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**RESOLUTION NO. 2008-2**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR  
ACQUISITION OF MITIGATION REQUIREMENTS FOR THE WEST STOCKTON  
BOULEVARD BRIDGE REPLACEMENT PROJECT**

**WHEREAS**, the City of Elk Grove is proposing to reconstruct the West Stockton Boulevard Bridge over Laguna Creek, which will impact the Giant Garter Snake habitat;

**WHEREAS**, the City of Elk Grove was issued Biological Opinion Number 1-1-07-F-0034 and Biological Opinion Amendment Number 1-1-07-F-0198 by the U.S. Fish and Wildlife Service (USFWS) for the West Stockton Boulevard Bridge Replacement (Project) (Capital Improvement Project ID No. PT0033), which has authority over the habitat of the federally-protected Giant Garter Snake under the authority of the Federal Endangered Species Act;

**WHEREAS**, the USFWS has required the City of Elk Grove to preserve, in perpetuity, 1.028 acres of Giant Garter Snake habitat through the purchase of 1.028 acres worth of preservation credits at a USFWS-approved Giant Garter Snake conservation bank that services the Project area;

**WHEREAS**, no Giant Garter Snake conservation banks that service the Project area currently have preservation credits available for purchase by the City of Elk Grove to meet this requirement;

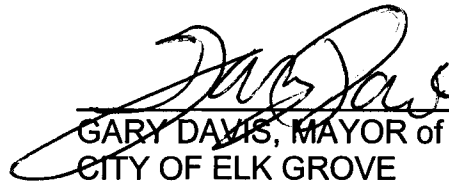
**WHEREAS**, the USFWS has required the City of Elk Grove to pay a Giant Garter Snake Conservation Fee to the Giant Garter Snake Conservation Fund, managed by the Center for Natural Lands Management, in-lieu of the purchase of 1.028 acres of preservation credits at a USFWS-approved Giant Garter Snake conservation bank that services the Project area; and

**WHEREAS**, the cost of the payment of the Giant Garter Snake Conservation Fee is equivalent to \$57,825.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Elk Grove authorizes the City Manager to execute the following:


- a. An agreement between the United States Fish and Wildlife Service, Giant Garter Snake Conservation Fund Participant and the Center for Natural Lands Management for purchase of the equivalent of 1.028 conservation credits at an approved Giant Garter Snake conservation bank; and
- b. Payment of Giant Garter Snake habitat in-lieu fees to the Center for Natural Lands Management in the amount of \$57,825.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 9<sup>th</sup> day of January 2008.

  
GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

  
PEGGY E. JACKSON, CITY CLERK

  
SUSAN COCHRAN, CITY ATTORNEY

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**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-2**

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 January 9, 2008 by the following vote:***

**AYES :**       **COUNCILMEMBERS:**       ***Davis, Hume, Scherman, Cooper, Leary***

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

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

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

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