

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.41
(ID # 18744)**

MEETING DATE:
Tuesday, June 07, 2022

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Approve the transfer of excess California Department of Fish and Game funds to the Transportation Land Management Agency's Administration Department for use in two Planning Department projects that are funded by the General Fund. All Districts. [\$1,250,511 Total Cost - Excess California Department of Fish and Game Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the use of \$1,250,511 of excess California Department of Fish and Game funds for Planning Department's NCC projects.

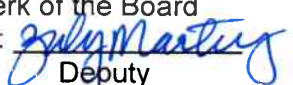
ACTION:Policy


John Hildebrand, Planning Director 4/4/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: June 7, 2022
xc: TLMA-Planning

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$1,250,511	\$ 0	\$1,250,511	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Excess California Department of Fish and Game Funds 100%			Budget Adjustment: No	
			For Fiscal Year: 21/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary:

As a business practice and service to the development community, the Planning Department has historically collected the California Environmental Quality Act (“CEQA”) filing fees, which are administered by the California Department of Fish and Game (“CDFW”), during the time of initial entitlement application submittal to the County. Collection of these fees date back to the past 25 years and the fees were intended to simply be a pass-through to the State, upon obtaining final entitlement approval with an associated environmental analysis such as an EIR, ND/MND or exemption. Through the course of the past couple decades, the County has processed thousands of entitlement applications, not all of which went through the public hearing process, nor were approved. In some cases, projects became abandoned and in other cases, the County no longer had land use authority due to annexation into a city or incorporation, such as the Cities of Wildomar, Menifee, and Eastvale. When a project is approved however, the filing fees are accounted for through management under an associated file type and then are passed through when the filing has been completed. Conversely, when a project is abandoned, the County reaches out to the original applicant and attempts to coordinate refunds.

Due to decades of projects being abandoned and the accumulation of non-refundable fees over this time period, the County has accumulated excess filing fees totaling \$1.25 million, as of September 30th, 2021, with \$470,000 of that total collected prior to 2002. As a practice, the County generally no longer collects these fees up front due to the length of time a project can take to complete, coupled with carrying funds that may or may not be required. However, over the course of the previous three (3) years, a total of \$24,000 has been determined to be excess and non-refundable. As a continued business service, the County will assist applicants with the filing process, once a project is approved and if the applicant requests.

Any funds unclaimed for a period of three (3) years are considered forfeited pursuant to Government Code Section 50050. Prior to the County claiming these funds, the Planning

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Department conducted the appropriate public noticing process, whereby a notice was issued on October 11th, 2021, for two consecutive weeks in the Press Enterprise and Desert Sun newspapers, of the eligible \$24,000 that was unclaimed from September 2018 to September 2021. Only one applicant came forward requesting a refund.

The TLMA Planning Department is requesting that the \$1.25 million of CDFW monies be transferred from Fund/Dept ID 65835-3120100000 to General Fund, and from General Fund to Fund/Dept ID 20205-310020000 in current fiscal year (FY21/22). The Planning Department would like to utilize these monies for two (2) upcoming projects that are programmed for the next three (3) years, they are as follows:

Ordinance 348 Complete Ord. Overhaul: approximately \$565,000
2050 General Plan update/Overhaul: approximately \$565,000

Impact on Residents and Businesses:

There is no impact to residents and business.

Additional Fiscal Information:

The transfer of these funds will help reduce Planning Department's General Fund dependence for two large future projects.



Jason Farin, Principal Management Analyst 6/1/2022