



STAFF REPORT

DATE: DECEMBER 6, 2011
 TO: HONORABLE MAYOR AND CITY COUNCIL
 FROM: ROD FOSTER, CITY MANAGER
 PREPARED BY: MARK TOMICH, DEVELOPMENT SERVICES DIRECTOR
 SUBJECT: FY 2012 HABITAT CONSERVATION PLANNING ASSISTANCE GRANT

RECOMMENDED ACTION

It is recommended that the City Council adopt Resolution No. R-100-11 to authorize application to the Department of Interior, U.S. Fish and Wildlife Service, for a FY 2012 Habitat Conservation Planning Assistance Grant.

GOAL STATEMENT

The proposed action will support the City's goal to complete the Habitat Conservation Plan for the Delhi Sands Flower-loving Fly.

BACKGROUND

Due to the listing of the Delhi Sands Flower-loving Fly ("DSF") as a federally endangered species, a Habitat Conservation Plan ("HCP") is required for development to move forward on DSF habitat within the West Valley area of the City. A Habitat Conservation Plan has been under preparation since 2007 and is approaching readiness for review and approval by the U.S. Fish and Wildlife Service ("USFWS"). Part of the USFWS internal review process includes the appropriate environmental documentation; in this case, an Environmental Assessment ("EA") under the National Environmental Policy Act ("NEPA"). The EA and other remaining tasks, including cost estimates, are as follows:

<u>Remaining Tasks</u>	<u>Cost</u>
Development of the Habitat Management Plan	\$15,000
Drafting the Implementing Agreement	\$10,000
Developing the Funding Strategy (Draft Ordinance for the Mitigation Fee)	\$10,000
EA/NEPA Documentation Preparation	<u>\$35,000</u>
Total Cost of Remaining Planning Tasks	\$70,000

In addition, California Department of Fish and Game will be adding an administration fee to the grant amount. The non-Federal match from the City of Colton is estimated at \$17,500 (25% of the total project cost).

The USFWS has recently issued a "Notice of Availability of Federal Assistance" for Habitat Conservation Planning Assistance Grants for FY 2012. This grant program is part of the Cooperative Endangered Species Conservation Fund Grant Programs (Section 6 of the Endangered Species Act). The cap on grant proposals is \$1 million, with a requirement for a 25% local match (which may include a third party in-kind contribution).

ISSUES/ANALYSIS

Although the HCP has been fully funded, primarily from West Valley Redevelopment Project Area funds, this funding does not include the required environmental documentation, or implementing documents such as the Habitat Management Plan, Implementing Agreement, Funding Strategy/Mitigation Fee. Staff estimates that these components may cost up to \$70,000, of which the EA will cost \$35,000. The grant applications are due on December 9, 2011 to the California Department of Fish & Game, whereupon the applications are reviewed and forwarded with recommendations to USFWS. The grant may be used for reimbursements of costs only, based on the grant program's cost sharing formula; therefore, the City must commit funds in advance to prepare the environmental documentation. Grant award announcements for FY 2012 will follow federal budget appropriations, a yet undetermined date.

FISCAL IMPACTS

The Planning Assistance Grant requires a minimum 25% local contribution, which may include third party in-kind contributions. Therefore, the City will be required to contribute a minimum of \$17,500 in cash or other resources. Until the Redevelopment Agency is in the legal position to make such a contribution to the project, the City Manager will identify available City funds within his authority.

ALTERNATIVES

1. Do not authorize application for a Habitat Conservation Planning Assistance Grant.
2. Provide alternative direction to staff.

ATTACHMENTS

Resolution No. R-100-11

RESOLUTION NO. R-100-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, AUTHORIZING APPLICATION TO THE DEPARTMENT OF INTERIOR, U.S. FISH AND WILDLIFE SERVICE, FOR A FY 2012 HABITAT CONSERVATION PLANNING GRANT

WHEREAS, the United States Department of the Interior, U.S. Fish and Wildlife Service (“USFWS”), has authorize funds for the Fiscal Year 2012 Cooperative Endangered Species Conservation Fund (Section 6 of the Endangered Species Act) Grant Program; and

WHEREAS, the Grant Program includes Fiscal Year 2012 funding for Habitat Conservation Planning Assistance to support planning activities such as document preparation, outreach, baselines surveys, and inventories; and

WHEREAS, the City of Colton desires to apply for a Habitat Conservation Planning Assistance Grant to be used towards the preparation environmental documentation required for the Habitat Conservation Plan for the federally endangered Delhi Sands Flower-loving Fly, located north of the I-10 Freeway, in the “West Valley Specific Plan – West Subarea” of the City; and,

WHEREAS, the City, if selected as a grant recipient, will enter into an agreement with USFWS and will seek the approval of the City Council to accept the funds, develop the schedule to complete the approved activities, and comply with required financial and program performance reporting; and

WHEREAS, the Habitat Conservation Planning Grant requires a minimum non-federal cost share equal to 25 percent of the total project cost identified in the grant application; and,

WHEREAS, the non-federal/local contribution shall consists of a combination of “in-kind” services and cash.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colton:

Section 1. Approves the filing of an application for a Habitat Conservation Planning Grant for an amount up to \$70,000 to complete remaining tasks for the City of Colton’s Habitat Conservation Plan for the Delhi Sands Flower-loving Fly.

Section 2. Authorizes the City Manager and/or his designee to identify the appropriate local matching funds equal to no less than 25% of the total project cost identified in the grant application.

Section 3. Designates Mark R. Tomich, Development Services Director, as the City's authorized representative for purposes of the grant.

PASSED, APPROVED AND ADOPTED this 6th day of December, 2011.

SARAH S. ZAMORA, Mayor

ATTEST:

EILEEN C. GOMEZ, CMC
City Clerk