

California Department of Fish and Wildlife

Basic Outline of Fees and Review Steps For Bank Prospectuses and Bank Agreement Packages

This document is intended to describe in outline form the process for bank review and application payments as directed by Fish and Game Code (FGC) Sections 1797 – 1799.1. This outline provides additional explanation of the [Review Process Flowchart](http://www.dfg.ca.gov/habcon/conplan/mitbank/templates.html) available at <http://www.dfg.ca.gov/habcon/conplan/mitbank/templates.html> .

*Fees adjusted annually per FGC § 1799.1(a)

Prospectus Stage:

Optional Draft Prospectus:

- \$1,770.00* (FGC § 1798(a)(1))
- 30 days for CDFW to make initial evaluation and give notice of potential issues

Prospectus:

- \$11,800.00* (OR \$10,030.00* if Draft Prospectus was submitted and initially evaluated) (FGC § 1798(b)(1))
- 30 days for CDFW to review and determine completeness
 - **If Not Complete** - may be made complete and resubmitted, 30 days for CDFW to review - no fee (FGC § 1798(c))
 - **If Complete** - 90 days for CDFW to review and determine whether or not is acceptable. Department may request clarifying information during review (FGC § 1798(d)) – no fee
 - **If Not Acceptable** - may resubmit with new \$11,800.00* fee (restart 30-day completeness review) (FGC § 1798(e)(2))
 - **If Acceptable** – may submit Bank Agreement Package (below)

Bank Agreement Stage:

Bank Agreement Package:

- \$29,499.25* (FGC § 1798.5(b))
- 30 days for CDFW to review and determine completeness
 - **If Not Complete** - may be made complete and resubmitted, 30 days for CDFW to review – no fee (FGC § 1798.5(c)(1))

Disclaimer: This outline is for general information only, and does not limit or change the requirements of Chapter 7.9 of the Fish and Game Code.

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- **If Complete** - 90 days for CDFW to review and determine whether or not is acceptable. Department may request clarifying information during review (FGC § 1798.5(d)) – no fee
 - Department (Regional Manager or equivalent/higher level) may request (in writing) supplemental information during review - no fee
 - New 90-day review for acceptability begins upon receipt of requested information (FGC § 1798.5(e))
 - If requested information not received within 60 days then Bank Agreement Package deemed unacceptable (FGC § 1798.5(e). May resubmit Bank Agreement Package with new \$29,499.25* fee (restart 30 day completeness review) (FGC § 1798.5(b))
 - If person seeking to establish the Bank proposes unsolicited changes necessitating additional review time, Department (Regional Manager or equivalent/higher level) shall assess change review fee of \$11,800.00* (FGC § 1798.5(f))
 - New 90-day review for acceptability begins upon receipt of proposed changes and fee
 - If Department determines 90 days is insufficient to complete review (e.g., if proposed Bank is complex or documents substantially deviate from standard forms), it may extend review time by 60 days (FGC § 1798.5(g))
 - **If Not Acceptable** - may resubmit with new \$29,499.25* fee (restart 30-day review for completeness) (FGC § 1798.5(h)) (FGC § 1798.5(h))
 - **If Acceptable** – Department notifies Bank Sponsor; finalize and circulate documents for signature
 - No Bank shall be operative, vested or final, nor Bank credits issued, until Department has approved Bank in writing and (if applicable) conservation easement recorded
 - Implementation fee – \$70,798.00* total (may be apportioned by # credits released/total # credits approved for Bank)
 - A penalty of 10 percent of the amount of fees due shall be collected if there is a failure to remit the amount payable when due. (FGC § 1799(e)(2))

For detailed information on submitting bank packages, view the [Bank Sponsor Instructions](http://www.dfg.ca.gov/habcon/conplan/mitbank/templates.html) available at: <http://www.dfg.ca.gov/habcon/conplan/mitbank/templates.html>

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