

2017-18 Fee Schedules

**CALIFORNIA CODE OF REGULATIONS
TITLE 23. Division 3. Chapter 9. Waste Discharge Reports and
Requirements Article 1. Fees**

Section 2200. Annual Fee Schedules.

The fees for discharges of dredge and fill material shall be as follows.⁹

STANDARD FEE¹⁰			
Discharge Category	Application Fee¹¹	Project Fee	Annual Fee¹²
(A) Fill and Excavation¹³ Discharges Discharge area expressed in acres rounded to two decimal places (0.01 acre)	\$1,500	Impact area in acres x \$13,268, minus application fee, up to a maximum of \$130,000 (if balance equals less than the application fee, no fee is required).	\$1,500
(B) Dredging¹⁴ Discharges (except Sand Mining-see (C) below) Dredge volume expressed in cubic yards.	\$1,500	N/A	Annual dredge volume in cubic yards x \$0.328, up to a project maximum of \$130,000. The minimum annual fee is \$1,500.

SPECIAL/FLAT FEE¹⁵		
Discharge Category	Application Fee¹¹	Annual Fee
(C) Sand Mining Dredging Discharges Aggregate extraction in marine waters where source material is free of pollutants and the dredging operation will not violate any basin plan provisions.	\$1,500	\$720
(D) Ecological Restoration and Enhancement Projects 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. This category does not include mitigation banking or in-lieu fee programs.	\$400	\$200
Low Impact Discharges Projects may be classified as low impact discharges if they meet all of the following criteria: 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. 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. 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.	\$1,500	\$200
(F) Emergency Projects Authorized by a Water Board General Order	\$1,500	\$200

2017-18 Fee Schedules

<p>(G) Amended Orders Amendments of WDRs or water quality certifications previously issued.</p> <ul style="list-style-type: none"> (a) Minor project changes, not requiring technical analysis and involving only minimal processing time. (b) Changes to projects eligible for flat fees (fee categories C and D) where technical analysis is needed to assure continuing eligibility for flat fee and that beneficial uses are still protected. (c) Project changes not involving an increased discharge amount, but requiring some technical analysis to assure that beneficial uses are still protected and that original conditions are still valid, or need to be modified. (d) Project changes involving an increased discharge amount and requiring some technical analysis to assure that beneficial uses are still protected and that original conditions are still valid, or need to be modified. (e) Major project changes requiring an essentially new analysis and re-issuance of WDRs or water quality certification. 	<ul style="list-style-type: none"> (a) No fee required (b) \$300 flat fee (c) \$200 flat fee (d) Additional standard fee assessed per increased amount of discharge(s) (e) New standard fee assessed
--	---

⁹ Fees shall be based on impact amounts to be authorized by the order. Impacts include both the excavation and fill area and the dredging area. If water quality certification is issued in conjunction with dredge or fill WDRs or issued for a discharge regulated under preexisting WDRs for the same project, the project will be assessed a single fee derived from this dredge and fill fee schedule. Discharges requiring certification and regulated under a federal permit or license other than a US Army Corps of Engineers Clean Water Act Section 404 permit or a Federal Energy Regulatory Commission License shall be assessed a fee determined from Section 2200(a).

¹⁰ Fees shall be based on the sum of project impacts. Projects that include both category (A) and category (B) discharges shall be subject to the category (A) application and project fees. A single annual fee shall be assessed based on the higher of the applicable annual fee categories.

¹¹ Dischargers shall pay a one-time application fee for each project at the time that the application or report of waste discharge is submitted.

¹² Consistent with Section 2200.2, the sum of the Application Fee and the Project Fee shall serve as the first annual fee. If the submittal of this first annual fee does not coincide with the current fiscal year billing cycle, then the next, and only the next, fiscal year billing shall be adjusted to account for the payment of the Application Fee and the Project Fee. The annual fee for category (B) dredging discharges will be calculated using the annual dredge volume authorized in the applicable Order.

¹³ "Excavation" refers to removing sediment or soil in shallow waters or under no-flow conditions, typically for purposes other than navigation. Examples include, but are not limited to, 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).

¹⁴ "Dredging" refers to removing sediment or aquatic vegetation in deeper water, typically for navigation purposes. For fee purposes, this fee category 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).

¹⁵ To qualify for a special/flat fee category, the whole of a project must meet the fee category description (i.e., all project discharges are limited to those defined by the fee category)