

Attachment B

Proposed Regulatory Language

The following section of Title 14, California Code of Regulations is amended to read:

§ 699.5. Fees for Lake and Streambed Alteration Agreements

...[No change to subsection (a)]...

(b) Standard Agreement.

(1) Fee if the term of the agreement is five years or less:

- (A) ~~\$751.75~~ \$770.75 if the project costs less than \$5,000.
- (B) ~~\$942.75~~ \$966.50 if the project costs from \$5,000 to less than \$10,000.
- (C) ~~\$1,882.25~~ \$1,929.75 if the project costs from \$10,000 to less than \$25,000.
- (D) ~~\$2,825.00~~ \$2,896.25 if the project costs from \$25,000 to less than \$100,000.
- (E) ~~\$4,146.25~~ \$4,251.00 if the project costs from \$100,000 to less than \$200,000.
- (F) ~~\$5,623.75~~ \$5,765.75 if the project costs from \$200,000 to less than \$350,000.
- (G) ~~\$6,698.00~~ \$6,867.25 if the project costs \$350,000 or more.

(2) Fee if the term of the agreement is longer than five years:

- (A) ~~\$9042.50~~ \$9,270.75 base fee, plus:
 - 1. ~~\$751.75~~ \$770.75 if the project costs less than \$5,000.
 - 2. ~~\$942.75~~ \$966.50 if the project costs from \$5,000 to less than \$10,000.
 - 3. ~~\$1,882.25~~ \$1,929.75 if the project costs from \$10,000 to less than \$25,000.
 - 4. ~~\$2,825.00~~ \$2,896.25 if the project costs from \$25,000 to less than \$100,000.
 - 5. ~~\$4,146.25~~ \$4,251.00 if the project costs from \$100,000 to less than \$200,000.
 - 6. ~~\$5,623.75~~ \$5,765.75 if the project costs from \$200,000 to less than \$350,000.
 - 7. ~~\$8,476.75~~ \$8,690.75 if the project costs from \$350,000 to less than \$500,000.
 - 8. ~~\$15,069.25~~ \$15,449.75 if the project costs \$500,000 or more.

...[No change to subsection (b)(3)]

(4) A notification for a standard agreement should identify only one project.

(A) If an entity chooses to identify more than one project in a single notification, the fee shall be calculated by adding the separate fees for each project. For example, if a notification identifies three projects, one of which will cost less than \$5,000 to complete, one of which will cost \$7,500 to complete, and one of which will cost \$17,500 to complete, the fee for the first project would be ~~\$751.75~~ \$770.75, the fee for the second project would be ~~\$942.75~~ \$966.50, and the fee for the third project would be ~~\$1,882.25~~ \$1,929.75. Hence, the total fee the entity would need to submit with the notification that identifies those three projects would be ~~\$3,576.75~~ \$3,667.00.

.. *[No change to subsections (b)(4)(B) through (b)(6)(B)]*

(c) Agreement for Gravel, Sand, or Rock Extraction.

(1) Fee if the term of the agreement is five years or less:

(A) ~~\$1,882.25~~ \$1,929.75 if the annual extraction volume identified in the notification is less than 500 cubic yards.

(B) ~~\$3,766.75~~ \$3,861.75 if the annual extraction volume identified in the notification is 500 cubic yards to less than 1,000 cubic yards.

(C) ~~\$6,698.00~~ \$6,867.25 if the annual extraction volume identified in the notification is 1,000 or more cubic yards.

(2) Fee if the term of the agreement is longer than five years:

(A) ~~\$37,674.00~~ \$38,625.25 base fee, plus:

(B) an annual fee of ~~\$3,766.75~~ \$3,861.75.

.. *[No change to subsections (c)(3) through (d)]*

(e) Agreement for Routine Maintenance.

(1) Fee if the term of the agreement is five years or less:

(A) ~~\$4,522.25~~ \$4,636.50 base fee, plus:

(B) ~~\$376.25~~ \$385.75 for each maintenance project completed per calendar year.

(2) Fee if the term of the agreement is longer than five years:

(A) ~~\$9,042.50~~ \$9,270.75 base fee, plus:

(B) ~~\$376.25~~ \$385.75 for each maintenance project completed per calendar year.

.. *[No change to subsection (e)(3)]*

(f) Master Agreement.

(1) Fee:

(A) ~~\$113,020.75~~ \$115,874.75 base fee, plus:

1. An annual fee of ~~\$9,417.50~~ \$9,655.25, unless the department specifies otherwise; and

2. ~~\$942.75~~ \$966.50 for each project the agreement covers, unless the department specifies otherwise.

.. *[No change to subsections (f)(2) through (h)]*

(i) Additional Fee for Marijuana Cultivation Sites That Require Remediation.

(1) If the purpose of an agreement, or major amendment to an agreement described herein, whether in part or in whole, is to remediate a marijuana cultivation site, the entity shall submit the applicable fee below, which shall be in addition to the fee for the agreement or major amendment, in accordance with subdivision (d) of Section 12029 of the Fish and Game Code.

(2) Fee:

(A) ~~\$4019.00~~ \$4,120.50 if the total remediation area is less than or equal to 1,000 square feet as determined by the department.

(B) ~~\$6,698.00~~ \$6,867.25 if the total remediation area is greater than 1,000 square feet as determined by the department.

.. *[No change to subsection (i)(3)]*

(j) Extensions for Agreements.

(1) Fee:

(A) ~~\$752.75~~ \$771.75.

.. *[No change to subsection (j)(2) or (j)(3)]*

(k) Minor Amendments.

(1) Fee:

(A) ~~\$564.00~~ \$578.25.

(B) The fee specified in subsection (k)(1)(A) shall be submitted with the amendment request.

(l) Major Amendments.

(1) Fee:

(A) ~~\$1,882.25~~ \$1,929.75.

.. *[No change to subsections (l)(1)(B) through (q)]*

Note: Authority cited: Sections 713, 1609 and 12029, Fish and Game Code; and Section 21089, Public Resources Code. Reference: Sections 713, 1605, 1609 and 12029, Fish and Game Code; and Sections 4629.6(c) and 21089, Public Resources Code.