

**Instructions for Preparing the Consolidated  
Dredging-Dredged Material Reuse/Disposal Application**

[Rev 12/07]

An inter-agency Dredge Material Management Office (DMMO) has been established to simplify the dredging approval process in the San Francisco Bay region. The Consolidated Dredging-Dredge Material Reuse/Disposal Application is part of this process and is the only application that you need to complete for most proposed dredging projects in the San Francisco Bay area. The application is accepted for 1) a Section 404 or Section 10 dredging authorization by the San Francisco District of the U.S. Army Corps of Engineers (USACE) 2) an administrative dredging permit from the San Francisco Bay Conservation and Development Commission (BCDC) 3) the application shall serve as, and be functionally equivalent to, a San Francisco Regional Water Quality Control Board (RWQCB) water quality certification or waste discharge requirements 4) a dredging project lease from the California State Lands Commission (SLC).

These instructions are intended to assist you in the preparation of the “Consolidated Dredging-Dredged Material Reuse/Disposal Application” form. The application form is divided into four sections: **Section I** covers the general information that is needed for all applications, **Section II** covers the specific details of the proposed dredging project, **Section III** covers the proposed dredge material disposal site, and **Section IV** covers other required information.

These instructions also provide guidance on the types and format of drawings and other information that must accompany the completed application.

**SECTION I – GENERAL INFORMATION**

**Box 1. Applicant Information:** Enter the name of the responsible party or parties. If more than one party is associated with the application, attach a sheet marked Box 1 that provides the same information for co-applicants.

If the applicant is a partnership, corporation, government agency or other association, evidence must be provided to ensure that the person who signs the application is empowered to represent and make commitments on behalf of the organization submitting the application. To accomplish this, such applications must include either a 1) resolution authorizing the person who signs the application to represent and bind the applicant or 2) bylaws that establish that the person who signs the application holds a position that is empowered to act on behalf of the legal entity. Corporate resolutions must be from the corporation's board of directors. Public agency

resolutions must be from the city council, board of supervisors or similar highest policy body, which governs the organization. Space is provided to describe the nature of the empowerment if necessary.

**Box 2. Representative Information:** Sometimes an applicant, owner, or co-applicant is represented by another person who handles the details of securing the required approvals for the project. If this is the case, indicate the name of the individual or agency, designated to be the representative for the project. An agent can be an attorney, builder, contractor, consultant or any other person or organization. Note: An agent is not required. If the applicant, owner, or co-applicant is represented by someone else, the applicant must complete and sign the authorization portion of Box 2. If a representative is authorized, indicate who should receive correspondence regarding the application.

## **SECTION II – PROJECT INFORMATION**

**Box 3. Dredging Project:** All applicants must complete this section.

**Project Name and Title** - Provide name identifying the proposed project.

**Type of Dredging Project** - Place a check in all the boxes that apply indicating whether the project is maintenance dredging or a new work dredging project, whether the project is a single episode or multi-episode (year) project, and whether the project involves any knockdown work *[Note: New work projects involving over 100,000 cubic yards in five years or any disposal project requesting authorization for more than a five year time period, cannot be processed administratively by BCDC and should not be applied for using this consolidated form. A standard BCDC application is required.]*

**Project Description** - Briefly describe the overall activity or project. If additional space is needed, use a continuation sheet marked Box 4.

**Project Need and/or Purpose** - Provide a brief description of the major purposes that the project will serve or the needs that will be met through accomplishment of the project (e.g. deepening a navigational channel, extracting sand, constructing a marina, etc.). If additional space is needed, use a continuation sheet marked Box 4.

**Date work is proposed to begin and be completed** - Based on an estimate of how long it will take to get all the necessary approvals, financing, and other preliminary work, indicate the month

and year when the work to be authorized is proposed to begin. In addition, based on a realistic construction schedule, indicate the month and year when the work is expected to be completed. Alternatively, indicate the total length of time desired for the proposed permit *[Note: Contact the agencies individually (see page 8) to discuss length-of-permit issues.]*

**Estimated total project cost** - Provide an estimate of the cost of the complete dredging and disposal project being proposed.

**Project Location** - Provide the name of the county where the dredging project is located and the city nearest the project. Provide the latitude(s) and longitude(s) of the dredging site and identify the waterway in which it is located (e.g. San Pablo Bay, Petaluma River, etc.).

**Type of dredging equipment** - Describe the type of equipment to be used to accomplish the dredging (e.g. clamshell, hydraulic, barge size, etc.).

If the project will involve the construction of temporary or permanent structures or utilize other than normal dredging equipment, indicate and describe.

**Project depth information** - Provide the existing and proposed design depths, the proposed over/depth tolerance, and proposed total depth of dredging for the project in terms of Mean Lower Low Water (MLLW) datum.

**Total volume** - Provide an estimate of the total volume of material to be dredged and/or knocked down in cubic yards.

**Area of dredging site** - Provide an estimate of the total acreage of the dredging footprint.

**Type of substrate** - Check all appropriate boxes to indicate whether subtidal bottom (normal San Francisco Bay bottom), intertidal bottom (mudflats, etc.) or wetlands are being dredged and provide a brief description of any other types of substrate (bottom) areas being dredged.

**Suisun Marsh** - If the dredging site is located within the Suisun Marsh protection zone, check the appropriate box and be sure to complete Box 7 of the application. If you are unsure, contact BCDC.

**Previous authorizations** - Provide the identification number of any previous authorizations for this dredging activity and the issuing agency. It is often possible to amend an existing permit

rather than process a new application and it is helpful to agency analysts to refer to previous permits.

### **SECTION III – DISPOSAL SITE INFORMATION**

**Box 4. Directions:** All questions in this section must be completed by the applicant. The purpose of this box is to serve as a guide that determines what disposal site elements of the application form must be completed for your project. Each of the three questions needs a "Yes" or "No" answer. There may be "Yes" answers to more than one of the questions. If a question is answered "Yes", be sure to fill out the box that is related to that question. If a question is answered "No", the box shown as related to that question may be skipped.

**Box 5. Aquatic Disposal:** Only four sites are currently authorized for unconfined aquatic disposal in the San Francisco Bay region: SF-9 (Carquinez Strait); SF-10 (San Pablo Bay); SF-11 (Alcatraz) and SF-DODS (Deep Ocean Disposal Site). If one of these disposal sites is proposed for the project, check the appropriate box. *[Note: Any dredging project that proposes a change in a previously authorized material disposal environment must submit a complete DMMO application prior to SAP approval.]* If you are uncertain about the location or limitations on the use of any of these sites, contact the DMMO. If the project proposes any form of aquatic disposal other than the use of these designated sites, provide a complete description of the proposed site and method of disposal; use a continuation sheet marked Box 6 if necessary. *[Note: It is likely that separate authorization will be necessary to use such sites and therefore individual applications to the regulatory agencies for such authorization will be required.]*

In order for projects proposing the discharge of dredged material to waters of the U.S. to be approved under Section 404 of the Clean Water Act, it must be shown that there is no practicable alternative to the proposed discharge that would have less impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences. Therefore, applicants for dredging and disposal permits must submit a written Alternatives Analysis for the proposed project. If you have submitted either a Small Dredgers Programmatic Alternatives Analysis (SDPAA) agreement form or an Integrated Alternatives Analysis, check the appropriate box. If you are considering multiple disposal sites for your project or if you have not yet determined a site, provide additional comment in box 12.

**Box 6. Proposed Upland or Wetland Reuse/Disposal Site Information:** This box is to be completed if the disposal of dredged material is proposed for either non-aquatic disposal or beneficial reuse.

**Site Name** - Provide the name of the proposed reuse/disposal site.

**Site Description** - Provide a brief description of the existing condition of the proposed reuse/disposal site, including the present elevations, current vegetation, existing structures and use of the site. If additional space is needed, use a continuation sheet marked Box 6.

**Site Address** - Provide the most accurate address possible for the reuse/disposal site including a street address if one exists. Provide latitude(s) and longitude(s) for the site and the current zoning designation. If the zoning is not known, it can usually be obtained from the county or city planning office.

**Site Owner** - Provide the name, address and phone number of the owner of the property on which the proposed reuse/disposal site is located.

**Jurisdictional Wetlands** - Indicate by marking the appropriate box, whether there are wetlands on the site and whether a jurisdictional delineation has been completed by the USACE. If a jurisdictional delineation has been done, provide the relevant USACE file number. If the reuse/disposal is proposed at an approved wetlands project site, give the name and authorization number of the site. *[Note: Separate authorization involving individual applications to the regulatory agencies will be required for the dredging project if the wetland reuse/disposal site is not already authorized.]*

**Existing disposal site** - Indicate if the proposed reuse/disposal site is an existing, established site that is currently permitted to receive dredged material.

**Site last used** - If the proposed reuse/disposal site has been used previously for the placement of dredged material, please give the year of the most recent reuse/disposal episode.

**Disposal site income** - If income will be produced from the use or sale of dredged material, indicate and provide an estimate of actual or projected annual income. If the annual income is projected, show the basis of that projection (e.g. per cubic yard, etc.).

**Anticipated volume** - Provide an estimate of the total in place volume of the dredged material to be placed at the reuse/disposal site by the proposed project. Indicate the volume of material to go upland and/or to a wetland if applicable.

**Type of disposal equipment** - Describe the type of equipment to be used to accomplish the reuse/disposal. If the project will involve the construction of temporary or permanent structures (e.g. levees) or utilize other than normal disposal equipment, check the appropriate box and briefly describe.

**Public access/recreational facilities** - Check if the reuse/disposal project will affect existing public access or public recreational facilities. If yes, describe how the project proposes to mitigate those impacts.

**Box 7. Suisun Marsh Development Information:** Several items are unique to dredging activities that occur with the Suisun Marsh Protection Zone. In this box, provide the requested information on local marsh development permits and duck club numbers. Be sure to check "None" if it applies. If your project occurs in the Suisun Marsh area and you are unsure whether it is consistent with the individual management plan for the property, you are advised to consult with BCDC. Also, be sure to check with the USACE if you are unsure whether your project is consistent with their regional general permit for Suisun Marsh.

#### **SECTION IV – OTHER REQUIRED INFORMATION**

**Box 8. Environmental Approvals:** The California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) require that the environmental impacts of a proposed project be addressed before the project can be authorized. The purpose of this box is to learn the status of the required environmental approvals. *[Note: (1) A copy of the project's environmental documentation should be included with the application submittal; (2) an application may not be filed as complete until environmental compliance is assured.]*

**(a) EIR or EIS** - If an Environmental Impact Report (EIR - CEQA) or an Environmental Impact Statement (EIS - NEPA) related to dredging in this location has ever been prepared, indicate on the form.

**(b) Categorically Exempt** - Normally maintenance dredging is found to be categorically exempt from CEQA requirements. If the project is for maintenance dredging and is known to be covered by the exemption, check "Yes" in the appropriate location on the form and attach documentation from the lead agency.

**(c) Environmental Assessment (EA)** - If the site has been dredged previously and a NEPA EA prepared, indicate on the form and provide a copy.

**(d) EIR/EIS Preparation** - If no environmental document has been completed but it is known that an EIR or an EIS will be prepared to respond to CEQA, note by checking "Yes" and providing the information requested in question (f) of Box 8.

**(e) Negative Declaration** - In some instances a Negative Declaration or a finding of no significant impacts is sufficient to respond to CEQA. If a Negative Declaration has been prepared for the proposed project, check "Yes" and include a copy. If one is under preparation, complete question (f) in Box 8.

**(f) Preparer** - Generally, a local government is the "lead agency" under CEQA and completes the environmental requirements for projects under its jurisdiction. If CEQA environmental documents are under preparation, indicate 1) the entity that is preparing them and 2) provide an estimated date of completion.

**(g) Copies** - As noted above, provide copies of the project's environmental documentation.

**Box 9. Other Approvals:** Other state and local approvals may be required for a dredging project. Provide verification of contact with other agencies to determine if other approvals are (are not) required.

**CA Department of Fish and Game** - The California Department of Fish and Game (DFG), under the Fish and Game Code, Sections 1601 and 1603, regulates changes made to the bed, channel or banks of streams or rivers. Dredging proposals within the greater San Francisco Bay area that occur on the periphery of the tidally-influenced Bay, but which also are within well defined rivers and streams, are subject to these mutual agreements (commonly called Streambed Alteration Agreements) between DFG and the project applicant. The jurisdictional boundaries for areas needing such agreements are defined by DFG. List the number, date of application, and date of approval for any DFG Section 1601 or 1603 Approvals that pertain to your project. If you are unsure if your project is subject to the need for a 1601 or 1603 agreement, you are advised to consult with DFG to determine if the project and/or disposal site falls within their jurisdiction.

**Local Government Approvals** - If local approvals are required, they should be listed on the form. Indicate the name of the approving agency and the type of discretionary approval that is required. Also, provide the date of approval and a local contact person and phone number. Note that some state agencies require the issuance of all required local approvals prior to initiating action on permit applications. Early consultation with local agencies is recommended.

**Box 10. Disclosure of Campaign Contributions:** Any campaign contributions in excess of \$250 to officials (including commission members) of the regulatory agencies using this consolidated form must be disclosed. List the names of any individuals to whom contributions have been made as well as the amounts and dates of these contributions. If no contributions have been made, indicate by checking the box.

**Box 11. Adjoining Property Owners:** List complete names and full mailing addresses of the adjacent property owners (public and private), lessees, etc., whose property adjoins the dredging and disposal sites so that they may be notified of the proposed activity (usually by public notice). *[Note: Adjoining owner information is not required for the designated disposal sites.]* If additional space is needed, use a continuation sheet marked Box11.

**Box 12. Remarks:** Provide any comments or other miscellaneous information that may be important for the DMMO agencies to consider in their evaluation of the proposed project.

**Box 13. Checklist of Additional Information to be Submitted:** This box identifies other information that is required before your dredging application can be accepted as complete and processing of the application can be initiated. Indicate by checking in the appropriate box if each item is either complete and attached to the application package or not applicable. If the material is not complete please indicate the expected submission date. *[Note: See directions for Drawings, Submittals, Application and Processing Fees at the end of these instructions.]*

**Sampling & Analysis Plan (SAP) -** You are required to develop a biological or chemical testing plan in accordance with the protocol in the USACE and Environmental Protection Agency (EPA) publication "Evaluation of Dredged Material Proposed for Discharge in Waters of the U.S. – Testing Manual; Inland Testing Manual" (Inland Testing Manual or ITM) (February 1998) or appropriate ocean testing protocol. You should initiate consultation with the DMMO as early as possible in the planning of your dredging project to develop an acceptable sampling and analysis plan. A hydrographic survey of the dredging site, conducted within the preceding 90 days is necessary to initiate the development of the SAP. The area to be dredged must be clearly delineated on the survey.

**Testing Data -** When the sampling conducted in accordance with the SAP is complete, preparation and submission of the testing data is required for your consolidated dredging permit application package to be accepted as complete. To be considered valid, the testing of a proposed dredge site must have occurred within one year of the date of submittal of the application.



**Calculations** - Provide one copy of the computations used for the determination of the quantities to be dredged.

**Organizational Documentation** - See instructions for Box 1.

**Environmental Documentation** - See instructions for Box 8.

**Drawings and Maps** - See special instructions (below).

**Proof of Legal Interest** - It is necessary for the applicant or the land owner to have adequate legal interest in the underlying property to carry out the project and comply with any conditions that may be part of approval. This legal interest must be either through fee interest, an easement, a leasehold, an option or eminent domain. Proof of legal interest is needed for the dredging site and disposal sites, if disposal is proposed at other than the designated aquatic sites. To demonstrate legal interest, it is necessary to submit a property map and a recently issued title report or grant deed, including a metes and bounds description, or other information of similar accuracy and reliability to show that the applicant holds legal interest in the project site.

**Statement of Consistency** - Please provide a brief explanation of your project's consistency with the policies regarding dredging and disposal in the San Francisco Bay Area. To do this, describe if upland disposal alternatives were considered and if aquatic disposal is proposed and explain how the project relates to limiting disposal site quantities and timing for aquatic resource protection. Also, use this opportunity to explain how your project complies with the BCDC Bay Plan.

**BCDC Posting Certification** - Once this DMMO application has been submitted, a BCDC Posting Notice form will be mailed to you. The applicant must sign and place the "Notice Permit of Application" in a prominent location at or near the project site so that it will be visible to members of the public. The applicant must then complete and sign the attached "Certification of Posting of Notice" form and return it directly to BCDC at the address shown.

**SDPAA or IAA** – See instructions for Box 5.

**Fees** – Indicate the expected submission date for each of the applicable agency fees. See special instructions (below).

**Box 14. Certification of Accuracy of Information:** This box which certifies the accuracy of the information provided in the application form, must be signed by every applicant or their representatives who have been legally authorized to act on behalf of the applicant. The signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

## **SPECIAL INSTRUCTIONS FOR DRAWINGS, SUBMITTALS, APPLICATION AND PROCESSING FEES**

**Drawings and Maps** - General instructions are provided for the drawings and maps to support a dredging permit application. Additional detail regarding this subject can be found in the Application Information Booklet (EP 1145-2-1) available from the Corps of Engineers and the General Application Instructions available from the San Francisco Bay Planning and Development Commission.

Three types of illustration are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a **Vicinity Map**, a **Plan View** and a **Typical Cross Section**. Identify each illustration with a figure number.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view or cross-section). Each illustration should also have at least a one-half inch margin on each side, a north arrow, vertical and horizontal scales shown, datum given and be dated.

Both the area to be dredged and the disposal area should be identified and shown on the illustrations. The illustrations should also show testing locations, depths of dredging, and the locations of any adjacent structures (piers, wharves, etc.).

All illustrations should be legible and on good quality 8 ½ X 11 inch plain white paper (tracing paper or film may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. *[Note: While illustrations need not be professional, they should be clear, accurate and contain all necessary information.]*

**Submittal** - If desired, one copy of the completed application form, drawings and testing data may be submitted directly to each of the DMMO participating agencies whose contact names and addresses are provided in these instructions (all other checklist documents are only required to be submitted to BCDC and the Corps) or alternately, six copies of the completed application form, drawings and testing data (and two copies of the supplemental documents) may be submitted to the attention of the Regulatory Dredging Project Manager, Regulatory Branch, San Francisco District, Army Corps of Engineers, 1455 Market Street, San Francisco, CA 94103.

**Application and Processing Fees** - Each of the regulatory agencies participating in the DMMO and accepting the Consolidated Dredge Application has their own unique fee structure and any applicable fees should be provided directly to that agency.

The USACE does not require the submittal of a fee with the application. At the time of issuance the Corps requires a fee of \$10 for a private party, \$100 for a commercial project and no fee for a public agency project.

The fee schedule for BCDC is attached.

The fee schedule for the RWQCB is attached. The RWQCB's upland disposal annual fee is decided on a case by case basis according to a fee schedule based on the "threat to water quality and complexity". Currently these fees range from \$500 to \$10,000 per year. The SLC requires submittal of an \$825 reimbursable agreement for staff time involved in processing dredging project leases.

# SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

50 California Street • Suite 2600 • San Francisco, California 94111 • (415) 352-3600 • FAX: (415) 352-3606 • www.bcdc.ca.gov

October 21, 2005

**TO:** Commissioners, Alternates and Members of the Public  
**FROM:** Will Travis, Executive Director (415/352-3653 [travis@bcdc.ca.gov](mailto:travis@bcdc.ca.gov))  
Ellen Sampson, Staff Counsel (415/352-3610 [ellens@bcdc.ca.gov](mailto:ellens@bcdc.ca.gov))  
**SUBJECT: Notice of Annual Adjustment to Permit Application Fees**  
(For Commission information only)

## Notice

Effective January 1, 2006, the Commission's permit application fees will be increased by 40 percent. This increase is due to an annual calculation of fees required by the Commission's regulations.

## Background

In 2004, after a detailed study and public hearings, the Commission amended Appendix M to its regulations to increase its permit application fees by a factor of 3.2. This increase brought the Commission's fees more in line with application fees charged by other state and local agencies and satisfied a requirement of the Legislature that BCDC's fees generate revenue totaling approximately 20 percent of BCDC's total regulatory program costs.

The Commission's regulations include a formula for an annual adjustment of the permit fees based on the revenue actually generated in the prior fiscal year and the total program costs as established by the Commission's annual budget. If the revenue collected is less than 20 percent of the program costs, the fees must be increased; if the revenue collected is more than 20 percent of the program costs, the fees must be decreased. Annual fluctuations in fees are expected. All of the Commission's fees are deposited in the State General Fund.

In FY 04-05, the Commission collected approximately \$167,478 under the adopted application fee schedule. This amount is less than 20 percent of the \$1,944,135 cost for the regulatory program in FY 05-06. In order to generate a projected 20 percent of the total regulatory program costs, the fees must be increased by approximately 40 percent for the coming calendar year as shown below. The new schedule of fees will apply to any application received on or after January 1, 2006, for a period of at least one year.



## Commission Permit Application Fees

### Fees Effective January 1, 2006

Type of Permit Application	Previous Fee	Current Fee
Abbreviated Regionwide Permit	\$160	\$220
Regionwide Permit	\$320	\$450
First Time Extension for any permit	\$160	\$220
Non-material Amendment to permit, including Subsequent Time Extension	\$320	\$450
Material Amendment to permit	Same as for first time application	
Material Amendment to application	Seventy-five percent(75%) of original application fee	
Emergency Permit	Same as for project as if not an emergency	
Minor Permit with a total project cost (TPC) of:		
(1) less than \$300,000	\$480	\$670
(2) \$300,000 to \$10 million	0.16% of TPC	0.22% of TPC*
(3) more than \$10 million	\$16,000	\$22,400
Major Permit with a total project cost (TPC) of:		
(1) less than \$250,000	\$800	\$1,100
(2) \$250,000 to \$10 million	0.32% of TPC	0.45% of TPC*
(3) more than \$10 million	\$32,000	\$44,800

\* = Total Project Costs



# California Regional Water Quality Control Board

## San Francisco Bay Region



Linda S. Adams  
Secretary for  
Environmental  
Protection

1515 Clay Street, Suite 1400, Oakland, California 94612  
(510) 622-2300 • Fax (510) 622-2460  
<http://www.swrcb.ca.gov/rwqcb2>

Arnold Schwarzenegger  
Governor

### WATER QUALITY CERTIFICATION FEE SCHEDULE

#### Effective October 7, 2008

23 CCR §2200 The fees for discharges of dredge and fill material shall be as follows, not to exceed \$40,000, plus applicable surcharge(s)<sup>5</sup>.

Type of Discharge	Fees
(A) Fill & Excavation <sup>6</sup> Discharges. Size of the discharge area expressed in acres to two decimals (0.01 acre) (436 square feet) rounded up.	\$640 Base Price + (Discharge area in acres x \$2,752)
(B) Dredging Discharges <sup>7</sup> Dredge volume expressed in cubic yards.	\$640 Base Price + (Dredge volume in cubic yards x \$0.102)
(C) Dredging Discharges (Sand Mining). Aggregate extraction in marine waters where source material is free of pollutants and the dredging operation will not violate any basin plan provisions.	\$1,024.
(D) Channel and Shoreline Discharges Includes linear discharges to drainage features and shorelines, e.g., bank stabilization, revetment and channelization projects. (Note): The fee for channel and shoreline linear discharges will be assessed under the "Fill and Excavation" or "Channel and Shoreline" schedules, whichever results in the higher fee.	\$640 Base Price + (Discharge length in feet x \$6.40)
(E) Discharges to Non-federal (e.g. "Isolated") Waters. Discharges to waters or portions of waterbodies not regulated as "waters of the United States," including waters determined to be "isolated" pursuant to the findings of <i>Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers</i> (2001) 121 S. Ct. 675.	Double the applicable fee schedules except for (G) restoration projects

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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 fee categories, the total fee shall be the sum of the fees assessed under each applicable fee category; however a \$500 base fee, if required, shall be charged only once.
  - 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>6</sup> "Excavation" refers to moving 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 construction, and removing sediment to increase channel capacity.

<sup>7</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.

*Preserving, enhancing, and restoring the San Francisco Bay Area's waters for over 50 years*

<p>(F) Low Impact Discharges. Projects may be classified as low impact discharges if they meet all of the following criteria:</p> <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> <li>4. Discharge is to a water body regulated as "Waters of the United States."</li> </ol>	<p>\$640 Flat Fee.</p>
<p>(G) Restoration 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 include a non-restorative component, e.g., land development, property protection, or flood management.</p>	<p>\$640 Flat Fee</p>
<p>(H) General Orders. Projects which are required to submit notification of a proposed discharge to the State and/or Regional Board pursuant to a general water quality certification permitting discharges authorized by a federal general permit or license, (e.g., a U.S. Army Corps of Engineers nationwide permit). Applies ONLY if general water quality certification was previously granted.</p>	<p>\$77 Flat Fee</p>
<p>(I) Amended Orders Amendments of WDR's or water quality certifications previously issued for one-time discharges not subject to annual billings.</p> <ol style="list-style-type: none"> <li>(a) Minor project changes, not requiring technical analysis and involving only minimal processing time.</li> <li>(b) Changes to projects eligible for flat fees (fee categories C, F, G, and H) where technical analysis is needed to assure continuing eligibility for flat fee and that beneficial uses are still protected.</li> <li>(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.</li> <li>(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.</li> <li>(e) Major project changes requiring an essentially new analysis and re-issuance of WDR's or water quality certification.</li> </ol>	<p>(a) No fee required</p> <p>(b) Appropriate flat fee</p> <p>(c) \$640 flat fee</p> <p>(d) Additional fee assessed per increased amount of discharge(s) per Section 2200 (a)(3) (plus \$640 base price).</p> <p>(e) New fee assessed per Section 2200 (a)(3).</p>

- An application cannot be considered complete without the initial deposit of \$640.
- Any certification action is not effective until payment of the required total fee.
- A fee calculator is available:  
[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/dredgefillfeecalculator.xls](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/dredgefillfeecalculator.xls)
- All fees should be made payable to and submitted to the Regional Water Quality Control Board at the above address.