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Arnold Schwarzenegger
Governor

Date: **November 2, 2010**

File No.: **1550.00 (EAC)**

NOTICE: Revisions to Regional Monitoring Program Dredger Fee Schedule Policy

Dear Regional Monitoring Program Dredging Participant:

On **November 3, 2010**, the Regional Monitoring Program for Water Quality in the San Francisco Estuary (RMP) Steering Committee, in collaboration with the San Francisco Estuary Institute (SFEI), the Regional Water Quality Control Board, and the Bay Planning Coalition (BPC), adopted a revised Dredger Fee Schedule (Attachment 1). This fee schedule is reviewed and revised as necessary every three years. It was last revised in 2007.

1.) Annual Fee Schedule

This applies only to the largest, annual in-bay dredge disposal clients (see Table 1 in Attachment). The goal is to provide fiscal budgeting certainty to these clients. The fee is based on a 5-year average of disposal volumes multiplied by a cost per cubic yard (cy) of dredged material. The RMP budget year 2011-2013 multiplier is \$0.60/cy.

2.) Project-Based Fee Schedule

The RMP fee for all in-bay dredged disposal clients not listed above will be based on a sliding fee-schedule (see Attachment). The RMP budget year 2011-2013 project-based fee rate remains the same as the 2004 and 2007 rates. The fees are based on in-bay dredge disposal volumes calculated using post-dredge survey results provided to the Water Board and SFEI by the U.S. Army Corps of Engineers. If the post-dredge survey volumes for each fiscal year ending June 30 are not reported to the Water Board by September 1 of the next fiscal year (same calendar year), RMP dredger participants will be billed based on reported bin volumes, which may overestimate the volume actually dredged.

Requirement for Monitoring Dredging Discharges and Participation in the RMP

Anyone who discharges materials to the Bay, including disposal of dredged materials, is required to provide a technical monitoring report evaluating the impacts of the discharge pursuant to California Water Code (CWC) Section 13267. This monitoring provides necessary information about ambient Bay water quality and potential long-term impacts of dredged material disposal.

Since 1992, many Bay Area dischargers have decided to provide this information through the RMP, rather than through individual monitoring programs. The San Francisco Estuary

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Institute, located in Oakland, California, administers the program with oversight by the Water Board and the RMP Steering and Technical Review Committees. The Bay Planning Coalition represents dredgers on the RMP Steering Committee. The Water Board recognizes payments to the RMP as fulfilling requirements to provide information on water quality impacts under Section 13267. Satisfactory payments to the RMP shall be based on a RMP Dredger Fee Schedule Policy as approved by the RMP Steering Committee.

If you have any questions, please contact Elizabeth Christian at (510) 622-2335, or by email, at echristian@waterboards.ca.gov.

Sincerely,

Bruce H. Wolfe
Executive Officer

cc: Lawrence Leung, San Francisco Estuary Institute
Attachment: RMP Dredger Fee Schedule for RMP Budget Years 2011-2013

To: RMP Dredger Participants
From: RMP Program Managers (Jay Davis & Meg Sedlak)
Date: November 4, 2010
Re: Approved RMP Dredger Fee Rates for RMP Budget Years 2011-2013

Background

The RMP Steering Committee adopted a new Dredger Participant Fee Schedule Policy starting with RMP Budget year 2005. The primary goal of the revised policy was to develop an equitable fee structure that would achieve the dredging group participation target of 17.5% of the total Annual RMP participant fees. RMP dredger participants were divided into two fee-paying categories Annual Fee participants and Project-Based Fee participants. All fees continue to be based on in-bay dredge disposal volumes calculated using annual (July 1st – June 30th) post-dredge survey results provided to SFEI by the RWQCB and originally reported to the U.S. Army Corps of Engineers by dredge permit holders.

The average dredge disposal volume for the Annual Fee participants is recalculated every 3 years and the per-cy multiplier may be adjusted for both the Annual- and Project-based fees at that time with the goal of achieving the dredging group participation target of 17.5% as mentioned above. This memorandum presents the new volumes for RMP Budget years 2010-2013 that were approved by the RMP Steering Committee in November 3, 2010¹.

Fee Schedule – Rates for RMP budget years 2011 – 2013

Annual Fee Participants

Annual Fees apply only to the five largest, annual in-bay dredge disposal clients (Table 1). The rationale for separating these participants into a separate group was to provide fiscal budgeting certainty to these clients. The fees are based on a 5-year average of disposal volumes multiplied by a cubic yard cost (2011-2013 multiplier is \$0.60/cy). Annual Fee clients will be billed according to this fee schedule beginning with RMP Budget year 2011 through 2013.

The average dredge disposal volume for these clients is recalculated every 3 years and the per-cy multiplier may be adjusted at that time in accordance with RMP fee increases. The next calculation will be calculated in 2013, based on 2009 – 2013 dredge disposal volumes.

Annual Based Fee Rate for the 2011 – 2013 RMP Budget years:

| | Fee Rate (Vol. x \$0.60) |
|--|--|
| | 5-yr Average (2006-2010) |
| | Dredge Disposal Volume (yd³) |
| PORT OF SAN FRANCISCO | 79,314 |
| CHEVRON RICHMOND LONG WHARF | 110,314 |
| VALERO REFINERY TERMINAL | 41,775 |
| CONOCO PHILLIPS RODEO TERMINAL | 21,311 |
| PORT OF OAKLAND | 100,184 |
| Total Avg Dredge Disposal Volume (cy) | 352,899 |

¹ SC minutes from 2010-11-2: Item 2. Committee Member Updates

Project-Based Fee Participants

The RMP fee for all in-bay dredged disposal clients not listed above is based on a sliding fee-schedule (Table 2). The Project-Based fee schedule is updated every 3 years (on the same schedule as the Annual Fee Participants) and the per-cy multiplier may be adjusted at that time.

Project Based Fee Rate for the 2011 – 2014 RMP Budget years:

| Disposal Vol. Range (yd³) | Fee Rate |
|---|-----------------|
| < 2,499 | 100 (base fee) |
| 2,500 to 14,999 | Vol. x \$0.25 |
| 15,000 to 34,999 | Vol. x \$0.30 |
| 35,000 to 54,999 | Vol. x \$0.35 |
| > 55,000 | Vol. x \$0.40 |