

# Barton Springs/Edwards Aquifer Conservation District

**DRAFT**

**Fiscal Year 2021**

**Fee Schedule**

To Be Effective September 1, 2020.

To Be Board-approved July 9, 2020.

## **I. PERMIT FEES AND PRODUCTION FEES**

### **A. Drilling and Production Application Fees (See Table 1)**

**\$400.00 Exempt Application Fee** – assessed for the drilling (new well or replacement well) or modification of an exempt well. These wells are exempt from having to obtain an authorization or permit but must comply with the application requirement and District Rule 5. Exempt Wells include: Scientific Monitor Wells, Remediation Wells, Injection Wells, Closed Loop Geothermal Wells, Dewatering Wells, and Oil and Gas Drilling and Exploration Wells. For Monitoring Wells and Closed Loops Geothermal Wells, multiple wells that are similar in well design, construction, location, and purpose will be assessed an additional \$10 fee for each monitoring well.

**\$400.00 General Permit Application Fee** – assessed for the drilling (new well or replacement well), modification, or production of all new limited production permit (LPP), monitor, and test wells subject to the general permits by rule outlined in District Rule 3-1.20. This fee includes construction inspections conducted by District staff (a non-refundable, one-time fee assessment).

- For monitoring wells, multiple wells that are similar in well design, construction, location, and purpose will be assessed an additional \$10 fee for each monitoring well.
- For test wells requiring additional aquifer pump tests, an additional \$50 fee will be assessed.
- For aquifer tests performed to support application requests, a fee will be assessed based upon an hourly rate of \$75.00 per hour for the amount of staff time needed in excess of 20 hours to support these tests. The applicant will be invoiced for this fee within 30 days upon the completion of the test.

**Production Permit Application Fee** - assessed to all new Production Permits for existing or new nonexempt wells not covered by Rule 3-1.20 - general permits by rule (a non-refundable fee assessment). Permit applications will be assessed an application fee based on the following scale:

- \$ 500 - Production volume requests less than 2,000,000 gallons per year
- \$ 750 - Tier 1 production volume requests > than 2,000,000 to 12,000,000 gallons per year
- \$ 1000 - Tier 2 production volume requests > than 12,000,000 to 200,000,000 gallons per year
- \$ 3,000 - Tier 3(a) production volume requests > than 200,000,000 to 500,000,000 gallons per year
- \$5,000 Tier 3(b) production volume request > than 500,000,000 gallons per year

**\$500.00 Transport Permit Application Fee** – assessed to all new Transport Permit applications for existing or new nonexempt wells (a non-refundable fee assessment). This is in addition to production permit application fee, if applicable.

**\$625.00 Drilling/ Modification Application Fee**– assessed for the drilling (new well or replacement well) or modification of all nonexempt wells. This fee includes construction inspections conducted by District staff. This fee does not apply to general permits by rule outlined in District Rule 3-1.20.

**\$125.00 Well Plugging, Capping, or Recompletion** –assessed for application and site review of proposed abandonment procedures, field inspections, and registration on abandonment of all wells (a non-refundable fee assessment).

## **B. Permit Amendment Applications** (see District Rules for clarification)

### **Minor Amendments**

- **\$300.00 Production Permit Increase** - minor amendments to increase pumpage authorized by individual permits (a non-refundable fee assessment).
- **\$200 Substantial Alteration** - minor amendments to substantially alter a well (a non-refundable fee assessment).
- **\$ 50.00 All other minor amendments** - (a non-refundable fee assessment).

### **Major Amendments**

- **\$750.00 Production Permit Increase** - major amendment to increase pumpage authorized by individual permits (a non-refundable fee assessment).
- **\$625.00 Well Modification** - major amendment to alter the physical or mechanical characteristics that increase capacity of an existing well (a non-refundable fee assessment).

## **C. Production Fees**

**\$0.17 per 1,000 gallons** for annual permitted or authorized pumpage for water to be withdrawn from a well or aggregate of wells by a Historical Permit or a Conditional Permit not authorized by material amendment.

**\$0.17 per 1,000 gallons** for annual permitted or authorized pumpage for water to be withdrawn from a well or aggregate of wells by a Temporary Production Permit.

**\$0.44 per 1,000 gallons** for annual permitted or authorized pumpage for water to be withdrawn from a well or aggregate of wells by a new Class A, B, or C Conditional Permit or a Class A, B, or C Conditional Permit authorized by material amendment.

**\$0.17 per 1,000 gallons** for annual permitted or authorized pumpage for water to be withdrawn from a well or aggregate of wells by a new Class D (ASR) Conditional Permit or a Class D Conditional Permit authorized by material amendment.

**\$0.08 per 1,000 gallons** for annual permitted or authorized pumpage for water to be withdrawn from a well or an aggregate of wells in the Saline Edwards Management Zone.

**\$1.00 per acre-foot** for Agricultural Wells for annual permitted pumpage for water to be withdrawn from a well or aggregate of wells (an acre-foot is 325,851 gallons).

Production Fees are assessed annually based on the current permitted pumpage volume of certain nonexempt wells. Permits are issued annually for nonexempt wells and are explicit as to the volume of water permitted to be withdrawn from a well or aggregate of wells over a specific time period.

#### **D. Transport Fees**

**\$0.31 per 1,000 gallons** - assessed annually to all permittees who are transporting water out of the District. Transport fees are based on the volume authorized to be transported outside the District boundaries, in addition to the production fee associated with the production of that water (a non-refundable fee assessment).

#### **E. Annual Permit Fees**

**\$50.00 Annual Permit Fee** - assessed to all permittees for renewing annual permits (a non-refundable fee assessment).

#### **F. Excess Pumpage Fee**

Permittees who exceed their annual permitted pumpage shall be assessed an excess pumpage fee for groundwater withdrawn in excess of the permitted volume in accordance with the following schedule:

An excess of **500,000 gallons or less:** \$0.17 per 1,000 gallons for a Historical Permit, a Conditional Permit not authorized by material amendment, or a Temporary Production Permit.

\$0.44 per 1,000 gallons for new Conditional Permits and Conditional Permits authorized by material amendment.

An excess of **more than 500,000 gallons:**

An excess of 500,001 – 1,000,000 gallons of permitted pumpage - \$5.00 per 1,000 gallons plus the applicable production fee\*

An excess of 1,000,001 – 2,000,000 gallons of permitted pumpage - \$7.00 per 1,000 gallons plus the applicable production fee\*

An excess of more than 2,000,000 gallons of permitted pumpage - \$10.00 per 1,000 gallons plus the applicable production fee\*

\* Applicable production fee means the higher rate associated with any authorized pumpage.

Upon recommendation of the General Manager, the Board of Directors may reduce, waive or otherwise adjust the application of the Excess Pumpage Fee for good cause shown by the permittee that the excess pumpage was the result of circumstances beyond the control of the permittee or necessary to protect the health, safety, or welfare of the public.

## G. Regulatory/Drought Management Fees

During periods of District-declared drought starting after two full months of a drought period, a drought management fee will be imposed on permittees permitted for more than 2,000,000 gallons annually (excludes all uses under general permits). This regulatory fee will be paid annually in arrears as a condition of permit renewals at the beginning of each fiscal year. The fee will be assessed per full month of declared drought, with a credit of that same fee amount per month applied for each month that the permittee does not exceed its monthly mandated restriction in the prevailing UDCP. Fees will be assessed in accordance with the following schedule:

For production zone casing with outside diameters nominally 5.0 inches or less: \*  
**\$100.00/month**

For production zone casing with outside nominally between 5.0 inches and 10.0 inches: \*  
**\$250.00/month**

For production zone casing with outside diameters nominally greater than 10.0 inches: \*  
**\$500.00/month**

## II. OTHER FEES

### **Meter Verification / Inspection Fee - \$50.00 to \$100.00**

Assessed only when a permitted user fails inspection after being advised that meters must be installed or calibrated, or when a permittee fails to submit the required meter readings and District personnel must visit the well site or take the meter readings. May be assessed as many times as permitted user fails to comply with Board Orders or District Rules to come into compliance. The fee will increase to \$100.00 on the third instance to occur within a 12-month period in which a \$50 fee was previously assessed two instances prior (a non-refundable fee assessment).

### **Special Fees**

A Special Fee is required for certain tasks involving extraordinary staff time to perform extensive technical/ review, fieldwork, and/or inspections. This fee may be assessed for a variety of tasks and may be assessed as a one-time fee, on a periodic recurring basis, or cumulatively for multiple tasks depending on the tasks warranting the fee. Such tasks include but are not limited to the following:

<b>Tasks Warranting a Special Fee</b>	<b>Assessment of Fee</b>
Staff technical review of Permit applications involving alternative well designs, well development procedures, or well plugging/capping procedures including alternative Test Well designs in which a formal aquifer test will be conducted to support a future Production Permit request.	\$500 fee shall be assessed one time, and will be due 30 days upon the determination of administrative completeness of the application

Review of Permit applications requiring extensive external technical consulting services (e.g. contract review, well construction, engineering plans and specifications, hydrogeological modeling).	\$5,000 fee shall be due within 30 days upon the determination that external technical consulting services are needed. <b>(Fee may be assessed in addition to other applicable Special Fees.)</b>
Review of Permits with special provisions requiring ongoing, annual or periodic internal technical review or compliance evaluations.	A fee up to \$1,000 shall be recurring, assessed annually upon permit renewal based upon the nature and duration of the special permit provisions that are in effect.
Special inspections or investigations, or requests from local government or private entities.	A fee up to \$1,000 shall be assessed one time as determined by the General Manager.

**Potential for Unreasonable Impact Fee**

The District will assess a supplemental fee to address staff time needed to review a permit application found to have a potential for unreasonable impact(s). Per District Rules, this finding initiates additional application requirements, internal technical review, development of permit compliance measures, and/or development of special provisions. The fee will be based upon a staff time rate of \$75.00 per hour for the amount of time needed for the additional review determined by the General Manager’s preliminary finding. This fee will be due at two times: half within 30 days upon the completion of the General Manager’s preliminary finding, and half within 30 days upon administrative completeness.

**Returned Check Fee - \$35.00**

The District will assess the person writing the returned check a \$35.00 fee for each check returned by the District depository due to insufficient funds, account closed, signature missing, or any other problem causing such a return. This fee will be charged each time a check is returned. If bank charges to the District’s account exceed \$35.00, the District shall assess the higher of the two amounts (a non-refundable fee assessment).

**Accounting Fee - \$50.00 per hour**

Anyone requesting that the District conduct any accounting, other than the routine accounting normally done by the District, shall be assessed an accounting fee of \$50.00 per hour of District staff time spent on the accounting. Accounting fees will not be assessed if District generated errors are found in the Permittee’s account.

**Variance Request Fees - \$100.00**

An applicant may, by meeting eligibility requirements of Section 3-1.25 or Section 3-7.10 and by written petition to the Board, request a variance from the requirements of District Rule 3-1 or District Rule 5, except Sections 3-1.20, 3-1.22, 3-1.23, and 3-1.24, or District Rule 3-7, respectively.

**Legal Notice Fees**

An applicant will pay for publishing any legal notices in accordance with the District rules.

### **III. FEE REFUNDS**

The General Manager or a specifically designated representative may approve a refund of any fee for which no District service has been provided at the time of the request for refund is submitted. Requests for refunds must be submitted in writing to the District office and can be mailed, faxed, hand-delivered, or sent by e-mail. Fee payers who feel they have been unfairly denied a refund may request that the matter be reviewed by the Board.

**Table 1. Summary of Application Fees**

<b>Exempt Wells – Permit Actions</b>	<b>Application Fee</b>
Register Existing Well/ Change of Ownership	\$0
Drill New Exempt Well/ Well Modification	\$400

  

<b>Nonexempt Wells – Permit Actions</b>	<b>Application Fee</b>
GP - Drill New Well (LPP) Limited Production Permit	\$400
GP - Drill New Test Well (includes one pump test)	\$400
GP - Conduct Pump Test	\$50
GP - Drill New Monitor Well	\$400
GP – Aquifer Tests	TBD upon completion of the test.
Individual Drilling Authorization – Drill New Well / Well Modification	\$625
Individual Production Permit – to produce from a well	\$500-\$5000
Transport Permit – to transport out of District	\$500
Production Volume Increase (Minor Amendment)	\$300
Production Volume Increase (Major Amendment)	\$750
Plug, Cap, Recomplete Abandoned Wells	\$125
Change of Ownership of Permitted Well	\$50
Special Fees	\$500-\$5000
Potential for Unreasonable Impact(s) Fee	TBD upon GM preliminary findings