

AMENDATORY SECTION (Amending WSR 13-21-029 filed 10/8/13, effective 11/8/13)

**SWCAA 802-130 Fees**

The Agency may require the following fees for its activities in accordance with the provisions of this regulation.

- (1) **Threshold Determination.** The Agency may charge and collect ~~((the))~~ a fee ~~((specified below))~~ as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 from any applicant to cover the costs incurred by the Agency in preparing an environmental checklist or other information needed for the Agency to make a threshold determination. In addition, the Agency may contract directly with a consultant for preparation of an environmental checklist or other information needed for the Agency to make a threshold determination, and may bill such costs and expenses directly to the applicant. The Agency may require the applicant to post bond or otherwise ensure payment of such costs and expenses. If the staff time required to make a threshold determination exceeds the number of work hours associated with the applicable fee, the applicant will be invoiced for each additional work hour as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 ~~((at the rate of \$70.00 per hour.~~

<del>SEPA Threshold Determination Fee:</del>		
<del>Minor project</del>	<del>\$1,000.00</del>	<del>(14 associated work hours)</del>
<del>Major project</del>	<del>\$2,500.00</del>	<del>(35 associated work hours))</del>

- (2) **Environmental impact statement.**
- (a) When SWCAA is the lead agency for a proposal requiring an EIS, and the responsible official determines that the EIS shall be prepared by employees of the Agency, the staff time required to prepare the EIS will be invoiced to the applicant at the rate as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 ~~((of \$70.00 per hour))~~. The Agency may also contract directly with a consultant for preparation of the EIS, and may bill such costs and expenses directly to the applicant. The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.
- (b) The responsible official may determine that the Agency will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the Agency and may bill such costs and expenses directly to the applicant. The Agency may require the applicant to post bond or otherwise ensure payment of such costs.
- (c) If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under (a) or (b) of this subsection which remain after incurred costs are paid.
- (3) **Public notice.** The Agency may collect a reasonable fee from an applicant to cover the cost of meeting the public notice requirements of this regulation relating to the applicant's proposal.
- (4) The Agency shall not collect a fee for performing its duties as a consulted agency, except as provided in WAC 197-11-570.

- (5) The Agency may charge any person for copies of any document prepared under this ordinance, and for mailing the document, in a manner provided by Chapter 42.17 RCW.