

OFF-SITE CONSTRUCTION MITIGATION FEES

NOTE: The lead agency must provide project specific information to finalize the mitigation language. The lead agency may also use this language for particulate matter (PM, PM₁₀ or PM_{2.5}) mitigation if the environmental analysis identifies the need for off-site PM mitigation.

1. The environmental document identified that construction-generated emissions of nitrogen oxide (NO_x) will exceed the Sac Metro Air District's threshold of significance. The project applicant, or its designee, shall pay a mitigation fee in the amount of **(Insert Amount)** and an administrative fee in the amount of **(Insert Amount)** to the Sac Metro Air District to reduce the project impacts from construction NO_x emissions to a less than significant level.
2. The project applicant, or its designee, shall pay the mitigation and administrative fees in full prior to the lead agency issuing a **(Insert Permit Type)**¹ permit that would allow activity that would exceed Sac Metro Air District's threshold.
3. An alternative payment plan may be negotiated by the project applicant, or its designee, based on the timing of construction phases that are expected to exceed the Sac Metro Air District's threshold of significance. Any alternative payment plan must be acceptable to the Sac Metro Air District and agreed upon in writing prior to issuance of a **(Insert Permit Type)**² permit by the lead agency.
4. In coordination with the lead agency and the Sac Metro Air District, the project applicant, or its designee, may reanalyze construction NO_x emissions from the project prior to starting construction to update the required mitigation and administrative fees.
 - a. The analysis must be conducted using Sac Metro Air District approved emissions model(s) and the fee rates published at the time of reanalysis.
 - b. The analysis may include on-site measures to reduce construction emissions if deemed feasible by the lead agency and project applicant. All on-site measures assumed in the analysis must be included in the construction contracts and be enforceable by the lead agency.

¹ Identify the payment trigger. Possible options include demolition permit, grading permit, and approval of improvement plans.

² Should be the same permit trigger as identified in measure 2.