



The Santa Barbara County Flood Control District does not believe that our question/comment was addressed during the “stakeholder” meeting on June 9, 2016 or any time after that leading up to the September 20, 2016 meeting where the new proposed fee calculator will be considered for approval. We have been told by Regional Board staff repeatedly, and even have a project on hold pending the fee outcome, that stakeholder comments and questions would be addressed at the meetings.

The comment/question below was submitted for the June 9<sup>th</sup> meeting and the response given was that the Water Board is looking at alternatives to bring the linear calculation in line with the acre calculation. There was no further discussion of the question which addresses public works projects.

*The Dredge and Fill Fee Calculator does not seem to take into consideration public works projects or projects that may actually be beneficial to the waterway being affected. Can the fee schedule be modified to acknowledge environmentally beneficial projects or give RWQCB discretion when assessing fees? Using a linear foot calculation when working in waterways always results in much higher fees than using an acreage calculation.*

The solution presented for approval is lowering the linear calculation cost and raising the acreage calculation cost. Obviously, this approach does in fact bring the permit costs closer together. Using the new cost sheet for the Unit II project discussed below, the permit cost difference is still \$31,338.90 between the linear and acreage calculations. What is the justification of assessing fees on the exact same project, using 2 different methods? The permitting process is the same, impacts to waters of the state are the same, yet the permit cost is a \$31,000 difference. Most, if not all, Flood Control projects restore or enhance the beneficial uses of water through restoration, conveyance improvements, reducing sediment load, or in most cases a combination of all three.

An example of discretion could be to give the regional office an option to assess fees by either the “Discharge Area Length” or “Discharge Area Acres”, not merely the higher fee of the two. Or, assess fees based on acreage alone, which by default would include project length, and only have one possible project fee.

As a Flood Control District we run into the issue with every permit application where we are at or near the \$90,000.00 fee limit for each project. No other Regulatory Agency permit fee is near this amount. In fact, the California Coastal Commission waives permit fees for all public agencies.

As an example we have a pending project in the Unit II Channel in Santa Maria. This is an engineered agricultural channel that discharges into the Santa Maria River. The project involves widening the channel to increase capacity which in turn is also doubling the potential habitat for California red-legged frogs (*Rana draytonii*) which are known to inhabit the area. The work area channel length is 6200 linear feet and acres of impact are 1.85.

When using the existing fee calculator the fee when using discharge length is **\$83,700.00** and when using discharge area acres the fee is **\$10,490.00**, a difference in permit fees of **\$73,210.00**. This is an astronomical fee difference assessing the same project with two different methods.

Under the new proposed fee calculator the fee when using discharge length is **\$50,220.00** and when using discharge area acres the fee is **\$18,881.10**, a difference in permit fees of **\$31,338.90**. This is still a huge fee difference when assessing the same project with two different methods.