

## **AGENDA ITEM SUMMARY**

Department

**Submitted For:**

**Motion and Title: Staff recommends motion to adopt:** Resolution approving a revised Schedule of Fees for the Department of Environmental Resources Management (ERM), modifying and eliminating fees to be charged for permit and approval applications and related services provided for by the Unified Land Development Code and the Palm Beach County Code, modifying the environmental plan review fee established by R-1994-1052 and incorporating the fee into the Resolution.

**Background and Justification:** See Exhibit “A” of the Resolution and Fee Change Analysis.

1. Resolution and incorporated Exhibit A - Fee Schedule
2. Exhibit A Schedule of Fees, Strikeout and Underline Version
3. Fee Change Analysis

**Recommended by:**

**Department Director**

10/27/2009  
Date

**Approved by:**

Asst. County Administrator

1/12/09  
Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	< 23,441 >	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	< 23,441 >	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No X  
Budget Account No.: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_  
Reporting Category \_\_\_\_\_

### B. Recommended Sources of Funds/Summary of Fiscal Impact

C. Department Fiscal Review: JP

## III. REVIEW COMMENTS

### A. OFMB Fiscal and /or Contract Administrator Comments:

JP 11-5-09  
OFMB SA 11/24/09 CP 10/28/09 Contract Administrator J. J. Jacob 11/15/09

### B. Legal Sufficiency:

JP 11-9-09  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

RESOLUTION NO. R-2009-\_\_\_\_\_

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING A REVISED SCHEDULE OF FEES FOR THE DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT, MODIFYING AND ELIMINATING FEES TO BE CHARGED FOR PERMIT APPROVAL AND APPROVAL APPLICATIONS AND RELATED SERVICES PROVIDED FOR BY THE UNIFIED LAND DEVELOPMENT CODE (ULDC) AND THE PALM BEACH COUNTY CODE, MODIFYING THE ENVIRONMENTAL PLAN REVIEW FEE ESTABLISHED BY R-1994-1052 AND INCORPORATING THE FEE INTO THE RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR SEVERABILITY.

WHEREAS, the Unified Land Development Code, the Palm Beach County Code, and other applicable laws provide that the official schedule of fees to be imposed by the Department Environmental Resources Management (ERM) for the services it provides shall be adopted by resolution of the Board of County Commissioners;

WHEREAS, the Board of County Commissioners wishes to modify the environmental plan review fee established by R-1994-1052 and incorporate the fee into the official Schedule of Fees;

WHEREAS, it is necessary for ERM to impose certain fees in order to defray the costs of the services it provides to the public; and

WHEREAS, the Schedule of Fees previously adopted by the Board of County Commissioners has not been amended for five years, no longer adequately reflects expenses incurred by ERM and contains some fees that are no longer applicable; and

WHEREAS, the Board of County Commissioners has determined that the Schedule of Fees attached hereto as Exhibit "A" is reasonably related to the services provided by ERM.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1.

A. The Schedule of Fees attached hereto as Exhibit "A" is approved effective upon execution of this Resolution.

B. Should any section, paragraph, sentence, clause, or word of this Resolution or fee adopted hereunder be held to be unconstitutional, inoperative, or void, such holding shall not affect the validity of the remainder of the Resolution and fees adopted hereunder.

The foregoing resolution was offered by Commissioner \_\_\_\_\_ who

40 moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and  
41 upon being put to a vote, the vote was as follows:

42  
43 DISTRICT 1 COMMISSIONER KAREN T. MARCUS \_\_\_\_\_  
44 DISTRICT 2 COMMISSIONER JOHN F. KOONS \_\_\_\_\_  
45 DISTRICT 3 COMMISSIONER SHELLEY VANA \_\_\_\_\_  
46 DISTRICT 4 COMMISSIONER STEVEN L. ABRAMS \_\_\_\_\_  
47 DISTRICT 5 COMMISSIONER BURT AARONSON \_\_\_\_\_  
48 DISTRICT 6 COMMISSIONER JESS R. SANTAMARIA \_\_\_\_\_  
49 DISTRICT 7 COMMISSIONER PRISCILLA A. TAYLOR \_\_\_\_\_

50  
51 The Chair thereupon declared the resolution duly passed and adopted this \_\_\_\_\_ day  
52 of \_\_\_\_\_, 2009.

53  
54 APPROVED AS TO FORM AND  
55 LEGAL SUFFICIENCY  
56

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

57  
58  
59  
60 By: \_\_\_\_\_  
61 County Attorney

By: \_\_\_\_\_  
Deputy Clerk

**EXHIBIT "A"**

**PALM BEACH COUNTY  
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT**

**SCHEDULE OF FEES FOR  
ENVIRONMENTAL RESOURCES MANAGEMENT  
Effective \_\_\_\_\_**

Adopted by the Board of County Commissioners  
Resolution No. \_\_\_\_\_

**A. SEA TURTLE PROTECTION AND SAND PRESERVATION**

Authority: Fees shall be imposed as authorized in Article 14.A., Sea Turtle Protection and Sand Preservation, of the Unified Land Development Code (ULDC).

The schedule of fees shall be based upon the level of review necessary to process approvals (i.e., the proposed number of individual lights to be installed or retrofitted, time of review and inspection time) and will be divided into the following categories:

**1. THE INSTALLATION OF NEW LIGHTING ASSOCIATED WITH CONSTRUCTION OR REMODELING:**

<u>Number of Lights</u>	<u>Fee</u>
a. 1 - 50	\$630
b. 51 - 100	\$805
c. 101 - 150	\$920
d. > 150	\$1150

**2. THE INSTALLATION OF NEW LIGHTING AT EXISTING FACILITIES:**

<u>Number of Lights</u>	<u>Fee</u>
a. 1 - 10	\$115
b. 11 - 20	\$200
c. > 20	\$200

- 3. MINOR MODIFICATIONS OF LIGHTING PLAN APPROVAL (TYPE 1 AND 2) (SIGNIFICANT MODIFICATIONS REQUIRE A NEW PERMIT)** 25% of original fee
- 4. APPROVAL OF PLANS TO REPLACE EXISTING LIGHTING FIXTURES IN THE SAME LOCATION WITH MINIMAL PLAN REVIEW AND NO NEW IMPACTS TO TURTLES** \$0
- 5. DEMINIMUS PERMIT** \$0

## **B. NATURAL AREAS**

1. Authority: Fees may be imposed as authorized in Ordinance No. 94-13, The Palm Beach County Natural Areas Ordinance.

The fee is to offset the costs of administering permits for use of equestrian facilities on natural areas in the amount of \$15 per permit.

2. Authority: Pursuant to Section 3.04.B of the Conservation Lands Protection Ordinance (Ordinance 2003-052), applicants for an interest in Conservation Lands are required to make application for that interest to the Board of County Commissioners at a Public Hearing. Therefore, a fee equal to the amount of the cost for the advertising required for the Public Hearing shall be borne by the applicant in that process.

The fee will be determined at the time of the Public Hearing in an amount equal to the amount of the cost of advertisement. Applicant may make payment directly to facility providing the public notice.

## **C. WELLFIELD PROTECTION**

Authority: Fees shall be imposed as authorized in Article 14.B., Wellfield Protection, ULDC.

1. OPERATING AND CLOSURE PERMIT BONDS:

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Cash Bond, Permit	\$20,000	\$10,000	\$5,000
Bond with Corporate Surety and Letter of Credit			

Amounts reflected in this table are for each Operating and Closure Permit issued.

2. WELLFIELD PROTECTION OPERATING PERMIT APPLICATION FEE:

All applicants for a Wellfield Protection Operating Permit shall pay a non-refundable filing fee according to the following schedule:

<u>Wellfield Zone</u>	<u>Permit Fees</u>
1 or 2	\$690
3	\$440
4	\$350

3. FEE FOR PERMIT TO APPLY PESTICIDES IN WELLFIELD ZONES:

All applicants for a Permit to Apply Pesticides in Wellfield Zones shall pay a non-refundable filing fee in the amount of \$170. The filing fee shall be paid prior to acceptance of the permit application for review. The fee shall be used to defray the cost of administering Article 14.B., ULDC.

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For facilities with a combination of the wellfield permit and permit to apply pesticides "Wellfield Operating Permit to Apply Pesticides", the fee shall be the wellfield operating permit fee for that zone.

4. CLOSURE PERMIT FEE:

All applicants for a Closure Permit shall pay a fee equal to one-half (1/2) of the fee for the Wellfield Protection Operating Permit Application.

5. PERMIT TRANSFER FEE:

The fee for transfer of any Wellfield Protection Operating Permit, Permit to Apply Pesticides or Closure Permit shall be \$60 to defray the cost of processing the transfer.

6. ANNUAL PERMIT RENEWAL FEE:

Beginning October 2, 1990, all permittees shall pay an annual permit renewal fee for each permitted facility to defray the costs of administering Article 14.B., ULDC. Except for entities that own or manage 20 or more facilities, the fee shall be paid according to the following schedule:

<u>Wellfield Zone</u>	<u>Permit Fees</u>
Zone 1	\$200
Zone 2	\$140
Zone 3	\$100
Zone 4	\$60
Permit to Apply Pesticides	\$35

For facilities with a combination of the wellfield permit and permit to apply pesticides "Wellfield Operating Permit to Apply Pesticides", the fee shall be the wellfield renewal permit fee for that zone.

Unless the calculation under the above schedule would be for a lesser amount, entities that own or manage 20 or more facilities shall pay an annual permit renewal fee of \$2000. All permits issued prior to September 30, 1990, are subject to an annual fee for the year beginning on the following October 1. Any permits issued in subsequent years are subject to an annual fee the following October 1.

7. SPECIAL EXEMPTION FEE:

Any person seeking a special exemption shall pay a fee of \$200 to defray the cost of processing the request, in addition to any appropriate permit fees.

8. GENERAL EXEMPTION FEE:

Any person seeking a general exemption pursuant to Article 14.B., shall pay a fee of \$100 to defray the cost of processing the request, in addition to the appropriate permit fees.

9. LATE FEE:

A fee of \$25 shall be charged if the application for permit or annual permit renewal fee is late. Should the application with associated fees not be provided within 60 days from the date due, then additional late fees of \$50 per month shall be charged until the application and fees are received.

10. MODIFICATION FEE:

All applicants for modification of any Wellfield Protection Operating permit in wellfield zones that requires the review of engineered plans for secondary containment or a groundwater monitoring plan, shall pay a fee of \$285 to defray the cost of processing the application.

**D. ENVIRONMENTAL REVIEWS**

1. Authority: Florida Statue 553.80 (previously established by Resolution No. 1994-1052)

Environmental review of some Type 4, 6, and 9 Building Permit Applications and Building Permit Applications where a sea turtle lighting plan is required. Such reviews include, but are not limited to commercial, governmental, agricultural, and coastal construction for the purposes of vegetation protection, wellfield protection, sea turtle protection, storage tank compliance, and stormwater pollution prevention.

\$15

2. Authority: Fees shall be imposed as authorized in Article 2.A., ULDC and are as adopted under Resolution No. 2008-1754, as amended, and collected by the Palm Beach County Planning Zoning and Building, Zoning Division Fee Schedule. The following clarifies the types of reviews.

**ENVIRONMENTAL EVALUATION (4350):** Environmental evaluation for DRO Pre-application, Annual Report Review, Public Hearing DRO application; Final DRO application and Substantial Deviation Determination of DRI

Public Hearing (DRO) includes:

- a. Rezoning to Standard District;
- b. Rezoning to a Planned Development District/Traditional Development District;
- c. Requested Use/Conditional Use A, Conditional Use B;
- d. Development Order Amendment (Plan or Conditions); and
- e. Modification to Preliminary Master/ Site/ Subdivision Plan Review

Final DRO application includes:

- a. Final DRO Review (Final Master/Site/Subdivision Plan Review); and
- b. Modification to Final Master/Site/Subdivision Plan Review



ENVIRONMENTAL EVALUATION - REVIEW OF REVISION (4351):  
Environmental evaluation for each revision to a Public Hearing  
application or Final DRO application as listed below.

Public Hearing (DRO) - Revision include:

- a. Rezoning to Standard District;
- b. Rezoning to a Planned Development District/Traditional Development District;
- c. Requested Use/Conditional Use A, Conditional Use B;
- d. Development Order Amendment (Plan or Conditions); and
- e. Modification to Preliminary Master/ Site/ Subdivision Plan Review

Development Review Officer (DRO)- Revision

- a. Final DRO Review (Final Master/Site/Subdivision Plan Review); and
- b. Modification to Final Master/Site/Subdivision Plan Review

3. Authority: Fees shall be imposed as authorized in Article 2.A., ULDC

DRI Environmental Evaluation	\$100
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#### **E. VEGETATION PRESERVATION AND PROTECTION**

Authority: Fees shall be imposed as authorized in Article 14.C., Vegetation Preservation  
and Protection, ULDC. ALL FEES ARE NON-REFUNDABLE AND NON-TRANSFERABLE

1. PROTECTION OF NATIVE VEGETATION APPROVAL AND PLAN REVIEW ACTIVITIES  
FOR MULTI-FAMILY RESIDENTIAL, COMMERCIAL, AND GOVERNMENTAL:

- |  |         |
|--|---------|
| a. For sites less than or equal to 10.0 acres<br>(gross size)                    | \$680*  |
| b. For sites over 10.0 acres up to and including 20.0<br>acres (gross size)      | \$1120* |
| c. For sites over 20.0 acres up to and including 50.0<br>acres (gross size)      | \$1725* |
| d. For sites over 50.0 acres (gross size)  | \$2128* |
| e. Preserve Evaluation and Review/Approval of<br>Preserve Management Plan        | \$275   |
| f. Application for cash payment in lieu of<br>establishing Natural area preserve | \$310   |
| g. Tree Preservation Area review/plan approval                                   | \$125   |

2. PROTECTION OF NATIVE VEGETATION APPROVAL AND PLAN REVIEW ACTIVITIES FOR  
AGRICULTURAL, EQUESTRIAN OR OTHER NON-RESIDENTIAL ANCILLARY USES:

- |   |         |
|---|---------|
| a. For sites over 10.0 acres up to and including 20.0<br>acres (gross size) | \$780*  |
| b. For sites over 20.0 acres up to and including 50.0<br>acres (gross size) | \$1195* |
| c. For sites over 50.0 acres (gross size)                                   | \$1525* |
| d. Preserve Evaluation and Review/Approval of<br>Preserve Management Plan   | \$310   |

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e. Application for cash payment in lieu of establishing natural area preserve	\$205
f. Tree Preservation Area review/plan approval	\$125
<b>3. MODIFICATION:</b>	
a. Modification which requires review of redesigned site plan, survey, mitigation plan, or a site inspection	\$150
b. Modifications which do not require review of redesigned site plan, mitigation plan or site inspection but do cause text modification of original approval (including time extensions, transfers, change of ownership, modification of Building Department Permit, attachments)	\$50
<b>4. APPLICATION FOR NATIVE ECOSYSTEM OVERLAY</b>	
Review of application regardless of the amount of native vegetation present	\$100

\* Fees shown assume that 2 inspections will be required per project (an initial evaluation inspection and a post-clearing inspection). Additional inspections may be warranted due to the complexity of the project, as a result of a failed inspection, or failure of the applicant or agent to appear at a scheduled onsite meeting. Additional inspections shall be billed at \$75 per inspection.

## **F. EXCAVATION**

Authority: Fees shall be imposed as authorized in Article 4.D., Excavation, Unified Land Development Code.

### **1. EXCAVATION APPROVAL FEES:**

All applications for approval of, modification to, or request for administrative waiver for a Notice of Intent to Construct (NIC) shall pay a non-refundable, non-transferable filing fee according to the following schedule:

<b>a. TYPE II, NON-BONA FIDE AGRICULTURE AND WEST COUNTY AGRICULTURAL AREA (WCAA) EXCAVATIONS:</b>	
1. NIC – Type II, non-bona fide agriculture and WCAA excavation	\$805
2. Application for administrative waiver	\$175
3. To be included with the NIC for each additional lake beginning with the second lake with a designated planted littoral zone	\$175
4. Application to modify an approved NIC that requires the review of a revised littoral plan, restrictive covenant agreement or plat	\$285

**b. BONA FIDE AGRICULTURAL EXCAVATIONS:**

- |   |       |
|---|-------|
| 1. NIC – Agricultural excavation  | \$625 |
| 2. Application for administrative waiver  | \$200 |
| 3. To be included with the NIC for each additional lake beginning with the second lake with a designated planted littoral zone  | \$175 |
| 4. Application to modify an approved NIC that requires the review of a revised littoral plan, restrictive covenant agreement or plat  | \$285 |
| 5. Agricultural excavation application with a request for an administrative waiver to remove the littoral planting requirement provided the proposed lake is for an approved bona fide agricultural use (i.e., cattle drinking, equestrian exercise area) | \$400 |

**c. TYPE III EXCAVATIONS:**

- |  |         |
|--|---------|
| 1. NIC – Type III excavation   | \$2,600 |
| 2. Application for administrative waiver   | \$1,000 |
| 3. To be included with the NIC for each additional lake beginning with the second lake with a designated planted littoral zone   | \$500   |
| 4. Application to modify an approved NIC that requires the review of a revised littoral plan, restrictive covenant agreement or phasing plan   | \$1,500 |
| 5. For the review and monitoring of excavation slopes, littoral planting areas, water quality, guarantees and depths to be paid annually beginning 1 year after a Type III NIC is issued until completion of the excavation. A late charge of \$50 per month from the due date shall be charged until payment is received. | \$325   |

**G. FILE SEARCHES**

File Searches conducted on behalf of a client and provide a written report on pollutant storage tank, petroleum cleanup, wellfield protection and other environmental issues. \$100

**EXHIBIT "A"**

**PALM BEACH COUNTY  
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT**

**SCHEDULE OF FEES FOR  
ENVIRONMENTAL RESOURCES MANAGEMENT  
Effective \_\_\_\_\_**

Adopted by the Board of County Commissioners  
Resolution No. \_\_\_\_\_

**A. SEA TURTLE PROTECTION AND SAND PRESERVATION**

Authority: Fees shall be imposed as authorized in Article 14.A., Sea Turtle Protection and Sand Preservation, of the Unified Land Development Code (ULDC).

The schedule of fees shall be based upon the level of review necessary to process approvals (i.e., the proposed number of individual lights to be installed or retrofitted, time of review and inspection time) and will be divided into the following categories:

**1. THE INSTALLATION OF NEW LIGHTING ASSOCIATED WITH CONSTRUCTION OR REMODELING:**

<u>Number of Lights</u>	<u>Fee</u>
a. 1 - 50	<del>\$550</del> <u>\$630</u>
b. 51 - 100	<del>\$700</del> <u>\$805</u>
c. 101 - 150	<del>\$800</del> <u>\$920</u>
d. > 150	<del>\$1000</del> <u>\$1150</u>

**2. THE INSTALLATION OF NEW LIGHTING AT EXISTING FACILITIES:**

<u>Number of Lights</u>	<u>Fee</u>
a. 1 - 10	<del>\$100</del> <u>\$115</u>
b. 11 - 20	<del>\$200</del>
c. > 20	<del>\$200</del>

**3. MINOR MODIFICATIONS OF LIGHTING PLAN APPROVAL  
(TYPE 1 AND 2) (SIGNIFICANT MODIFICATIONS  
REQUIRE A NEW PERMIT)**

25% of original fee

**4. APPROVAL OF PLANS TO REPLACE EXISTING LIGHTING  
FIXTURES IN THE SAME LOCATION WITH MINIMAL PLAN  
REVIEW AND NO NEW IMPACTS TO TURTLES:**

\$0

**5. DEMINIMUS PERMIT**

\$0

12

## B. NATURAL AREAS

1. Authority: Fees may be imposed as authorized in Ordinance No. 94-13, The Palm Beach County Natural Areas Ordinance.

The fee is to offset the costs of administering permits for use of equestrian facilities on natural areas in the amount of \$15 per permit.

2. Authority: Pursuant to Section 3.04.B of the Conservation Lands Protection Ordinance (Ordinance 2003-052), applicants for an interest in Conservation Lands are required to make application for that interest to the Board of County Commissioners at a Public Hearing. Therefore, a fee equal to the amount of the cost for the advertising required for the Public Hearing shall be borne by the applicant in that process.

The fee will be determined at the time of the Public Hearing in an amount equal to the amount of the cost of advertisement. Applicant may make payment directly to facility providing the public notice.

## C. WELLFIELD PROTECTION

Authority: Fees shall be imposed as authorized in Article 14.B., Wellfield Protection, ULDC.

1. OPERATING AND CLOSURE PERMIT BONDS:

	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Cash Bond, Permit	\$20,000	\$10,000	\$5,000
Bond with Corporate Surety and Letter of Credit			

Amounts reflected in this table are for each Operating and Closure Permit issued.

2. WELLFIELD PROTECTION OPERATING PERMIT APPLICATION FEE:

All applicants for a Wellfield Protection Operating Permit shall pay a non-refundable filing fee according to the following schedule:

<u>Wellfield Zone</u>	<u>Permit Fees</u>
1 or 2	<del>\$600</del> \$690
3	<del>\$385</del> \$440
4	<del>\$305</del> \$350

3. FEE FOR PERMIT TO APPLY PESTICIDES IN WELLFIELD ZONES:

All applicants for a Permit to Apply Pesticides in Wellfield Zones shall pay a non-refundable filing fee in the amount of ~~\$150~~ \$170. The filing fee shall be paid prior to acceptance of the permit application for review. The fee shall be used to defray the cost of administering Article 14.B., ULDC.

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For facilities with a combination of the wellfield permit and permit to apply pesticides "Wellfield Operating Permit to Apply Pesticides", the fee shall be the wellfield operating permit fee for that zone.

4. CLOSURE PERMIT FEE:

All applicants for a Closure Permit shall pay a fee equal to one-half (1/2) of the fee for the Wellfield Protection Operating Permit Application.

5. PERMIT TRANSFER FEE:

The fee for transfer of any Wellfield Protection Operating Permit, Permit to Apply Pesticides or Closure Permit shall be ~~\$50~~ \$60 to defray the cost of processing the transfer.

6. ANNUAL PERMIT RENEWAL FEE:

Beginning October 2, 1990, all permittees shall pay an annual permit renewal fee for each permitted facility to defray the costs of administering Article 14.B., ULDC. Except for entities that own or manage 20 or more facilities, the fee shall be paid according to the following schedule:

<u>Wellfield Zone</u>	<u>Permit Fees</u>
Zone 1	<del>\$175</del> <u>\$200</u>
Zone 2	<del>\$125</del> <u>\$140</u>
Zone 3	<del>\$90</del> <u>\$100</u>
Zone 4	<del>\$50</del> <u>\$60</u>
Permit to Apply Pesticides	\$35

For facilities with a combination of the wellfield permit and permit to apply pesticides "Wellfield Operating Permit to Apply Pesticides", the fee shall be the wellfield renewal permit fee for that zone.

Unless the calculation under the above schedule would be for a lesser amount, entities that own or manage 20 or more facilities shall pay an annual permit renewal fee of \$2000. All permits issued prior to September 30, 1990, are subject to an annual fee for the year beginning on the following October 1. Any permits issued in subsequent years are subject to an annual fee the following October 1.

7. SPECIAL EXEMPTION FEE:

Any person seeking a special exemption shall pay a fee of \$200 to defray the cost of processing the request, in addition to any appropriate permit fees.

8. GENERAL EXEMPTION FEE:

Any person seeking a general exemption pursuant to Article 14.B., shall pay a fee of \$100 to defray the cost of processing the request, in addition to the appropriate permit fees.

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9. LATE FEE:

A fee of \$25 shall be charged if the application for permit or annual permit renewal fee is late. Should the application with associated fees not be provided within 60 days from the date due, then additional late fees of \$50 per month shall be charged until the application and fees are received.

10. MODIFICATION FEE:

All applicants for modification of any Wellfield Protection Operating permit in wellfield zones that requires the review of engineered plans for secondary containment or a groundwater monitoring plan, shall pay a fee of ~~\$250~~ \$285 to defray the cost of processing the application.

**D. ENVIRONMENTAL REVIEWS**

1. Authority: Florida Statue 553.80 (previously established by Resolution No. 1994-1052)

Environmental review of some Type 4, 6, and 9 Building Permit Applications and Building Permit Applications where a sea turtle lighting plan is required. Such reviews include, but are not limited to commercial, governmental, agricultural, and coastal construction for the purposes of vegetation protection, wellfield protection, sea turtle protection, storage tank compliance, and stormwater pollution prevention.

\$15

2. Authority: Fees shall be imposed as authorized in Article 2.A., ULDC and are as adopted under Resolution No. 2008-1754, as amended, and collected by the Palm Beach County Planning Zoning and Building, Zoning Division Fee Schedule. The following clarifies the types of reviews.

**THRESHOLD REVIEW:**

~~The general ERM environmental evaluation for all projects moving through the Zoning/DRO process including Conditional Use, Environmental Evaluation, Development Order Condition Modification, Development Order Plan Modification, DRO Environmental Evaluation, DRO Final Subdivision Plan Review, DRO Preliminary Development Plan Review, DRO Minor and Major Site Plan Modification, DRI Environmental Evaluation, DRI Determination of Substantial Deviation, DRI Annual Report Review, and DRO Pre-application~~

~~\$100~~

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ENVIRONMENTAL EVALUATION (4350): Environmental evaluation for DRO Pre-application, Annual Report Review, Public Hearing DRO application; Final DRO application and Substantial Deviation Determination of DRI

Public Hearing (DRO) includes:

- a. Rezoning to Standard District;
- b. Rezoning to a Planned Development District/Traditional Development District;
- c. Requested Use/Conditional Use A, Conditional Use B;
- d. Development Order Amendment (Plan or Conditions); and
- e. Modification to Preliminary Master/ Site/ Subdivision Plan Review

Final DRO application includes:

- a. Final DRO Review (Final Master/Site/Subdivision Plan Review); and
- b. Modification to Final Master/Site/Subdivision Plan Review

ENVIRONMENTAL EVALUATION - REVIEW OF REVISION (4351):  
Environmental evaluation for each revision to a Public Hearing application or Final DRO application as listed below.

Public Hearing (DRO) - Revision include:

- a. Rezoning to Standard District;
- b. Rezoning to a Planned Development District/Traditional Development District;
- c. Requested Use/Conditional Use A, Conditional Use B;
- d. Development Order Amendment (Plan or Conditions); and
- e. Modification to Preliminary Master/ Site/ Subdivision Plan Review

Development Review Officer (DRO)- Revision

- a. Final DRO Review (Final Master/Site/Subdivision Plan Review); and
- b. Modification to Final Master/Site/Subdivision Plan Review

3. Authority: Fees shall be imposed as authorized in Article 2.A., ULDC

DRI Environmental Evaluation

\$100

## **E. VEGETATION PRESERVATION AND PROTECTION**

Authority: Fees shall be imposed as authorized in Article 14.C., Vegetation Preservation and Protection, ULDC. ALL FEES ARE NON-REFUNDABLE AND NON-TRANSFERABLE

1. GENERAL PERMITS:	FEE
a. Vegetation Removal Notice (single family properties less than 2.5 acres in gross size)	\$0
b. Vegetation General Permit (Field Issued) for Prohibited/Exotic Species Removal	\$0
c. Vegetation General Permit (Field Issued) for Minor Vegetation Alteration	\$100

2. ~~STANDARD PERMIT FOR SPECIMEN TREE ALTERATION/REMOVAL~~  
(fee is in addition to other required permit fees):

16



- a. ~~For alteration or removal of 1 to 10 trees~~ ~~\_\_\_\_\_~~ ~~\$100~~
- b. ~~For alteration or removal of 11 or greater trees~~ ~~\_\_\_\_\_~~ ~~\$190~~

~~3. STANDARD PERMIT FOR SINGLE FAMILY (1-2 UNITS) RESIDENTIAL USE (lots greater than or equal to 2.5 acres in gross size):~~

- a. ~~Single family Residence and associated structures (not including preserve, or commercial or agricultural activities in improved parcels)~~ ~~\_\_\_\_\_~~ ~~\$250~~
- b. ~~Single family Residence and associated structures involving regulated wetland (not including preserve, or commercial or agricultural activities on improved parcels)~~ ~~\_\_\_\_\_~~ ~~\$350~~

~~4. STANDARD PERMIT AND PLAN REVIEW FOR MULTI-FAMILY RESIDENTIAL, COMMERCIAL, AND GOVERNMENTAL\*\*\*~~

1. PROTECTION OF NATIVE VEGETATION APPROVAL AND PLAN REVIEW ACTIVITIES FOR MULTI-FAMILY RESIDENTIAL, COMMERCIAL, AND GOVERNMENTAL:

- a. For sites less than or equal to 10.0 acres (gross size) \$680\*\*\*
- b. For sites over 10.0 acres up to and including 20.0 acres (gross size) \$1120\*\*\*
- c. For sites over 20.0 acres up to and including 50.0 acres (gross size) \$1725\*\*\*
- d. For sites over 50.0 acres (gross size) \$2128\*\*\*
- e. Preserve Evaluation and Review/Approval of Preserve Management Plan \$275
- f. Application for cash payment in lieu of establishing Natural area preserve \$310
- g. Tree Preservation Area review/plan approval \$125
- h. ~~Review and approval of prohibited vegetation eradication plans~~ ~~\$0~~

~~5. STANDARD PERMIT FOR AGRICULTURAL, EQUESTRIAN OR OTHER NON-RESIDENTIAL ANCILLARY USES\*\*\*:~~

2. PROTECTION OF NATIVE VEGETATION APPROVAL AND PLAN REVIEW ACTIVITIES FOR AGRICULTURAL, EQUESTRIAN OR OTHER NON-RESIDENTIAL ANCILLARY USES:

- a. ~~For sites less than or equal to 10.0 acres (gross size)~~ ~~\_\_\_\_\_~~ ~~\$495\*\*\*~~
- b. For sites over 10.0 acres up to and including 20.0 acres (gross size) \$780\*\*\*
- ~~e.b.~~ For sites over 20.0 acres up to and including 50.0 acres (gross size) \$1195\*\*\*
- ~~d.c.~~ For sites over 50.0 acres (gross size) \$1525\*\*\*
- ~~e.d.~~ Preserve Evaluation and Review/Approval of Preserve Management Plan \$310

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f.e. Application for cash payment in lieu of establishing natural area preserve	\$205
g.f. Tree Preservation Area review/plan approval	\$125
h. <del>Review and approval of prohibited vegetation eradication plans</del>	<del>\$0</del>
6. <del>STANDARD PERMIT IN ADVANCE OF BUILDING PERMIT OR LAND DEVELOPMENT PERMIT THROUGH PERFORMANCE GUARANTEE (SURETY BOND, CASH/CAHIER'S CHECK OR IRREVOCABLE LETTER OF CREDIT)</del>	<del>\$150</del>
7. <del>DEMINIMUS PERMIT</del>	<del>\$0</del>
8. <u>3. PERMIT MODIFICATION:</u>	
a. <del>Modifications which require review of redesigned site plan, additional site inspections, or extension of permits an approval and only require a letter addendum</del>	<del>\$0</del>
Modification which requires review of redesigned site plan, <u>survey, mitigation plan, or additional a site inspections</u>	\$150
b. Modifications which do not require review of redesigned site plan, <u>mitigation plan</u> or additional site inspections but do cause text modification of original permit <u>approval</u> (including permit time extensions, transfers of permit, change of ownership, modification of Building Department Permit, attachments, <del>C.O. holds</del> )	\$50
9. <u>4. APPLICATION FOR NATIVE ECOSYSTEM OVERLAY</u>	
<u>Review of application</u> <del>Fee is based on lot size regardless of the amount of native vegetation present</del>	\$100
10. <del>FAILURE TO OBTAIN PERMIT FOR EXOTIC REMOVAL ONLY</del>	<del>\$150</del>

~~\*\* Applicants for projects that will receive vegetation and/or preserve evaluations during the Development Review Committee (DRC) process shall remit \$100 as partial payment of the required Vegetation Preservation and Protection fee with the DRC application and prior to certification.~~

\*\*\* Fees shown assume that ~~3~~ 2 inspections will be required per project (an initial evaluation inspection, ~~a pre-clearing inspection~~ and a post-clearing inspection). Additional inspections may be warranted due to the complexity of the project, as a result of a failed inspection, or failure of the applicant or agent to appear at a scheduled onsite meeting. Additional inspections shall be billed at \$75 per inspection.

## F. EXCAVATION

Authority: Fees shall be imposed as authorized in Article 4.D., Excavation, Unified Land Development Code.

### 1. EXCAVATION APPROVAL FEES:

All applications for approval of, modification to, or request for administrative waiver for a Notice of Intent to Construct (NIC) shall pay a non-refundable, non-transferable filing fee according to the following schedule:

#### a. TYPE II, ~~TYPE III~~, NON-BONA FIDE AGRICULTURE AND WEST COUNTY AGRICULTURAL AREA (WCAA) EXCAVATIONS:

- |  |                  |              |
|--|------------------|--------------|
| 1. NIC - Type II, <del>Type III</del> and non-bona fide agriculture and WCAA excavation  | \$700            | <u>\$805</u> |
| <del>2. NIC WCAA excavation (no planting required)</del>   | <del>\$250</del> |              |
| 32. Application for administrative waiver  | \$150            | <u>\$175</u> |
| 43. To be included with the NIC for each additional lake beginning with the second lake with a designated planted littoral zone  | \$150            | <u>\$175</u> |
| 54. Application to modify an approved NIC that requires the review of a revised littoral plan, restrictive covenant agreement or plat  | \$250            | <u>\$285</u> |
| 6. <del>For the review and monitoring of excavation slopes, littoral planting areas, water quality, guarantees and depths to be paid annually beginning 1 year after a Type III NIC is issued until completion of the excavation. A previously approved Type III NIC shall provide the annual payment by February 28, 2000. Should the annual fee not be provided within 60 days from the date due, an additional late fee of \$50 per month shall be charged until payment is received.</del> |                  | \$285        |

#### b. BONA FIDE AGRICULTURAL EXCAVATIONS:

- |   |       |              |
|---|-------|--------------|
| 1. NIC - Agricultural excavation  | \$550 | <u>\$625</u> |
| 2. Application for administrative waiver  | \$150 | <u>\$175</u> |
| 3. To be included with the NIC for each additional lake beginning with the second lake with a designated planted littoral zone                                      | \$150 | <u>\$175</u> |
| 4. Application to modify an approved NIC that requires the review of a revised littoral plan, restrictive covenant agreement or plat                                | \$250 | <u>\$285</u> |
| 5. Agricultural excavation application with a request for an administrative waiver to remove the littoral planting requirement provided the proposed lake is for an |       |              |
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approved bona fide agricultural use (i.e.,  
cattle drinking, equestrian exercise area)

\$400

c. TYPE III EXCAVATIONS:

- |   |                  |                |
|---|------------------|----------------|
| 1. <u>NIC - Type III excavation</u>   | <del>\$700</del> | <u>\$2,600</u> |
| 2. <u>Application for administrative waiver</u>   | <del>\$150</del> | <u>\$1,000</u> |
| 3. <u>To be included with the NIC for each<br/>additional lake beginning with the second<br/>lake with a designated planted littoral zone</u>   | <del>\$150</del> | <u>\$500</u>   |
| 4. <u>Application to modify an approved NIC that<br/>requires the review of a revised littoral plan,<br/>restrictive covenant agreement or phasing plan</u>   | <del>\$250</del> | <u>\$1,500</u> |
| 5. <u>For the review and monitoring of excavation<br/>slopes, littoral planting areas, water quality,<br/>guarantees and depths to be paid annually<br/>beginning 1 year after a Type III NIC is<br/>issued until completion of the excavation.<br/>A late charge of \$50 per month from the<br/>due date shall be charged until payment<br/>is received.</u> | <del>\$285</del> | <u>\$325</u>   |

**G. FILE SEARCHES**

File Searches conducted on behalf of a client and  
provide a written report on pollutant storage tank,  
petroleum cleanup, wellfield protection and other  
environmental issues.

\$100

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## **FEE CHANGE ANALYSIS**

D: /\_RP/ Fee Change Analysis 10\_23\_2009

Five years ago on November 16, 2004, the Schedule of Fees was adopted under Resolution R-2004-2374, after no previous increases for 5 years. On September 23, 2008, The Palm Beach County Board of County Commissioners adopted changes to the Unified Land Development Code, Article 14.C., Vegetation Protection and Preservation Code. The fee schedule was not concurrently modified to reflect these changes. The fee analysis is provided to explain the changes described in Exhibit A, the actual changes in the Fee Schedule. As the fees have not changed since 2004, costs in salaries and benefits have increased between 20% and 25% over the past 5 years. Not all fees are being modified. Seven (7) fees have been eliminated based on code changes. Some fees have significantly increased due to the time needed to review, inspect, or process an application. There are no new fees.

Sea Turtle Lighting fees have not changed since 2004 while the cost in salaries and benefits increased between 20% and 25%. The proposed application fee represents a 15% increase to more closely offset costs. This represents 65% of processing costs.

Wellfield Protection fees do not reflect the actual cost of the program. However, the actual costs are provided for comparison. At the inception of the program, discussions with the Board of County Commissioners and the writers of the Ordinance indicated that the County as a whole would partially cover the cost of administering and processing operating permits and annual fees as the County benefits from protection of groundwater. The fee increases are based on an approximate overall 15%, depending on the category.

The environmental review fee found in Resolution No. R-94-1052 requires \$3 for all building permit application types with the exception of a Type 1 building permit application. Florida Statute 553.80 which pertains to the Florida Building Code, restricts the Planning, Zoning and Building, Building Division to only charge applications that receive a review. Revisions to the Vegetation Preservation and Protection Code significantly reduced the number of plan reviews that require an environmental review. Only some Type 4, 6 and 9, commercial, governmental, and agricultural activities for the purposes of vegetation protection, wellfield protection, storage tank compliance, and stormwater pollution prevention along with building permit applications needing a sea turtle lighting plan for coastal construction require an environmental review. Proposed is incorporating the fee identified by Resolution No. R-94-1052 into the Schedule of Fees, charge only those applications that require review, and increase the fee to \$15 to reflect actual review time. Due to the significant reduction of plan reviews conducted, no revenue increase is anticipated.

Vegetation protection changes reflect the revised Vegetation Protection and Preservation Code, as adopted on September 28, 2008. Language is revised to reflect the Approval for Protection of Native Vegetation process in lieu of a Standard Permit. Fees remain the same with the following 7 fees being eliminated:

- 
- 1) Minor Vegetation Alteration;
  - 2) Specimen Tree Removal;
  - 3) Standard Permit for Single Family Residential Use and Agricultural Parcels less than 10 acres gross size;
  - 4) Review of Prohibitive Eradication Plans;
  - 5) Standard Permit in advance of Building Permit or Land Development through Performance Guarantee;
  - 6) Deminimus Permit; and
  - 7) Failure to Obtain Permit for Exotic Removal.

Excavation fees for non-mining activities are increased 15% to partially offset County costs. Type III mining operations application fees have been separated and significantly increased to more accurately reflect the cost of processing this type of application due to the associated technical complexity. Fees are based on staff time for preliminary meetings, inspection, surety processing, review of monitoring plans, water quality data, phasing, and engineering plans.

The overall annual revenue increase associated with this proposal is approximately \$23,441. Evaluation of the fee structure changes is as follows:

#### **A. SEA TURTLE PROTECTION AND SAND PRESERVATION**

##### ***SEA TURTLE LIGHTING PLAN APPROVALS:***

##### **FEE ANALYSIS**

An average of 24 hours of an Environmental Analyst's time for inspections and processing a sea turtle lighting application with 1 hr supervisory review and 0.25 hrs of secretarial time. Review and processing of modification applications require significantly less time on average.

Application:	24.00	X	\$59.44	=	\$1,426.56
	1.00	X	\$79.58	=	79.58
	0.25	X	\$22.84	=	<u>5.71</u>
					\$1,511.85

Modification:	2.50	X	\$59.44	=	\$148.60
	0.50	X	\$79.58	=	39.79
	0.25	X	\$22.84	=	<u>5.71</u>
					\$194.10

The increase in cost for each application type is by 15%. The estimated annual revenue increase is \$475.

### C. WELLFIELD PROTECTION

#### WELLFIELD PROTECTION OPERATING PERMIT APPLICATION FEE:

##### FEE ANALYSIS

Wellfield Zone 1 and Zone 2: An average of 10 hours of an Environmental Analyst's time (\$59.44/hr) for notification, completeness summary, application review, processing surety, and permitting; 1 hr of a Hydrogeologist's time (\$71.01) for monitor well placement and methods; 6 hours of an Environmentalist's time (\$49.83) for initial and post permit inspections; and 1 hour for supervisory review (\$79.58/hr).

$$\begin{array}{rcl} 10.0 \times \$59.44 & = & 594.40 \\ 1.00 \times \$71.01 & = & 71.01 \\ 6.00 \times \$49.83 & = & 298.98 \\ 1.00 \times \$79.58 & = & 79.58 \\ & & \underline{\$1043.97} \end{array}$$

The increase in cost is \$90 or 15% for a permit fee of \$690.

##### Wellfield Zone 3

The cost is the same as above less 1 hour Hydrogeologist time  $\begin{array}{r} - 71.01 \\ \$972.96 \end{array}$

The increase in cost is \$55 or 14% for a permit fee of \$440.

##### Wellfield Zone 4

An average of 3 hours of an Environmental Analyst's time (\$59.44/hr); 5 hours of an Environmentalist's time (\$49.83) for initial and post permit inspections; and 0.5 hour for supervisory review (\$79.58/hr).

$$\begin{array}{rcl} 3.0 \times \$59.44 & = & 178.32 \\ 5.0 \times \$49.83 & = & 249.15 \\ 0.5 \times \$79.58 & = & 39.79 \\ & & \underline{\$467.26} \end{array}$$

The increase in cost is \$45 or 15% for a permit fee of \$350.

##### Permit to Apply Pesticides in Wellfield Zones:

$$\begin{array}{rcl} 3.0 \times \$59.44 & = & 178.32 \\ 0.5 \times \$79.58 & = & 39.79 \\ & & \underline{\$218.11} \end{array}$$

The increase in cost is \$20 or 13% for a permit application fee of \$170.

In Fiscal Year 2009 there were 0-Zone 1&2, 3-Zone 3, 56-Zone 4 and 5-notifications for a Permit to Apply Pesticides in Wellfield Zones. The estimated annual revenue increase would be \$2,785.

**PERMIT TRANSFER FEE:**

**FEE ANALYSIS**

An average of 1 hr Environmental Analyst time (\$59.44), 0.25 of a supervisory and 0.5 hour of secretarial time is needed.

1.0 X \$59.44 =	59.44
0.25 X \$79.58 =	19.90
0.5 X \$49.83 =	<u>24.92</u>
	\$104.26

Most requests are received at the time of annual billing and are in lieu of a Zone 4 annual renewal, therefore the fee should be at least the same as a Zone 4 permit annual renewal fee of \$60. A \$10, or 15%, increase is recommended for a total fee of \$60. In Fiscal Year 2009 there were 15 permit transfers for an estimated annual revenue increase of \$150.

**ANNUAL PERMIT RENEWAL FEE**

**FEE ANALYSIS**

An average of 6 hours of an Environmentalist's time (\$49.83) is needed to inspect a Zone 1 or Zone 2 facility. An average of 2 hours of an Environmentalist's time is needed to inspect a Zone 3 facility. Zone 1, 2 and 3 facilities are inspected twice annually. An average of 2 hours of an Environmentalist's time is needed to inspect a Zone 4 facility annually. There is a 25% re-inspection rate.

Zone 1:  $6.0 \times \$49.83 = \$298.98$

The increase is \$30 or 14% for a renewal fee of \$200.

Zone 2:  $6.0 \times \$49.83 = \$298.98$

The increase is \$15 or 12% for a renewal fee of \$140.

Zone 3:  $4.0 \times \$49.83 = \$199.32$

The increase is \$10 or 11% for a renewal fee of \$100.

Zone 4:  $2.0 \times \$49.83 = \$99.66$

The annual renewal fee for a Zone 4 facility has never been increased. A \$10 increase, 20%, is requested for a Zone 4 renewal fee of \$60.00.

In Fiscal Year 2009, 16-Zone 1, 73-Zone 2, 64-Zone 3, 883-Zone 4 facilities were billed, the expected annual revenue increase is \$10,965.



**MODIFICATION:**

**FEE ANALYSIS**

An average of 6 hours of an Environmental Analyst's time (\$59.44/hr) for application review, pre-permit inspection, permit issuance and follow-up inspection; and 0.5 hour for supervisory review (\$79.58/hr).

$$\begin{array}{r} 6.0 \times \$59.44 = \$356.64 \\ 0.5 \times \$79.58 = \underline{39.79} \\ \$396.43 \end{array}$$

The increase is \$35 or 150% for a permit fee of \$285. The annual revenue increase is expected to be approximately \$350.

**D. ENVIRONMENTAL REVIEWS**

**ENVIRONMENTAL REVIEW OF BUILDING PERMIT PLANS:**

**FEE ANALYSIS**

Plan Review: An average of 15 minutes per application of a Senior Environmental Analyst's time is needed to review the packet, comment and enter into the database.

$$0.25 \times \$66.54 = \$16.63$$

The fee increase is from \$3 to \$15, but will impact a significantly smaller number of plan reviews. Assuming only 128 reviews, the anticipated revenue increase of \$1,536.

**F. EXCAVATION**

**TYPE II, NON-BONA FIDE AGRICULTURE, AND WEST COUNTY AGRICULTURAL EXCAVATION APPROVALS:**

**FEE ANALYSIS**

**Type II, Non-Bona Fide Agriculture, and WCAA Excavation Approval**

An average of 6 hours of an Environmental Analyst's time (\$59.44/hr) for application review, completeness summary, processing surety, and NIC Approval; 15.5 hours of an Environmentalist's time (\$49.83) for Time Zero, 90, 180, 360 and 730 monitoring report review/inspections and correspondence preparation; 0.5 hours for secretary for mailings; and 4 hours of an Environmental Program Supervisors time (\$79.58/hr) for pre-application meetings, supervisory review, database oversight and tracking.

$$\begin{array}{r} 6.0 \times \$59.44 = \$356.64 \\ 15.50 \times \$49.83 = 772.37 \\ 0.50 \times \$22.84 = 11.42 \\ 4.00 \times \$79.58 = \underline{318.32} \\ \$1,458.75 \end{array}$$

The increase is \$105 or 15% for a permit fee of \$805.

Type II Administrative Waiver

$$6.0 \times \$59.44 = \$356.64$$

The increase is \$25 or 16% for a permit fee of \$175.

Type II - Each Additional Lake – Littoral Zone Compliance Inspections

An average of 6.0 hours of an Environmentalist's time (\$49.83) for monitoring report review and inspections.

$$6.0 \times \$49.83 = \$298.98$$

The increase is \$25 or 16% for a fee of \$175.

Type II NIC Modification

An average of 4 hours of an Environmental Analyst's time (\$59.44/hr) for modification review, completeness summary, processing surety, and correspondence preparation; 3.0 hours of an Environmentalist's time (\$49.83) for monitoring report review and inspections; 0.5 hours for secretary for mailings; and 1.0 hour of an Environmental Program Supervisors time (\$79.58/hr) for supervisory review.

$$\begin{array}{r} 4.0 \times \$59.44 = \$ 237.76 \\ 3.0 \times \$49.83 = 149.49 \\ 0.5 \times \$22.84 = 11.42 \\ 1.00 \times \$79.58 = \underline{79.58} \\ \$478.25 \end{array}$$

The increase is \$35 or 15% for a permit fee of \$285.

Based on 2 applications, the estimated annual revenue increase is expected to be \$1520.

***BONA FIDE EXCAVATION APPROVALS- APPLICATION AND WAIVER:***

**FEE ANALYSIS**

**Bona fide Agriculture Excavation Approvals**

An average of 8 hours of an Environmental Analyst's time (\$59.44/hr) for application review, completeness summary, inspections, processing surety, and NIC Approval; 1 hr of a hydrogeologist's time (\$71.01) for geological study; 0.5 hours for secretary for mailings; and 5 hours of an Environmental Program Supervisors time (\$79.58/hr) for pre-application meetings, application review, supervisory review, database oversight, monitoring report review/inspections and correspondence preparation (\$79.58/hr).

$$\begin{array}{r} 8.0 \times \$59.44 = \$475.52 \\ 1.00 \times \$71.01 = 71.01 \\ 0.50 \times \$22.84 = 11.42 \\ 5.00 \times \$79.58 = \underline{397.90} \\ \$955.85 \end{array}$$

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The increase is \$75 or 13% for a permit fee of \$625.

**Bona fide Agriculture Administrative Waiver**

An average of 6 hours of an Environmental Analyst's time (\$59.44/hr) for application review, completeness summary, inspections, processing surety, and NIC Approval; 2 hr of a hydrogeologist's time (\$71.01) for monitor well placement, methods and geological study; 0.5 hours for secretary for mailings; and 3 hours of an Environmental Program Supervisors time (\$79.58/hr) for pre-application meetings, application review, supervisory review, database oversight, monitoring report review/inspections and correspondence preparation (\$79.58/hr).

$$\begin{array}{r} 6.00 \times \$59.44 = \$356.64 \\ 2.00 \times \$71.01 = 142.02 \\ 0.50 \times \$22.84 = 11.42 \\ 3.00 \times \$79.58 = \underline{238.74} \\ \$748.82 \end{array}$$

The increase is \$25.00, or 16% for a fee of \$175.

**Bona Fide Agriculture - Each Additional Lake – Littoral Zone Compliance Inspections**

An average of 6.0 hours of an Environmentalist's time (\$49.83) for monitoring report review and inspections.

$$6.0 \times \$49.83 = \$298.98$$

The increase is \$25 or 15% for a fee of \$175.

**Bona fide Modification**

An average of 4 hours of an Environmental Analyst's time (\$59.44/hr) for modification review, completeness summary, processing surety, and correspondence preparation; 3.0 hours of an Environmentalist's time (\$49.83) for monitoring report review and inspections; 0.5 hours for secretary for mailings; and 1.0 hour of an Environmental Program Supervisors time (\$79.58/hr) for supervisory review.

$$\begin{array}{r} 4.0 \times \$59.44 = \$237.76 \\ 3.0 \times \$49.83 = 149.49 \\ 0.50 \times \$22.84 = 11.42 \\ 1.00 \times \$79.58 = \underline{79.58} \\ \$478.25 \end{array}$$

The increase is \$35.00, or 15% for a permit fee of \$285.00.

There were no applications in Fiscal Year 2009 and therefore, no annual revenue increase is anticipated.

**TYPE III MINING EXCAVATION APPROVAL – APPLICATION WAIVER AND MODIFICATION:**

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### **FEE ANALYSIS**

#### **Type III Mining Excavation Approval**

An average of 12 hours of an Environmental Analyst's time (\$59.44/hr) for application review, completeness summary, inspections, processing surety, and NIC Approval; 2 hr of a Hydrogeologist's time (\$71.01) for monitor well placement, methods and geological study; 0.5 hours for secretary for mailings; and 24 hours of an Environmental Program Supervisors time (\$79.58/hr) for pre-application meetings, application review, supervisory review, database oversight, monitoring report review/inspections and correspondence preparation (\$79.58/hr).

$$\begin{array}{rcl} 12.00 \times \$59.44 & = & \$ 713.28 \\ 2.00 \times \$71.01 & = & 142.02 \\ 0.50 \times \$22.84 & = & 11.42 \\ 24.00 \times \$79.58 & = & \underline{1,909.92} \\ & & \$2,776.64 \end{array}$$

The amount of time needed to review a mining operation application was unknown at the time the original fee structure was established. Subsequent mining operation applications have required extensive processing efforts. The recommended increase is to more accurately reflect the true cost of processing a mining operation application. The recommended increase is \$1,900, 271%, for a fee of \$2,600 per mining operation application.

#### **Type III Mining Excavation Administrative Waiver**

An average of 4 hours of an Environmental Analyst's time (\$59.44/hr) for application review, completeness summary, inspections, processing surety, and NIC Approval; 3 hours of a Hydrogeologist's time (\$71.01) for monitor well placement, methods and geological study; 0.5 hours for secretary for mailings; and 8 hours of an Environmental Program Supervisors time (\$79.58/hr) for pre-application meetings, application review, supervisory review, database oversight, monitoring report review/inspections and correspondence preparation (\$79.58/hr).

$$\begin{array}{rcl} 4.00 \times \$59.44 & = & \$237.76 \\ 3.00 \times \$71.01 & = & 213.03 \\ 0.50 \times \$22.84 & = & 11.42 \\ 8.00 \times \$79.58 & = & \underline{636.64} \\ & & \$1,098.85 \end{array}$$

The amount of time needed to review a mining operation administrative waiver request was unknown at the time the original fee structure was established. Subsequent waiver requests have required extensive processing efforts. The recommended increase is \$850 to more accurately reflect that true cost of processing for a mining operation. The recommended increase is \$850 or 560% for a fee of \$1,000.

#### **Type III - Each Additional Mine Lake – Littoral Zone Compliance Inspections**

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An average of 16.0 hours of an Environmentalist's time (\$49.83) for monitoring report review and inspections.

$$16.0 \times \$49.83 = \$797.28$$

The increase is \$350 or 233% for a fee of \$500.

Type III Mining Excavation Modification

An average of 10 hours of an Environmental Analyst's time (\$59.44/hr) for application review, completeness summary, inspections, processing surety, and NIC Approval; 3 hr of a Hydrogeologist's time (\$71.01) for monitor well placement, methods and geological study; 0.5 hour for secretary for mailings; and 10 hours of an Environmental Program Supervisors time (\$79.58/hr) for pre-application meetings, application review, supervisory review, database oversight, monitoring report review/inspections and correspondence preparation (\$79.58/hr).

$$\begin{array}{r} 10.00 \times \$59.44 = \$594.40 \\ 3.00 \times \$71.01 = 213.03 \\ 0.50 \times \$22.84 = 11.42 \\ 10.00 \times \$79.58 = \underline{795.80} \\ \$1,614.65 \end{array}$$

The increase is \$1,250 or 500% for an application fee of \$1500.

Type III Mining Excavation Annual Report

An average of 6 hours of an Environmental Analyst's time (\$59.44/hr) is anticipated for annual report review and follow-up.

$$6.00 \times \$59.44 = \$356.64$$

The increase is \$40, or 15%, for a fee of \$325.

Two mining operation applications are anticipated annually for an expected revenue increase of \$5,660.