

**RULE 610 LAND DEVELOPMENT FEES**

*Adopted 06-20- 2000*

*(Amended 07-19-2005)*

*(Adjusted for CPI 7/1/06, 7/2/07, 7/1/08, 7/1/09)*

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### **610.1 GENERAL**

- A. **PURPOSE:** To establish fees to recover the cost to the District of work related to land development.
- B. **EXEMPTIONS:**
  - 1. In cases of financial hardship, resulting from paying fees specified in Section 610.3.B, a conference before the Air Pollution Control Officer may be requested to present adequate evidence of said financial hardship and discuss a waiver of fee payment under these circumstances.

### **610.2 DEFINITIONS**

- A. **ASBESTOS OR ASBESTOS MINERALS:** The hydrated minerals chrysotile (fibrous serpentine), crocidolite (fibrous riebeckite), amosite (fibrous cummingtonite-grunerite), fibrous tremolite, fibrous actinolite, and fibrous anthophyllite.
- B. **CEQA:** The California Environmental Quality Act (CEQA), as amended, beginning at Section 21000 et seq. of the Public Resources Code, and the state CEQA Guidelines, beginning at Section 15000 et seq. of Title 14 of the California Code of Regulations.
- C. **EDCAQMD:** El Dorado County Air Quality Management District.
- D. **GRADING:** All surface disturbances of the earth, including all cuts and fills, unless specifically exempt under section 15.14.060 of the El Dorado County Code.
- E. **NATURALLY OCCURRING ASBESTOS:** Asbestos which is indigenous to the soil at a particular location.
- F. **PREPARATION AND PROCESSING:** The development of documents, legal advertisements, notices, and all other work necessary to comply with CEQA and the District's Environmental Review policies, including review and consultation necessary to determine the adequacy and completeness of documents, reports, and studies prepared by consultants.

### **610.3 STANDARDS**

- A. **FUGITIVE DUST PLAN REVIEW:** Each person submitting a fugitive dust plan for review shall be subject to a \$116 fee due at the time the plan is submitted for review.
- B. **NATURALLY OCCURRING ASBESTOS FEES:** The following fees shall apply to persons required by any Federal, State or local rule, regulation or control measure, adopted pursuant to California Health and Safety Code Section 39666(d), to submit an Asbestos Dust Mitigation Plan to the EDCAQMD for review and formal approval.
  - 1. Each plan or evaluation submitted shall be accompanied by a fee.
    - a. For each Asbestos Dust Mitigation Plan submitted to the EDCAQMD, the fee shall be \$363.
    - b. For each Geologic Evaluation submitted to the District, the fee shall be \$484.

2. Inspection Fees: The following inspection fees shall apply:
    - a. For each project for which an Asbestos Dust Mitigation Plan is submitted, the inspection fee shall be \$24 per acre of area to be disturbed, due at the time the plan is submitted. Once a project has begun, an increase in the acreage may be made and the corresponding per-acre fee paid.
    - b. If actual inspections require time in excess of inspection fee, a fee shall be assessed in accordance with the hourly rate established in Rule 609.
  3. Analysis Fee: Whenever the Air Pollution Control Officer requests that soil analysis or sample collection is necessary, the cost of making the analysis, collecting samples and preparing the necessary reports shall be the responsibility of the owner or operator. The owner or operator may request a conference with the Air Pollution Control Officer to discuss the basis for the request or to provide additional information that would reduce the scope of the required analysis.
  4. Consumer Price Indexing of Fees: Naturally occurring asbestos fees may be adjusted on an annual basis. If the Air Pollution Control Officer anticipates the need for a change, the adjustment must initially be proposed as part of the annual budget process. The proposed rate change must meet the requirements of the California Health and Safety Code, including Sections 41512.5, 42311(e), and 42311(g). The rate change must be noticed as part of the proposed and final budgets. If the Board of Directors approves a fee change with the final budget, the Air Pollution Control Officer may adjust fees by up to the maximum rate approved by the Board.
- C. CEQA REVIEW: Any person who submits a document to be evaluated for compliance with CEQA shall pay a fee based on actual hours spent by EDCAQMD staff in preparation and processing. The fee shall be assessed in accordance with the hourly rate established in Rule 609.
- D. ASBESTOS MONITORING: Any person who requests or is required by the Air Pollution Control Officer to conduct ambient monitoring/sampling for asbestos shall be responsible for costs incurred while conducting such monitoring/sampling and/or shall pay a fee based on actual hours spent by EDCAQMD staff in conducting such monitoring/sampling. The fee shall be assessed in accordance with the hourly rate established in Rule 609.
- E. LABORATORY FEES: Any person for whom the EDCAQMD collects samples shall pay all laboratory analysis costs incurred by the EDCAQMD.
- F. MITIGATION MONITORING: Any person who requests or is required to have the EDCAQMD monitor compliance with mitigation measures, as part of an environmental impact report, shall pay a fee based on actual hours spent by EDCAQMD staff in conducting the monitoring, reporting to the lead agency, and conducting any necessary enforcement activities. The fee shall be assessed in accordance with the hourly rate established in Rule 609.

#### **610.4 ADMINISTRATIVE REQUIREMENTS**

- A. NOTIFICATION OF FEES: Any person who owes fees to the EDCAQMD for activities in Sections 610.3.B, 610.3.C., 610.3.D., 610.3 E., or 610.3.F. will be notified of the fee due by mail. If the fee is not paid within 30 days of the date of the invoice, the EDCAQMD shall assess a

penalty of 50% of the fee due. A revised invoice, including the fee and penalty, will be sent by mail. If the fee and penalty are not paid within 30 days of the revised invoice, the matter will be referred to County Counsel for collection.