



# Chatfield Watershed Authority Policy

## Cost of Review Policy

Board Adopted January 24, 2022

The Technical Advisory Committee (TAC) has determined that there is a reasonable cost of review for Clean Water Act compliance applications and documentation, including Clean Water Plan amendment requests, site applications, phosphorus transfer proposals, allocations of phosphorus from the reserve/emergency pool, and trade applications (pursuant to Regulation 73). Referral reviews requested from land use agencies submitted by Douglas County, Jefferson County, and cities within the watershed are exempt from this policy. This policy is applicable to all applicants requesting review of the above-listed documents and proposals, including Authority members and non-members. The costs of review under this policy include but are not limited to staff, engineering, legal and consulting fees.

The Table below summarizes the cost of review policy for the two categories of membership in the Chatfield Watershed Authority.

<b>Member Category</b>	<b>Review Costs and Conditions</b>
Authority Members	In deference to Authority members, and the contributions and participation they provide the Authority on an annual basis, a fee equivalent to fifteen (15) hours of non-charge time to the member for review and formulation of recommendations of applications and plans is allotted. This fee will be established by the CWA on an annual basis. Costs incurred in excess of this fee will be assessed to the Authority member submitting the application or plan in accordance with the Authority's Technical Consultant's (Authority TC) current hourly rates and estimated fee schedule for non-members. Authority members with outstanding dues payments are required to come current with dues payments in order to qualify as a member for this review and recommendation process.
Non-Members	Non-members shall provide an initial application fee of \$2,000 along with the submittal of the requested review documents and the Authorities review application form. This initial fee includes a base fee of \$400 which is non-refundable and is used to initiate the review and recommendation process. Costs exceeding \$400 will be assessed in accordance with the Authority TC hourly rates up to the \$2,000 application fee. The Authority TC will track all review times and expenses. If time spent on review requires less time than \$2,000, the unused portion (less the \$400 non-refundable deposit) will be refunded to the applicant. If the review will require time and expenses which exceed the \$2,000 application fee, the Authority TC will provide the Authority

	<p>Manager a non-binding estimate of the time and fee necessary to complete the review. The Authority Manager will notify the applicant of this review fee estimate and will require the applicant to provide a deposit in the amount of 110% of the estimate to allow review to continue.</p> <p>If this review does not result in an affirmative Authority recommendation, a letter response from the Authority will be provided to the applicant that summarizes outstanding issues and deficiencies with the application and provides a new non-binding estimate of the time and fees necessary to complete review. For review to continue, applicant will be required to provide an additional deposit in the amount of 110% of the new non-binding estimate. This process will continue until review is complete or the applicant withdraws its application. Once review is complete or the application is withdrawn, the Authority will refund all remaining deposit funds.</p> <p>The applicant shall also pay all Authority costs associated with any appeal of the Authority's decision. (All costs associated with the application review and processing, including coordination with the CDPHE, shall be paid by the applicant.)</p>
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- Because each application is unique, the Authority can estimate only.
- Given the CDPHE will also review the application, the Authority cannot guarantee a timeline.