

Resolution No. 2006-270

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE
AGREEMENTS IN THE AMOUNT OF \$1,282,942 FOR ACQUISITION OF
MITIGATION REQUIREMENTS FOR THE GRANT LINE ROAD/STATE ROUTE 99
INTERCHANGE RECONSTRUCTION PROJECT**

WHEREAS, the project would impact jurisdictional waters of the United States; and

WHEREAS, the City of Elk Grove was issued Section 404 Permit Number 199900299 by the United States Army Corps of Engineers (Corps), which has jurisdictional authority over waters of the United States; and

WHEREAS, the Corps has required the City of Elk Grove to purchase the equivalent of 1.35 acres of vernal pool wetlands creation credits and the equivalent of 1.28 acres of seasonal wetlands creation credits at a Corps-approved wetland mitigation bank; and

WHEREAS, the project would impact vernal pools in the project area that are habitat for federally-listed endangered species; and

WHEREAS, the Corps has consulted with the United States Fish and Wildlife Service (USFWS), pursuant to Section 7 of the Endangered Species Act (ESA), for project impacts to vernal pool crustaceans; and

WHEREAS, the USFWS has issued a Biological Opinion on project impacts to vernal pool crustaceans; and

WHEREAS, the USFWS has required the City of Elk Grove to purchase the equivalent of 1.78 acres vernal pool habitat preservation credits at a USFWS-approved wetland mitigation bank; and

WHEREAS, the USFWS has required the City of Elk Grove to pay the equivalent of 0.89 acre of vernal pool habitat creation in-lieu fees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove that the City Manager, or his designee, is hereby authorized to execute the following:

1. Purchase agreement for the acquisition of vernal pool and seasonal wetlands habitat creation credits from the Elsie Gridley conservation bank comprising of:
 - A. Agreement for purchase of the equivalent of 1.35 acres of vernal pool creation credits for \$236,000; and
 - B. Agreement for purchase of the equivalent of 1.28 acres of seasonal wetlands creation credits for \$212,000.
2. Purchase agreement for the acquisition of the equivalent of 1.78 acres of vernal pool preservation credits for \$594,642 from Bryte Ranch conservation bank; and
3. Payment of vernal pool species in-lieu fees to a USFWS-approved agency in the amount of \$240,300 for vernal pool habitat creation.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 25th day of October 2006.



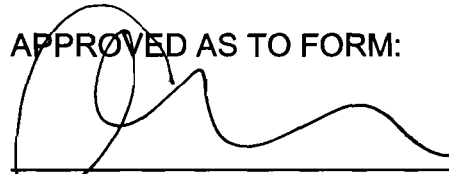
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-270**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

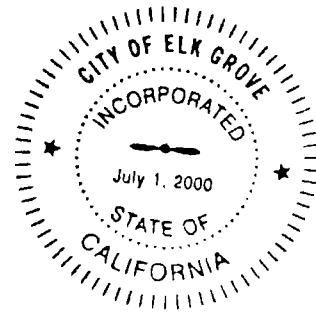
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 25, 2006 by the following vote:


AYES : **COUNCILMEMBERS:** **Soares, Scherman, Briggs, Cooper, Leary**

NOES : **COUNCILMEMBERS:** **None**

ABSTAIN : **COUNCILMEMBERS:** **None**

ABSENT: **COUNCILMEMBERS:** **None**





**Peggy E. Jackson, City Clerk
City of Elk Grove, California**