of Supervisors Approval <sup>*(6)</sup> |                                  | \$1,931  | \$450                       | \$410 | \$108             | \$200              | \$200          | \$200             | \$63      | \$3,562   |                       |
| Zoning Ordinance Variance  |                                  | \$1,931  | \$160                       | \$410 | \$108             |                    | \$100          | \$100             | \$55      | \$2,864   |                       |
| Verification Letter - single SFD                                     |                                  | \$62     |                             |       |                   |                    |                |                   | \$1       | \$63      |                       |
| Verification Letter - all other uses                                 |                                  | \$129    |                             |       |                   |                    |                |                   | \$3       | \$132     |                       |
| Waiver - Noise Control   |                                  | \$510    |                             |       | \$106             |                    |                |                   | \$12      | \$628     |                       |
| Williamson Act Contract  |                                  | \$134    | \$70                        |       |                   | \$60               |                |                   | \$4       | \$268     |                       |
| Williamson Act Notice of Non-Renewal                                 |                                  | \$118    |                             |       |                   |                    |                |                   | \$2       | \$120     |                       |
| Williamson Act Cancellation  |                                  | \$608    |                             |       |                   | \$400              | \$200          | \$200             | \$28      | \$1,436   |                       |
| Zoning Ordinance Text Amendment                                      | Actual Cost Min Charge/ Deposit: | \$1,931  | \$210                       | \$410 | \$108             | \$400              | \$200          | \$200             | \$68      | \$3,527   | Deposit               |

<sup>\*(1)</sup> Fees described above that require a deposit and are charged at "actual cost" have a minimum charge associated with them. The deposit required is this minimum charge and is non-refundable". This DOES NOT include any necessary consultant costs for environmental review, specialized studies, financial consulting or any other expert consulting services potentially needed by the County for processing these applications. Monthly draws against the deposit will be made based on staff time and materials needed to process the applications. Staff costs and expenses for Planning, Public Works, and DER will be billed at fully burdened weighted labor rates as provided by the Auditors Office at the time of services rendered.

All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at actual cost, including labor charged at the weighted labor rate. Invoices will be calculated on a quarterly basis and forwarded to the applicant for payment. If the deposit reaches a balance of 20% of the initial deposit or less, the Applicant will be asked to make a subsequent deposit in an amount dependent upon the amount of work left to complete on processing. Applicants will be expected to pay the subsequent deposit within 30 days of invoice date. In the event that the account is not paid within 30 days of the invoice date, processing will be suspended until such time that payment is made. Any remainder will be used to reconcile your final bill. If there is a balance remaining after reconciling the final bill, a refund check will be mailed to you. Public hearings will not be scheduled until payment in full is received.

<sup>\*(2)</sup> Applications for two or more actions (for example: Tentative Map and Exception ) will be charged the highest application fee, except applications for a Williamson Act Cancellation. For those applications for two or more actions that include an action that is charged at "actual cost" (for example: General Plan Amendment, Rezone, & Parcel Map) they will be charged the highest deposit amount as a minimum charge and deposit. The deposit is non-refundable". All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at actual cost, including labor charged at the weighted labor rate per note #1 above. If a Lot Line Adjustment is included in a Combination Application, an additional \$695 will be required beyond the set fee or deposit amount in order to obtain a "Certificate of Compliance" from Public Works. Applications for a Williamson Act Cancellation shall pay a separate fee except when combined with an "actual cost" action.

<sup>\*(3)</sup> Department of Environmental Resources charges for Tentative Map Review reflect a minimum charge of 8 hours at a weighted labor rate of \$95.00 per hour. Additional time required for tentative map review will be charged at the same hourly rate.

<sup>\*(4)</sup> A General Plan Maintenance Fee will be charged for every Building Permit of \$1.28 per \$1,000 of improvement valuation. This fee will be collected with other Building Permit fees and will be calculated based on the total valuation of the improvement as determined through the normal Building Permit process.

<sup>\*(5)</sup> If your project falls within an Airport Planning Boundary, a separate application and fee will be required for the Airport Land Use Commission (ALUC). You will be required to contact the ALUC and submit an application for review. For information purposes only: Projects are identified by the ALUC as either "Major" or "Minor" and the ALUC has adopted the following project review fees as of November 2005: Major: \$1,200, Minor: \$225. An amendment to the ALUC Plan will be charged as "Actual Cost" with a deposit and minimum charge the same as a general plan amendment and appeal of a staff determination as reflected on the current Planning fee schedule. Applicants should check with the ALUC to verify application costs.

<sup>\*(6)</sup> Department of Public Works charges for Condition of Approval or Development Standards Modifications, Parcel Maps, and Use Permits reflect a minimum charge of 5 hours at a weighted labor rate of \$90.00 per hour. Additional time required for these types of request will be charged at the same hourly rate.

<sup>\*(7)</sup> Fees for the Departments of Public Works and the Department of Environmental Resources shall only apply when processing of the application(s) require referral to and/or action by the respective Departments.

<sup>\*(8)</sup> A 1% Administrative Cost Recovery Fee will be charged to Public Works, Department of Environmental Resources, and Clerk of the Board for fees collected during the Land Use Application process. An additional 2.5% fee will be charged for fees collected by credit card.

\* Fees may be refunded if the Planning Director, or his appointed designee, determines extraordinary circumstance warranting a refund exist.



**ADDITIONAL FEES REQUIRING SEPARATE PAYMENT**

California State Archaeology Clearinghouse Fees - Applicable to MANY discretionary Permits - inquire with staff \$150.00 per hr min.  
 Make Check payable to "Central California Information Center" 0.15 per copy  
 Payable at the time of Application Submittal

\*\*\* Fees subject to change without County approval required. Contact Elizabeth Greathouse at (209) 667-3307 for current fees

California Fish and Wildlife Environmental Fees - Applicable to ALL discretionary Permits unless found exempt from CDFW Fees  
 Environmental Impact Report \$3,029.75  
 Mitigated Negative Declaration / Negative Declaration \$2,181.25  
 Make Check payable to: Stanislaus County  
 Payable within 5 days of Planning Commission or Board of Supervisors Action on Project  
 \*\*\* Fees subject to change without County approval required. For current fees go to [www.dfg.ca.gov/nabcon/ceqa/ceqa\\_changes.html](http://www.dfg.ca.gov/nabcon/ceqa/ceqa_changes.html)

County Clerk Recorder Fee - Applicable to ALL discretionary Permits, Williamson Act actions, CDFW DeMinimus Findings, and CEQA filings \$57.00  
 Make check payable to: Stanislaus County Clerk Recorder  
 Payable within 5 days of Planning Commission or Board of Supervisors Action on Project

**ADDITIONAL RECORDER FEES WILL BE REQUIRED IF DOCUMENTS MUST BE RECORDED**  
 Fees are set by the Clerk Recorder's Office

**DOCUMENTS**

|                                   |             |       |
|-----------------------------------|-------------|-------|
| TOTAL General Plan (complete set) | \$          | 63.00 |
| 1. General Plan                   | \$          | 40.00 |
| 2. Support Document               | \$          | 18.00 |
| 3. Agricultural Element           | \$          | 5.00  |
| Subdivision Ordinance             | \$          | 10.00 |
| Zoning Ordinance                  | \$          | 10.00 |
| Airport Land Use Commission Plan  | \$          | 10.00 |
| Community Plans                   | Cost        |       |
| Economic Strategic Plan           | Cost        |       |
| Public Facility Fees              | \$          | 3.50  |
| Salida EIR                        | Cost        |       |
| Salida PD Guidelines              | Cost        |       |
| Economic Strategic Plan           | Cost        |       |
| Planning Commission Audio Tape    | \$          | 10.00 |
| Planning Commission DVD           | \$          | 10.00 |
| Planning Commission Video Tape    | \$          | 15.00 |
| Photocopy (1st.)                  | \$          | 1.00  |
| Photocopy (additional)            | \$          | 0.25  |
| Specific Plan/EIR                 | actual cost |       |



February 25, 2015

TO: Mine Operator  
FROM: Rachel Wyse, Associate Planner  
SUBJECT: **MINE INSPECTION FEE INCREASE**

Dear Mine Operator:

During the last three annual mine inspections, County staff has indicated that: 1) mine inspection fees would likely increase to reflect the new inspection requirements and additional work associated with completing the revised MRRC-1 form drafted by the Department of Conservation's Office of Mining and Reclamation Division (OMR); and 2) that the contract with TKS Consulting, Inc. for mine inspections was soon to expire.

The County issued a Request for Proposal (RFP) for the mine inspector position in October, 2014. The response to the RFP indicated that the County's fee for mine inspections was insufficient to cover the cost of consultant and staff time for annual inspections. The County was able to contract with TKS Consulting for an additional year; however, it soon became obvious that even TKS fees would need to increase as a result of current State and County standards. As a result, staff is taking a request for fee increase to the BOS in March, 2015. After reviewing and comparing the County's mining fee schedule with the fee schedule of similar jurisdictions, staff has determined that inspection costs will include a deposit amount of \$2,000. The actual cost of inspection will be based on the size and complexity of the mine and its reclamation plan. Inspection costs could range anywhere from \$1,000 to \$4,500.

Please feel free to contact me at 209-525-6330 or [wyser@stancounty.com](mailto:wyser@stancounty.com) if you have any questions, concerns, or recommendations.

Thank you.

# SURFACE MINING FEES

## *BACKGROUND*

- Proposal applies to two existing fees
- Necessary to cover rising costs of SMARA Lead Agency responsibilities
- Request for Qualifications conducted in October, 2014 showed significant cost increase anticipated

# SURFACE MINING FEES

## *CURRENT FEES*

Mine Inspection Fee     \$783

Re-Inspection Fee     \$222 Minimum

\*\$72/hr for time spent over 3 hours



# SURFACE MINING FEES

## *PROPOSED FEES*

Mine Inspection Fee     \$2,000 Deposit\*

Re-Inspection Fee     \$755 Deposit\*

\*balance due after all work is completed  
would be invoiced to appropriate mining  
entity



# **SURFACE MINING FEES**

## ***ESTIMATED TOTAL COSTS***

|                        |  |
|------------------------|--|
| <b>Mine Inspection</b> | <b>\$2,000 to \$5,110*</b><br>(avg vendor costs per mine range \$1,657 to \$3,542) |
| <b>Re-Inspection</b>   | <b>\$755 Deposit*</b>  |

**\*any excess collected from deposit will be refunded.**



# **SURFACE MINING FEES**

## ***STAFF RECOMMENDATIONS***

Conduct a public hearing to introduce and waive the first reading of an ordinance to amend existing fees for the Department of Planning and Community Development



STANISLAUS COUNTY PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that on May 19, 2015, at 6:30 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the adoption and the waiving of the second reading of the following ordinances:

- A. Ordinance C.S. 1159 to establish new fees and amend or eliminate existing fees for the Department of Environmental Resources. The proposed fee adjustments include:
- New fees for implementation of the revised Stanislaus County Groundwater Ordinance, Environmental Health food permit replacement copies, and Community Event Organizer late registrations
  - Increased fees for Employee Camps; Landfill disposal of tires, dead horses/large dead animals, mattresses; and various Hazardous Materials Programs
  - Decreased tipping fees for waste-to-energy ash disposal
  - Elimination of the 2014 temporary decrease in the Landfill tipping fee
  - Elimination of the Medical Waste Program Limited Quantity Hauling Exemption fee

For further information, contact Jami Aggers, Director of Environmental Services, at (209) 525-6770, [jaggers@envres.org](mailto:jaggers@envres.org) or at 3800 Cornucopia Way, Suite C, Modesto, CA.

- B. Ordinance C.S. 1160 to establish new and amend existing fees for the Department of Public Works. The proposed fee adjustments include:
- New fees for Pipeline Maintenance Agreements and Traffic Delay Notifications
  - Increased fees for Encroachment Permits, Excavation Permits, Construction Permits-Street Improvements, Road Use Permits, Grading Permits, Map Processing, and Plan Checking

For further information, contact David Leamon, Deputy Director of Public Works at (209) 525-4302, [leamond@stancounty.com](mailto:leamond@stancounty.com) or at 1010 10<sup>th</sup> Street, Suite 4204, Modesto, CA.

- C. Ordinance C.S. 1161 to amend existing fees for the Department of Planning and Community Development related to mine inspections. For further information, contact Angela Freitas, Director of the Planning and Community Development Department at (209) 525-6330 between the hours of 8:30 a.m. and 4:30 p.m., [planning@stancounty.com](mailto:planning@stancounty.com) or at 1010 10<sup>th</sup> Street, Suite 3400, Modesto, CA.


ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules are available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 28, 2015

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY:

  
Pam Villarreal, Deputy Clerk



**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

May 12, 2015

**STANISLAUS COUNTY  
PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that on May 19, 2015, at 6:30 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the adoption and the waiving of the second reading of the following ordinances:

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ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules are available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: April 28, 2015. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Deputy Clerk. Pub Dates May 12, 2015

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

May 12th, 2015

(By Electronic Facsimile Signature)

Cynthia A. Villarreal