



WQCD Clean Water Fee Structure Feedback Summary Construction

This is an overview of feedback received for the construction workgroup. A similar summary will be published for each workgroup based on individual and group submissions. Comments and levels of agreement for large group policy considerations including statute vs. commission, general fund and the overall process will be shared in a separate full group summary.

RESPONDENT SUMMARY

Total number of respondents: **14**

See table below for summary.

Respondents who attended meetings: **86%**

Respondent types

Stakeholder Group	Approximate Number of Permits	Number of Respondents
Trade associations	n/a	2
General contractors and developers	2800	3
Local government	400	4
State agency	200	1
Private utilities	200	3
Non-governmental organization	n/a	1

The construction group discussed a proposed scaled fee schedule based upon acreage of disturbance for construction stormwater, complexity for general permits and a distinct category for individual permits. The proposed structure replaces three categories (7, 12, 26) and 8 associated sub-categories with 1 category and 6 sub-categories.

Cat./ Sub-cat.	Category Description	No. of Entities	Scenario 1		Scenario 2		Scenario 3	
			<i>with increased services</i>	without increased services	<i>with increased services</i>	without increased services	<i>with increased services</i>	without increased services
08-01	Construction Stormwater < 1 acre	136	\$190	\$120	\$150	\$80	\$160	\$90
08-02	Construction Stormwater >= 1 acre to 30 acres	2,725	\$380	\$240	\$300	\$160	\$320	\$180
08-03	Construction Stormwater > 30 acres	627	\$570	\$240	\$450	\$160	\$480	\$180
08-04	Low Complexity General Permit	422	\$1,040	\$900	\$740	\$600	\$830	\$690
08-05	High Complexity General Permit	53	\$2,440	\$2,300	\$1,800	\$1,660	\$1,930	\$1,790
08-06	Individual Permit For Construction Activity	3	\$6,000	\$6,000	\$4,000	\$4,000	\$4,600	\$4,600

(14 of 14 respondents)



- The highest level of agreement was for scenario 2 (with new services).
 - ◇ 9 indicated agreement.
 - ◇ 3 indicated disagreement.
 - ◇ 2 were neutral.
- No other scenarios had an overall majority indicating agreement.



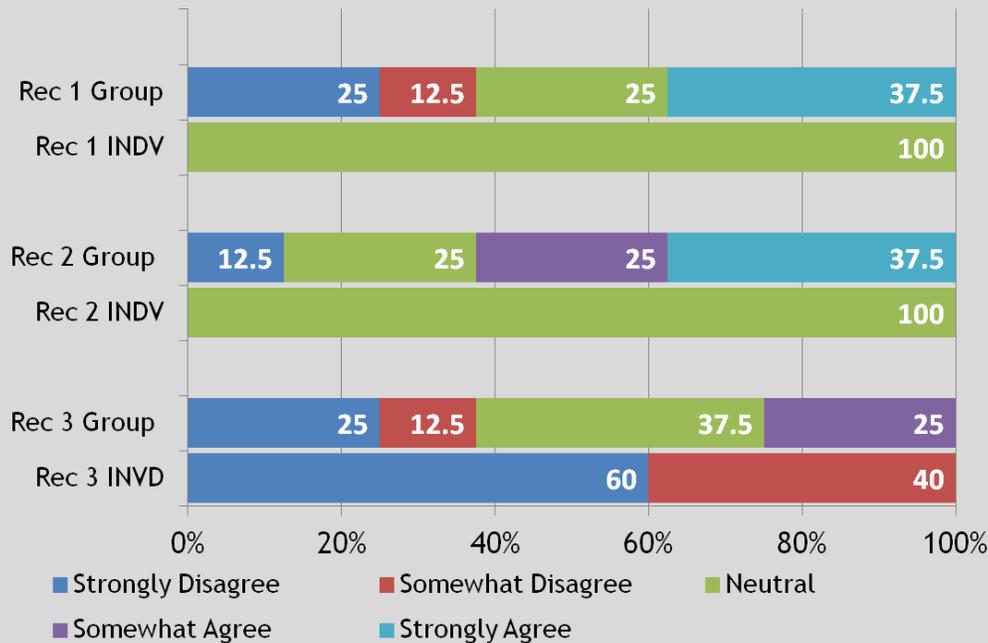
WQCD Clean Water Fee Structure Feedback Summary Construction

Workgroup Recommendations

Each workgroup created a set of recommendations. Below is a summary on the average level of agreement (or disagreement) with each of the recommendations.

Recommendation (13 of 14 respondents)	Outcome
1. The department could be the sole authority in an MS4 jurisdiction per an agreement between CDPHE and the MS4. This would be funded by a fee to construction operators.	3 indicated agreement, 3 indicated disagreement, 7 were neutral.
2. The department could be the sole authority in a multi-MS4 project per all party agreement. This would be funded by a fee to construction operators.	5 indicated agreement, 1 indicated disagreement, 7 were neutral.
3. A la carte fee setting authority given to the WQCC.	2 indicated agreement, 8 indicated disagreement, 3 were neutral.

Level of agreement (%) on workgroup recommendations (n INDV=5 n GROUP=9)



Discharge permit applications, permit modifications and expedited permits

(14 of 14 respondents)

- Applications:
 - ◊ 8 indicated agreement with the proposed fee.
 - ◊ 1 indicated disagreement.
 - ◊ 5 were neutral.
- Modifications:
 - ◊ 5 indicated agreement with the proposed fee.
 - ◊ 4 indicated disagreement.
 - ◊ 5 were neutral.
- Expedited permits:
 - ◊ 5 indicated agreement with the proposed fee.
 - ◊ 4 indicated disagreement.
 - ◊ 5 were neutral.

Several respondents indicated that more detail should be provided on what constitutes a major vs. minor permit amendment.



WQCD Clean Water Fee Structure Feedback Summary Construction

A la carte (14 of 14 respondents)

Service Type	Application Fee
Compliance assistance	Fee based on hourly rates.
Administrative action	\$80
Low complexity	\$600
Low/medium complexity	\$1,100
Medium complexity	\$3,800
High to very high complexity	\$3,800 submitted with application, additional hourly rate fees may apply.

- Compliance assistance:
 - ◊ 9 indicated agreement with the proposed fee.
 - ◊ 0 indicated disagreement.
 - ◊ 5 were neutral.
- Administrative action:
 - ◊ 8 indicated agreement with the proposed fee.
 - ◊ 1 indicated disagreement.
 - ◊ 5 were neutral.
- Low complexity:
 - ◊ 8 indicated agreement with the proposed fee.
 - ◊ 0 indicated disagreement.
 - ◊ 6 were neutral.
- Remaining fees:
 - ◊ 6 indicated agreement with the each of the fees.
 - ◊ 1 indicated disagreement with low/medium complexity.
 - ◊ All others were neutral.

* The construction workgroup had the highest overall level of agreement with all of the a la carte fees when compared to other sectors.

Additional themes regarding the sector proposals

MS4 permittees and private construction were represented by several respondents. For these two groups, there was alignment for the responses listed below:

Private Construction

5 of the respondents are associated with private construction entities. 2 trade associations, 2 private contractors, and 1 private developer. These types of entities comprise approximately 70% of the permittee base.

- For the fee scenarios: 4 of these respondents indicated a preference for, and strong agreement with, scenario 2 with new services (this included both trade associations). One did not indicate agreement with any of the scenarios.
- For Recommendations 1 and 2: 3 of these respondents indicated strong agreement (this included both trade associations), 2 were neutral.

Local Government

3 of the respondents are local governments (2 cities and a county) that are also MS4 permittees.

- For the fee scenarios: 2 of these 3 respondents indicated a preference for the fee scenarios with new services, and a preference for fee scenarios 1 or 2 over 3. One was neutral on all fee scenarios.
- For Recommendations 1 and 3: 2 of these respondents indicated disagreement, 1 was neutral.