

Water Quality Certification Fee Schedule Proposal

Second Fee Stakeholder Meeting
December 8, 2025



Division of Water Quality, Wetland Permitting

Agenda

- Welcome and Introductions
- Water Quality Fee Background
 - Fee Development Timeline
- Stakeholder Feedback Water Quality Certification Fee Proposal
- Open Discussion
- Next Steps

Water Quality Certification Fee Background

The goals of this proposal are to:

- determine if an alternative fee approach improves predictability,
- ensure sufficient resources to cover program costs,
- reduce the fee barrier to permitting, and
- more accurately scale fees based on required staff resources.

Current Fee Regulations: [FY 2025-26 Water Quality Fee Schedule](#).

Stakeholder Feedback and Recommendations

- Retain the current fee cap
- Adjust the points system so that projects with temporary impacts do not pay more than those with permanent impacts
- Make the annual fee less than the application fee

*Changes to flood control and restoration project fees are outside the scope of this proposal. Staff plan to further examine these fees in a separate, future analysis.

Draft Water Quality Certification Fee Proposal

Merges existing Fee Categories A (Fill/Excavation) and E (Low Impact) into one category with five tiers

1. Permit Type (general order, individual certification, or Waste Discharge Requirements)
2. Acres of impacts to waters (sum of permanent and temporary)
3. Alternatives analysis tier

Fee Determining Factors

Permit Type

- Individual Clean Water Act Section 401 Water Quality Certification
- Individual Waste Discharge Requirements (WDRs)
- General Order or Waiver

Aquatic Resource Impacts (acres)

- Permanent Impacts
- Temporary Impacts

Alternatives Analysis

- Tier I
- Tier II
- Tier III

Points Calculator

Fee Factor	Do these criteria apply to your project?	Check if Yes	Points
Permit (Regulatory Measure) Type	Qualifies for enrollment in a General Order	<input type="checkbox"/>	0
	Waiver	<input type="checkbox"/>	0
	Individual Certification	<input type="checkbox"/>	1
	Individual Waste Discharge Requirement	<input type="checkbox"/>	4
Permanent Impacts	Equal to or less than 0.01 acre	<input type="checkbox"/>	1
	Greater than 0.01 acre and up to 0.5 acres	<input type="checkbox"/>	3
	Greater than 0.5 acres	<input type="checkbox"/>	6
Temporary Impacts	Equal to or less than 0.1 acre	<input type="checkbox"/>	0
	Greater than 0.1 and up to 0.2 acres	<input type="checkbox"/>	1
	Greater than 0.2 acres	<input type="checkbox"/>	2
Alternatives Analysis	Not required	<input type="checkbox"/>	0
	Tier 1	<input type="checkbox"/>	0
	Tier 2	<input type="checkbox"/>	1
Tier 3		<input type="checkbox"/>	2
	Total Points:		

Example Project

A routine maintenance project temporary impacts to a combination of waters of the US and non-federal waters of the state:

Fee Tier Determination					
Fee Tiers:	1	2	3	4	5
Point Ranges:	1	2	3	4-5	≥ 5

- Individual Certification=1 point
- No permanent impacts = 1 point
- 0.11 acre temporary impacts = 1 point
- No Alternatives Analysis = 0 point

Total points: 3 points

Fee Tier 3

Example Fee Calculations

Fee Tier

1 (1 points)

Fee Calculation

Flat fee

2 (2 Points)

Total Impact Acres * \$TBD * 1

3 (3 Points)

Total Impact Acres * \$TBD * 1.25

4 (4-5 Points)

Total Impact Acres * \$TBD * 1.5

5 (6 or more Points)

Total Impact Acres * \$TBD * 2

Annual Fee

Annual For All Fee Tiers (broken into two groups):

1. Low impact fee for projects less than or equal to 0.10 acre
2. Regular Fill and Excavation Projects Greater than 0.10 acre

Open Discussion

- 1. What aspects of the proposed fee schedule do you find most beneficial, and how do you think these benefits will impact your operations?**
- 2. What opportunities or considerations should we keep in mind for implementation of this new fee structure, and how can we work together to ensure a smooth and successful transition if this methodology is approved?**
- 3. What additional information or resources would be helpful to better understand and adapt to the proposed changes in the fee schedule?**

Questions and Feedback?

Please send any additional questions or feedback by December 29, 2025 to FeeBranch@waterboards.ca.gov