

## 2014-15 Fee Schedules

(3) The fees for discharges of dredge and fill material shall be as follows.<sup>9</sup>

<b>STANDARD FEE</b>			
<b>Discharge Category</b>	<b>Application Fee<sup>10</sup></b>	<b>Annual Active Discharge Fee<sup>11</sup></b>	<b>Annual Post-Discharge Monitoring Fee<sup>12</sup></b>
<b>(A) Fill and Excavation<sup>13</sup> Discharges</b> Discharges will be assessed as the higher fee of "discharge length in feet" and "discharge area in acres." The size of the discharge area shall be rounded to two decimal places (0.01 acre = 436 square feet).	Discharge length in feet x \$13.50 -or- Discharge area in acres x \$5,670 whichever is higher, up to a maximum of \$90,000. The minimum application fee is \$600.	\$600	\$300

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- i. For "excavation" the area of the discharge is the area of excavation; if the excavated material is then discharged to waters, an additional "fill" fee will be assessed.
  - ii. When a single project includes multiple discharges within a single dredge and fill fee category, the fee for that category shall be assessed based on the total area, volume, or length of discharge (as applicable) of the multiple discharges. When a single project includes discharges that are assessed under multiple standard fee categories, the total application fee shall be the sum of the application fees assessed under each applicable fee category; however only a single annual active discharge fee or annual post-discharge monitoring fee, if required, shall be assessed for the project. The single annual active discharge fee and the single annual post-discharge monitoring fee for the project shall be based on the higher of the applicable fee categories. Single projects qualifying for a special/flat fee or amended order fee shall only be assessed the applicable special/flat fee or amended order fee.
  - iii. Fees shall be based on the largest discharge size specified in the original or revised report of waste discharge or Clean Water Act (CWA) Section 401 water quality certification application, or as reduced by the applicant without any State Board or Regional Board intervention.
  - iv. If water quality certification is issued in conjunction with dredge or fill WDRs or is issued for a discharge regulated under such preexisting WDRs, the current annual WDR fee as derived from this dredge and fill fee schedule shall be paid in advance during the application for water quality certification, and shall comprise the fee for water quality certification.
  - v. Discharges requiring water quality certification and regulated under a federal permit or license other than a US Army Corps of Engineers CWA Section 404 permit or a Federal Energy Regulatory Commission License shall be assessed a fee determined from CCR 23, Section 2200(a).

<sup>10</sup> Dischargers shall pay a one-time application fee for each project at the time that the application or report of waste discharge is submitted. Notwithstanding section 2200.2, if discharges commence in a fiscal year other than the fiscal year in which the application or report of waste discharge is submitted, the application fee is in addition to the first annual active discharge fee for the project. If discharges commence in the same fiscal year as the application or report of waste discharge is submitted, the discharger shall pay only the greater of the application fee or the first annual active discharge fee. The application fee for category (A) fill and excavation discharges will be based on the discharger's estimate of project length and area. If, upon completion, the actual length or area is larger than the estimate, the discharger may receive an additional application fee invoice that is based on the actual project length and area, minus the application fee that was previously paid.

<sup>11</sup> Dischargers shall pay an annual active discharge fee each fiscal year or portion of a fiscal year during which discharges occur until the regional board or the State Board issues a Notice of Completion of Discharges Letter to the discharger. The annual active discharge fee for category (B) dredging discharges will be invoiced after the annual dredge volume has been determined.

<sup>12</sup> Dischargers shall pay an annual post-discharge monitoring fee each fiscal year or portion of a fiscal year commencing with the first fiscal year following the fiscal year in which the regional board or State Board issued a Notice of Completion of Discharges Letter to the discharger, but continued water quality monitoring or compensatory mitigation monitoring is required. Dischargers shall pay the annual post-discharge monitoring fee each fiscal year until the regional board or the State Board issues a Notice of Project Complete Letter to the discharger.

<sup>13</sup> "Excavation" refers to removing sediment or soil in shallow waters or under no-flow conditions where impacts to beneficial uses are best described by the area of the discharge. It typically is done for purposes other than navigation. Examples include trenching for utility lines, other earthwork preliminary to discharge, removing sediment to increase channel capacity, and other flood control and drainage maintenance activities (e.g., debris removal, vegetation management and removal, detention basin maintenance and erosion control of slopes along open channels and other drainage facilities).

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Discharge Category	Application Fee <sup>10</sup>	Annual Active Discharge Fee <sup>11</sup>	Annual Post-Discharge Monitoring Fee <sup>12</sup>
<b>(B) Dredging<sup>14</sup> Discharges</b> (except Sand Mining-see (C) below) Dredge volume expressed in cubic yards.	\$600	Annual dredge volume in cubic yards x \$0.21, up to a project maximum of \$90,000. The minimum annual active discharge fee is \$600.	\$300
<b>SPECIAL/FLAT FEE</b>			
Discharge Category	Application Fee <sup>10</sup>	Annual Active Discharge Fee <sup>11</sup>	Annual Post-Discharge Monitoring Fee <sup>12</sup>
<b>(C) Sand Mining Dredging Discharges</b> Aggregate extraction in marine waters where source material is free of pollutants and the dredging operation will not violate any basin plan provisions.	\$600	\$600	\$300
<b>(D) Ecological Restoration and Enhancement Projects</b> Projects undertaken for the sole purpose of restoring or enhancing the beneficial uses of water. This schedule does not apply to projects required under a regulatory mandate or to projects that are not primarily intended for ecological restoration or enhancement, e.g., land development.	\$200	\$200	\$100
<b>(E) Low Impact Discharges</b> Projects may be classified as low impact discharges if they meet all of the following criteria: <ol style="list-style-type: none"> <li>1. The discharge size is less than all of the following: (a) for fill, 0.1 acre, and 200 linear feet, and (b) for dredging, 25 cubic yards.</li> <li>2. The discharger demonstrates that: (a) all practicable measures will be taken to avoid impacts; (b) where unavoidable temporary impacts take place, waters and vegetation will be restored to pre-project conditions as quickly as practicable; and (c) where unavoidable permanent impacts take place, there will be no net loss of wetland, riparian area, or headwater functions, including onsite habitat, habitat connectivity, floodwater retention, and pollutant removal.</li> <li>3. The discharge will not do any of the following: (a) directly or indirectly destabilize a bed of a receiving water; (b) contribute to significant cumulative effects; (c) cause pollution, contamination, or nuisance; (d) adversely affect candidate, threatened, or endangered species; (e) degrade water quality or beneficial uses; (f) be toxic; or (g) include "hazardous" or "designated" material.</li> </ol>	\$200	N/A	N/A

<sup>14</sup> "Dredging" generally refers to removing sediment in deeper water to increase depth. The impacts to beneficial uses are best described by the volume of the discharge and typically occur to facilitate navigation. For fee purposes it also includes aggregate extraction within stream channels where the substrate is composed of coarse sediment (e.g., gravel) and is reshaped by normal winter flows (e.g., point bars), where natural flood disturbance precludes establishment of significant riparian vegetation, and where extraction timing, location and volume will not cause changes in channel structure (except as required by regulatory agencies for habitat improvement) or impair the ability of the channel to support beneficial uses.