



**RESOLUTION NO. 2010-09**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
AMENDING RULE 60, FEES AND CHARGES TABLE**

**WHEREAS:** Fees and charges of the Monterey Peninsula Water Management District (MPWMD) are set forth in the MPWMD Rules and Regulations;

**WHEREAS:** The MPWMD Board of Directors created a new Fees and Charges Table in MPWMD Rule 60 pursuant to Ordinance No. 120, which became effective on April 20, 2005;

**WHEREAS:** The Fees and Charges bear a positive correlation to the actual time, effort and cost of providing the services and taking the actions set forth in the Fees and Charges Table;

**NOW, THEREFORE, BE IT RESOLVED:** That the Board of Directors of the Monterey Peninsula Water Management District hereby shall amend the Fees and Charges Table as set forth in Attachment 1 to this Resolution; and that these changes shall become effective immediately.

On motion by Director Pendergrass, and second by Director Lehman, the foregoing Resolution is adopted upon this 19<sup>th</sup> day of July 2010, by the following vote:

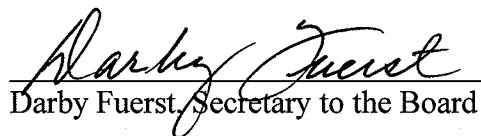
AYES: Directors Pendergrass, Lehman, Brower, Doyle, Lehman and Markey

NAYS: None

ABSENT: Director Potter

I, Darby W. Fuerst, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing resolution was duly adopted on the 19th day of July 2010.

Witness my hand and seal of the Board of Directors this 27th day of July 2010.

  
Darby Fuerst, Secretary to the Board

**Attachment 1**

<b>Fees and Charges Table (Effective July 20, 2010)</b>		
<b>Action</b>		<b>Fee</b>
<b><i>Action on any Appeal/Variance</i></b>		
1	Appeal for Site with Water Use Capacity less than one-half (0.5) Acre-Foot annually (Rule 70)	\$250 plus \$70/hour for more than 10 hours
2	Appeal for Site with Water Use Capacity greater than one-half (0.5) Acre-Foot but not more than one (1.0) Acre-Foot (Rule 70)	\$500 plus \$70/hour for more than 10 hours
3	Appeal for Site with Water Use Capacity greater than one (1.0) Acre-Foot annually (Rule 70)	\$750 plus \$70/hour for more than 10 hours
4	Short-Term Variance (Rule 91)	\$125
5	Variance for Site with Water Use Capacity less than one-half (0.5) Acre-Foot annually (Rule 90)	\$250 plus \$70/hour for more than 10 hours
6	Variance for Site with Water Use Capacity greater than one-half (0.5) Acre-Foot but not more than one (1.0) Acre-Foot (Rule 90)	\$500 plus \$70/hour for more than 10 hours
7	Variance for Site with Water Use Capacity greater than one (1.0) Acre-Foot annually (Rule 90)	\$750 plus \$70/hour for more than 10 hours
<b><i>Action on any Permit</i></b>		
8	Administrative fee to monitor, review and enforce applications and/or Permits for Special Circumstances (Rule 24)	\$1400 plus \$70/hour for more than 20 hours
9	Amendment to a Non-Residential Water Permit (Rule 23)	\$140 per amendment plus \$70/hour for more than 2 hours
10	Amendment to a Residential Water Permit (Rule 23)	\$105 per amendment plus \$70/hour for more than 1.5 hours
11	Application for Conditional Water Permit (Rule 23)	\$350 per structure plus \$70/hour for more than 5 hours

## Fees and Charges Table (Effective July 20, 2010)

Action		Fee
12	Application Fee Deposit to review "Pre-Application Request Form" for WDS, and determine Permit review level (Rule 21)	<del>\$490</del> <b>\$665</b> per Pre-Application Request Form plus <del>\$70</del> <b>\$95</b> /hour for more than 7 hours; recovery for other MPWMD actual direct costs will be additional if not covered by the initial <del>\$490</del> <b>\$665</b> fee; unused funds will be refunded or applied to the Application Fee
13	Fee for Confirmation Exemption letter for WDS (Rule 22)	Fee included in Pre-Application Request Form above; fee must be paid to receive written confirmation
14	Application Fee Deposit to Create/Establish or Amend a WDS, Level 1 Permit (Rule 22)	<del>\$490</del> <b>\$665</b> per Application plus <del>\$70</del> <b>\$95</b> /hour for more than 7 hours; recovery for other MPWMD actual direct costs will be additional if not covered by the initial <del>\$490</del> <b>\$665</b> fee; unused funds will be refunded
15	Application Fee Deposit to Create/Establish or Amend a WDS, Level 2 Permit (Rule 22)	<del>\$2,100</del> <b>\$2,850</b> per Application plus <del>\$70</del> <b>\$95</b> /hour for more than 30 hours; recovery for other MPWMD actual direct costs will be additional if not covered by the initial <del>\$2,100</del> <b>\$2,850</b> fee; unused funds will be refunded
16	Application Fee Deposit to Create/Establish or Amend a WDS, Level 3 or 4 Permit (Rule 22)	<del>\$2,800</del> <b>\$3,800</b> per Application plus <del>\$70</del> <b>\$95</b> /hour for more than 40 hours; recovery of other MPWMD actual direct costs will be additional if not covered by the initial <del>\$2,800</del> <b>\$3,800</b> fee; unused funds will be refunded
17	WDS Permit Pre-Application Consultation Fees (Rule 22)	There shall be no charge for the first hour of consultation with MPWMD staff regarding the WDS Permit process. A Pre-Application Request Form and associated fee must be submitted after the first hour unless otherwise determined by the General Manager due to unusual circumstances

## Fees and Charges Table (Effective July 20, 2010)

	<b>Action</b>	<b>Fee</b>
18	<p>Application to Create/Establish a Water Distribution System or Amend a Water Distribution System Creation Permit -- Deposit for Unusually Complex Projects: "Unusually complex projects" are defined as projects requiring MPWMD staff time in excess of the hours stated in the Application Fee to Create a Water Distribution System and the Application Consultation Deposit Fee above. When the hours stated in the Application Fee to Create a Water Distribution System and the Application Consultation Deposit Fee are used up, the Applicant must pay an additional deposit for MPWMD staff time anticipated to complete the Permit process, as determined on a case-by-case basis by the General Manager (Rule 22)</p>	<p>Determined on a case-by-case basis by the General Manager</p>
19	<p>Application to Create/Establish a Water Distribution System or Amend a Water Distribution System Creation Permit – Legal Fees: Any legal work performed by MPWMD Counsel associated with the Application is charged to the Applicant at actual cost, based on the hourly rate of retained MPWMD legal counsel at the time services are rendered (Rule 22)</p>	<p>Actual cost, based on the hourly rate of retained MPWMD legal counsel at the time services are rendered</p>
20	<p>Application to Create/Establish a Water Distribution System or Amend a Water Distribution System Creation Permit – Unused Funds (Rule 22)</p>	<p>Unused deposits or Application fee will result in a refund of unused funds to the Applicant</p>
21	<p>Water Permit to Reinstall Meter (Former use documented under Rule 25.5)</p>	<p>No Fee</p>
22	<p>Application to Split an Existing Meter</p>	<p>No Fee</p>
23	<p>Application for Temporary Water Permit (Rule 23)</p>	<p>\$350 per structure plus \$70/hour for more than 5 hours</p>

## Fees and Charges Table (Effective July 20, 2010)

<b>Action</b>		<b>Fee</b>
24	Application for Non-Residential Water Permit (Rule 23)	\$350 per structure plus \$70/hour for more than 5 hours
25	Application for Residential Water Permit (Rule 23)	\$210 per Dwelling Unit plus \$70/hour for more than 3 hours
<b>25</b>	<b><i>Plan Check for Non-Residential Waivers</i></b>	<b><i>\$105 per structure</i></b>
<b>26</b>	Application for Residential Water Permit (Rule 23)	\$210 per Dwelling Unit plus \$70/hour for more than 3 hours
26	Connection Charges (Moderate Income Housing) (Rule 24.5)	50% of Connection Charges set pursuant to Rule 24
<b>27</b>	<b><i>Plan Check for Residential Waivers</i></b>	<b><i>\$105 per Dwelling Unit</i></b>
<b>28</b>	Connection Charges (Moderate Income Housing) (Rule 24.5)	50% of Connection Charges set pursuant to Rule 24
27	Connection Charges (Low-Income Housing) (Rule 24.5)	Exempt from Connection Charges set pursuant to Rule 24
<b>29</b>	Connection Charges (Low-Income Housing) (Rule 24.5)	Exempt from Connection Charges set pursuant to Rule 24
28	Connection Charges -- Residential and Non-Residential Water Permits	See Rule 24
<b>30</b>	Connection Charges -- Residential and Non-Residential Water Permits	See Rule 24
29	Recalculation of Final Connection Charges (Rule 23)	\$70 per hour of staff time for all necessary efforts in excess of five hours per Site

## Fees and Charges Table (Effective July 20, 2010)

Action		Fee
31	Recalculation of Final Connection Charges (Rule 23)	\$70 per hour of staff time for all necessary efforts in excess of five hours per Site
30	Direct Costs — Publication Expenses, Filing Fees, Etc. (Rule 60)	Actual cost incurred by District— Applies to Water Distribution System Permits only
32	Direct Costs – Publication Expenses, Filing Fees, Etc. (Rule 60)	Actual cost incurred by District-- Applies to Water Distribution System Permits only
31	Permit Fee Payment Plans (Limited to California Non-Profit Public Benefit Corporations and requires Board approval and finding of substantial financial hardship) (Rule 24)	Deferred interest rate set by the Board
33	Permit Fee Payment Plans (Limited to California Non-Profit Public Benefit Corporations and requires Board approval and finding of substantial financial hardship) (Rule 24)	Deferred interest rate set by the Board
32	Pre-Application Consulting relating to Water Permits (First 30 minutes free) (Rule 20)	\$210 plus \$70 per hour for more than 3 hours
34	Pre-Application Consulting relating to Water Permits (First 30 minutes free) (Rule 20)	\$210 plus \$70 per hour for more than 3 hours
33	Refund of Connection Charges (Rule 24)	\$70 processing fee
35	Refund of Connection Charges (Rule 24)	\$70 processing fee
34	River Work Permits (see separate list below)	

## Fees and Charges Table (Effective July 20, 2010)

<b>Action</b>		<b>Fee</b>
<b>36</b>	River Work Permits (see separate list below)	
<b>35</b>	Water Entitlement Related Activity — (see separate list below)	
<b>37</b>	Water Entitlement Related Activity – (see separate list below)	
<b>36</b>	Water Use Credits – On-Site Credits (see separate list below)	
<b>38</b>	Water Use Credits – On-Site Credits (see separate list below)	
<b>37</b>	Water Use Credits – Transfers (see separate list below)	
<b>39</b>	Water Use Credits – Transfers (see separate list below)	
<b><i>Document Preparation, Processing, Review or Retrieval (Rule 60)</i></b>		
<b>38</b>	Deed Preparation and Review by Staff	\$105 per transaction. Included in Standard Water Permit processing fees
<b>40</b>	Deed Preparation and Review by Staff	\$105 per transaction. Included in Standard Water Permit processing fees
<b>39</b>	Direct Costs — Publication Expenses, Etc.	Actual cost incurred by District

## Fees and Charges Table (Effective July 20, 2010)

Action		Fee
<b>41</b>	Direct Costs -- Publication Expenses, Etc.	Actual cost incurred by District
<b>40</b>	<del>Direct Costs for Deed Restrictions -- Courier Charge, Federal Express</del>	<del>\$10 per transaction or a Actual cost incurred by District when less than three deed restrictions are being transported</del>
<b>42</b>	Direct Costs for Deed Restrictions -- Courier Charge, Federal Express	\$10 per transaction or a Actual cost incurred by District when less than three deed restrictions are being transported
<b>43</b>	<b><i>Direct Costs for Deed Restrictions – Courier Charge, Expedited Service</i></b>	<b><i>\$110 per occurrence. Charged the hourly rate of \$70 per hour for MPWMD staff time, including direct costs incurred from courier service</i></b>
<b>41</b>	Document Recordation (if separate from review or preparation)	\$8 for first page, \$3 each additional page and \$2 for copy (document lengths vary)
<b>44</b>	Document Recordation (if separate from review or preparation)	\$8 for first page, \$3 each additional page and \$2 for copy <b>Actual cost incurred by District</b> (document lengths vary)
<b>42</b>	<del>Legal Review performed by MPMWD Counsel on Deed Restrictions Related to Appeals, Permits, Variances, Water Use Credits, or other Activities</del>	<del>Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered</del>
<b>45</b>	Legal Review performed by MPMWD Counsel on Deed Restrictions Related to Appeals, Permits, Variances, Water Use Credits, or other Activities	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered



## Fees and Charges Table (Effective July 20, 2010)

Action	Fee	
<b><i>Expanded Water Conservation and Standby Rationing Plan</i></b>		
43	Water Waste Notification Processing (first notice) (Rule 171)	No charge
46	Water Waste Notification Processing (first notice) (Rule 171)	No charge
44	Water Waste Fee (each Flagrant Violation) (Rule 171)	\$50 per occurrence
47	Water Waste Fee (each Flagrant Violation) (Rule 171)	\$50 per occurrence
45	Water Waste Notification Processing (second and subsequent violation) (Rule 171)	No charge
48	Water Waste Notification Processing (second and subsequent violation) (Rule 171)	No charge
46	Water Waste Fee (second and subsequent violations within 18 months of original violation) (Rule 171)	\$150 per occurrence
49	Water Waste Fee (second and subsequent violations within 18 months of original violation) (Rule 171)	\$150 per occurrence
47	Misrepresentation of resident survey information during Stage 4, 5, 6 and 7 (Rule 170)	\$250 for each offense. Each separate day or portion thereof during which any violation occurs or continues without a good faith effort by the responsible Water User to correct the violation. See Rule 170.

## Fees and Charges Table (Effective July 20, 2010)

<b>Action</b>		<b>Fee</b>
<b>50</b>	Misrepresentation of resident survey information during Stage 4, 5, 6 and 7 (Rule 170)	\$250 for each offense. Each separate day or portion thereof during which any violation occurs or continues without a good-faith effort by the responsible Water User to correct the violation. See Rule 170.
<b>Publication Fees</b>		
48	MPWMD Rules & Regulations (Rule 60)	\$27 per copy
51	MPWMD Rules & Regulations (Rule 60)	\$27 per copy
49	Photocopies (Rule 60)	Ten (10) cents per page
52	Photocopies (Rule 60)	Ten (10) cents per page
50	Well Registration Form (Rule 52)	\$25 per Form
53	Well Registration Form (Rule 52)	\$25 per Form
<b>Rationing Liens (Rule 60)</b>		
51	Deed Preparation (Lien Release) and Review by Staff	\$105 per transaction
54	Deed Preparation (Lien Release) and Review by Staff	\$105 per transaction
52	Direct Costs for Deed Restrictions — Courier Charge, Federal Express	\$10 per transaction or a Actual cost incurred by District when less than three deed restrictions are being transported

## Fees and Charges Table (Effective July 20, 2010)

Action		Fee
55	Direct Costs for Deed Restrictions – Courier Charge, Federal Express	\$10 per transaction or a Actual cost incurred by District when less than three deed restrictions are being transported
53	Document Recordation (if separate from review or preparation)	\$14 <i>Actual cost incurred by District</i>
56	Document Recordation (if separate from review or preparation)	\$14 Actual cost incurred by District
57	<i>Direct Costs for Deed Restrictions – Courier Charge, Expedited Service</i>	<i>\$110 per occurrence. Charged the hourly rate of \$70 per hour for MPWMD staff time, including direct costs incurred from courier service</i>
54	Legal Review performed by MPWMD Counsel on Deed Restrictions Related to Appeals, Permits, Variances, Water Use Credits, or other Activities	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered
58	Legal Review performed by MPWMD Counsel on Deed Restrictions Related to Appeals, Permits, Variances, Water Use Credits, or other Activities	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered
<b>Rebate Processing</b>		
55	Application for Rebate	No charge
59	Application for Rebate	No charge
<b>River Work Permits (Rules 126 and 127)</b>		
56	Minor River Work	\$25 per application

## Fees and Charges Table (Effective July 20, 2010)

Action		Fee
60	Minor River Work	\$25 per application
57	River Work Permit	\$50 per application
61	River Work Permit	\$50 per application
58	Emergency River Work	\$50 per application
62	Emergency River Work	\$50 per application
59	Unusually Complex Applications	\$70 per hour for MPWMD staff time in excess of five (5) hours per application, including direct costs incurred
63	Unusually Complex Applications	\$70 per hour for MPWMD staff time in excess of five (5) hours per application, including direct costs incurred
<b><i>Inspection Activities (Rule 110)</i></b>		
60	Cancellation of Inspection (less than 24 hours notice)	\$70 per inspection
64	Cancellation of Inspection (less than 24 hours notice)	\$70 per inspection
61	No-Show; Failure to Provide Access for Scheduled Inspection	\$70 per inspection

## Fees and Charges Table (Effective July 20, 2010)

<b>Action</b>		<b>Fee</b>
<b>65</b>	No-Show; Failure to Provide Access for Scheduled Inspection	\$70 per inspection
<b>62</b>	Conservation Verification Inspection Pursuant to Rule 143 and 144 (Retrofit of Existing Commercial Uses and Change of Ownership or Use)	No Charge
<b>66</b>	Conservation Verification Inspection Pursuant to Rule 143 and 144 (Retrofit of Existing Commercial Uses and Change of Ownership or Use)	No Charge
<b>63</b>	Site Inspection (pre-application, or not associated with a planned application, or inspection to document Non-Residential retrofit pursuant to Rule 25.5)	\$105 per inspection
<b>67</b>	Site Inspection (pre-application, or not associated with a planned application, or inspection to document Non-Residential retrofit pursuant to Rule 25.5)	\$105 per inspection
<b>64</b>	Re-Inspection (original inspection not in compliance)	\$105 per inspection
<b>68</b>	Re-Inspection (original inspection not in compliance)	\$105 per inspection
<b>65</b>	Repeat Inspection (overlooked fixtures or failure to show all fixtures)	\$70 per inspection
<b>69</b>	Repeat Inspection (overlooked fixtures or failure to show all fixtures)	\$70 per inspection
<b>Variance</b>		
<b>66</b>	See "Action on any Appeal/Variance" section, above.	

## Fees and Charges Table (Effective July 20, 2010)

Action		Fee
<b>70</b>	See "Action on any Appeal/Variance" section, above.	
<b><i>Water Use Permit Fees (Rule 23.5)</i></b>		
<b>67</b>	Amendment to a Water Use Permit (Water Entitlement Process) (also may require Connection Charges pursuant to Rule 24)	\$350 plus \$70/hour for more than 5 hours
<b>71</b>	Amendment to a Water Use Permit (Water Entitlement Process) (also may require Connection Charges pursuant to Rule 24)	\$350 plus \$70/hour for more than 5 hours
<b>68</b>	Application for Water Use Permit (Water Entitlement Process) (also may require Connection Charges pursuant to Rule 24)	\$210 per Site plus \$70/hour for more than 3 hours; also see Rule 24
<b>72</b>	Application for Water Use Permit (Water Entitlement Process) (also may require Connection Charges pursuant to Rule 24)	\$210 per Site plus \$70/hour for more than 3 hours; also see Rule 24
<b>69</b>	Water Use Permit Monitoring (Water Entitlement Process) (Rule 23.5)	\$70 plus \$70/hour for more than 1 hour
<b>73</b>	Water Use Permit Monitoring (Water Entitlement Process) (Rule 23.5)	\$70 plus \$70/hour for more than 1 hour
<b>70</b>	3rd Party Consulting or Ancillary Costs (Rule 23.5)	Actual cost incurred by District
<b>74</b>	3rd Party Consulting or Ancillary Costs (Rule 23.5)	Actual cost incurred by District

## Fees and Charges Table (Effective July 20, 2010)

Action		Fee
71	Legal work performed by MPMWD Counsel on Water Entitlement Related Actions (Rule 23.5)	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered
75	Legal work performed by MPMWD Counsel on Water Entitlement Related Actions (Rule 23.5)	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered
72	Direct Costs – Courier Charge, Federal Express Charges	\$10 per transaction or <i>actual</i> cost incurred by District when less than three deed restrictions are being transported
76	Direct Costs – Courier Charge, Federal Express Charges	\$10 per transaction or <i>a</i> -Actual cost incurred by District when less than three deed restrictions are being transported
<b>Water Use Credits and On-Site Credit Activity (Rule 25.5)</b>		
73	Extension of a prior documented On-Site Water Use Credit	\$70 plus \$70 per hour for more than 1 hour
77	Extension of a prior documented On-Site Water Use Credit	\$70 plus \$70 per hour for more than 1 hour
74	Documentation of Water Use Credit – Non-Residential (Rule 25.5)	\$105 plus \$70 per hour for more than 1.5 hours
78	Documentation of Water Use Credit -- Non-Residential (Rule 25.5)	\$105 plus \$70 per hour for more than 1.5 hours

## Fees and Charges Table (Effective July 20, 2010)

<b>Action</b>		<b>Fee</b>
75	3rd Party Consulting or Ancillary Costs incurred to verify water use savings	Actual cost incurred by District
79	3rd Party Consulting or Ancillary Costs incurred to verify water use savings	Actual cost incurred by District
<b>Water Credit Transfer Activity (Rule 28)</b>		
76	Application to Transfer a Water Use Credit (originating Site)	\$2100 plus \$70 per hour for more than 30 hours
80	Application to Transfer a Water Use Credit (originating Site)	\$2100 plus \$70 per hour for more than 30 hours
77	Application for a Water Permit utilizing a Water Credit Transfer (receiving Site)	\$700 plus \$70 per hour for more than 10 hours
81	Application for a Water Permit utilizing a Water Credit Transfer (receiving Site)	\$700 plus \$70 per hour for more than 10 hours
78	Complex Transfer fee for projects proposing to save water by means of new water saving technology	\$2800 plus \$70 per hour for more than 40 hours
82	Complex Transfer fee for projects proposing to save water by means of new water saving technology	\$2800 plus \$70 per hour for more than 40 hours
79	3rd Party Consulting or Ancillary Costs incurred to review transfer	Actual cost incurred by District
83	3rd Party Consulting or Ancillary Costs incurred to review transfer	Actual cost incurred by District



## Fees and Charges Table (Effective July 20, 2010)

Action	Fee	
<b><i>Water Waste Fees (Rules 160 and 171)</i></b>		
80	Fee for each Flagrant Violation	\$50 per occurrence
84	Fee for each Flagrant Violation	\$50 per occurrence
81	Fee for subsequent violations within 18 months	\$150 per occurrence
85	Fee for subsequent violations within 18 months	\$150 per occurrence
<b><i>Well Monitoring Activity (Rule 52)</i></b>		
82	Registration of an Existing Well -- Non-Public Entities	\$10 per Registration
86	Registration of an Existing Well -- Non-Public Entities	\$10 per Registration
83	Registration of an Existing Well -- Public Entities	No Fee
87	Registration of an Existing Well -- Public Entities	No Fee
84	Registration of a New Well -- Non-Public Entities	No Fee
88	Registration of a New Well -- Non-Public Entities	No Fee
85	Registration of a New Well -- Public Entities	No Fee
89	Registration of a New Well -- Public Entities	No Fee

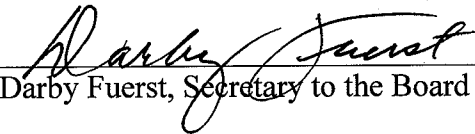
### Fees and Charges Table (Effective July 20, 2010)

Action		Fee
86	Well Registration Form	\$25 per Form
90	Well Registration Form	\$25 per Form

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**COPY CERTIFICATION**

I, Darby Fuerst, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of Resolution No. 2010-09 duly adopted on the 19th of July, 2010.

  
\_\_\_\_\_  
Darby Fuerst, Secretary to the Board

  
\_\_\_\_\_  
Date