State of California – Department of Fish and Wildlife
NOTIFICATION OF LAKE OR STREAMBED ALTERATION
FISH AND GAME CODE SECTION 1602
DFW 2023 (REV. 10/01/16) Page 1

FOR DEPARTMENT USE ONLY				
Date Received	*Amount Received*	*Amount Due*	*Date Complete*	*Notification No.*
	$	$		
Assigned to:				

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name			
Business/Agency			
Mailing Address			
City, State, Zip			
Telephone		Fax	
Email			

2. CONTACT PERSON (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name				
B. Agreement Term Requested		☐ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)		
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, E, or F is checked, complete the specified attachment.	
A.	☐ Standard *(Most construction projects, excluding the categories listed below)*
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*) *Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*) *THP Number:* _____
D.	☐ Water Diversion/Extraction/Impoundment (*Attachment C*) *SWRCB Number:* _____
E.	☐ Routine Maintenance (*Attachment D*)
F.	☐ Remediation of Marijuana Cultivation Sites (*Attachment E*)
G.	☐ Department Grant Programs *Agreement Number:* _____
H.	☐ Master
I.	☐ Master Timber Operations

6. FEES

See the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE*	

** Cash, check, and Visa or MasterCard payments are accepted. When payment is made by Visa or MasterCard, the "Total Fee Enclosed" must include an additional credit card processing fee of 1.6%. Credit card payment must be submitted with a completed Credit Card Payment Authorization Form (DFW 1443b (Rev. 8/15)) available online at: https://www.wildlife.ca.gov/Conservation/LSA/Forms or at a Department regional office.*

7. PRIOR NOTIFICATION AND ORDERS

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☐ No

Applicant	Notification Number	Date

B. Is this notification being submitted in response to a court or administrative order or notice, or a notice of violation (NOV) issued by the Department?

☐ No ☐ Yes (*Enclose a copy of the order, notice, or NOV. If the applicant was directed to notify the Department verbally rather than in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

8. PROJECT LOCATION

A. Address or description of project location.

(*Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway*)

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.

C. What water body is the river, stream, or lake tributary to?

D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts? ☐ Yes ☐ No ☐ Unknown

E. County

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section

☐ *Continued on additional page(s)*

K. Meridian (*check one*) ☐ Humboldt ☐ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

☐ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)*			
Latitude/Longitude	*Latitude:*	*Longitude:*	
	☐Degrees/Minutes/Seconds	☐Decimal Degrees	☐Decimal Minutes
UTM	*Easting:*	*Northing:*	☐Zone 10 ☐Zone 11
Datum used for Latitude/Longitude or UTM	☐NAD 27	☐NAD 83 or WGS 84	

9. PROJECT CATEGORY

WORK TYPE	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR-MAINTAIN-OPERATE EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal: pond, stream, or marina	☐	☐	☐
flood control	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing: horizontal directional drilling	☐	☐	☐
jack/bore	☐	☐	☐
open trench	☐	☐	☐
Water diversion without facility	☐	☐	☐
Water diversion with facility	☐	☐	☐
Other *(specify)*:	☐	☐	☐

10. PROJECT DESCRIPTION

A. Describe the project in detail. Include photographs of the project location and immediate surrounding area.

- Written description of all project activities with detailed step-by-step description of project implementation.
- Include any structures (e.g., rip-rap, culverts) that will be placed or modified in or near the stream, river, or lake, and any channel clearing.
- Specify volume, and dimensions of all materials and features (e.g., rip rap fields) that will be used or installed.
- If water will be diverted or drafted, specify the purpose or use.
- Enclose diagrams, drawings, plans, and maps that provide all of the following: site specific construction details; dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, stockpile areas, areas of temporary disturbance, and where the equipment/machinery will access the project area.

☐ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☐ Yes ☐ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☐ No

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☐ No (*Include aerial photo with date supporting this determination)*

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☐ Yes (*List each species and/or describe the habitat below)* ☐ No ☐ Unknown

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☐ Yes (*Enclose the hydrological study*) ☐ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

G. Have fish or wildlife resources or waters of the state been mapped or delineated on the project site?

☐ Yes (*Enclose the mapped results*) ☐ No

Note: Check "yes" if fish and wildlife resources or waters of the state on the project site have been mapped or delineated. "'Wildlife' means and includes all wild animals, birds, plants, fish, amphibians, reptiles and related ecological communities, including the habitat upon which the wildlife depends." (Fish & G. Code, § 89.5.) If "yes" is checked, submit the mapping or delineation. If the mapping or delineation is in digital format (e.g., GIS shape files or KMZ), you must submit the information in this format for the Department to deem your notification complete. If "no" is checked, or the resolution of the mapping or delineation is insufficient, the Department may request mapping or delineation (in digital or non-digital format), or higher resolution mapping or delineation for the Department to deem the notification complete.

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, State, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. _____ ☐Applied ☐Issued

B. _____ ☐Applied ☐Issued

C. _____ ☐Applied ☐Issued

D. Unknown whether ☐local, ☐State, or ☐federal permit is needed for the project. (*Check each box that applies*)

☐*Continued on additional page(s)*

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA) and/or National Environmental Protection Act (NEPA)?

☐Yes (*Check the box for each CEQA or NEPA document that has been prepared and enclose a copy of each.*)

☐No (*Check the box for each CEQA or NEPA document listed below that will be or is being prepared.*)

☐Notice of Exemption	☐Mitigated Negative Declaration	☐NEPA document (*type*):
☐Initial Study	☐Environmental Impact Report	_____
☐Negative Declaration	☐Notice of Determination *(Enclose)*	
☐THP/ NTMP	☐Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number (*if applicable*)			
C. Has a CEQA lead agency been determined?	☐Yes (*Complete boxes D, E, and F*)	☐No (*Skip to box 14.G*)	
D. CEQA Lead Agency			
E. Contact Person		F. Telephone Number	

G. If the project described in this notification is not the "whole project" or action pursuant to CEQA, briefly describe the entire project (Cal. Code Regs., tit. 14, § 15378).

☐*Continued on additional page(s)*

H. Has a CEQA filing fee been paid pursuant to Fish and Game Code section 711.4?

☐Yes (*Enclose proof of payment*) ☐No (*Briefly explain below the reason a CEQA filing fee has not been paid)*

Note: If a CEQA filing fee is required, the Lake or Streambed Alteration Agreement may not be finalized until paid.

15. SITE INSPECTION

Check one box only.

☐ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

☐ Yes (Please enclose the information via digital media with the completed notification form)

☐ No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

_____ _____

Signature of Applicant or Applicant's Authorized Representative Date

_____

Print Name

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
LAKE AND STREAMBED ALTERATION AGREEMENTS AND FEES

EFFECTIVE OCTOBER 1, 2016

Note: Authority cited: Sections 713, 1609, and 12029, Fish and Game Code; and Section 21089, Public Resources Code. Reference: Sections 713, 1605, 1609, and 12029, Fish and Game Code; and Sections 4629.6(c) and 21089, Public Resources Code.

DEFINITIONS

The following definitions apply:

"**Activity**" means any activity that by itself would be subject to the notification requirement in subdivision (a) of Section 1602 of the Fish and Game Code.

"**Agreement**" means a lake or streambed alteration agreement issued by the department.

"**Agreement for routine maintenance**" means an agreement that:

(A) covers only multiple routine maintenance projects that the entity will complete at different time periods during the term of the agreement; and

(B) describes a procedure the entity shall follow to complete any maintenance projects the agreement covers.

"**Agreement for timber harvesting**" means an agreement of five years or less that covers one or more projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection.

"**Department**" means the California Department of Fish and Wildlife.

"**Extension**" means either a renewal of an agreement executed prior to January 1, 2004, or an extension of an agreement executed on or after January 1, 2004.

"**Major amendment**" means an amendment that would significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources, or require additional environmental review pursuant to Section 21000 et seq. of the Public Resources Code or Section 15000 et seq., Title 14, California Code of Regulations, as determined by the department.

"**Master agreement**" means an agreement with a term of greater than five years that:

(A) covers multiple projects that are not exclusively projects to extract gravel, sand, or rock; not exclusively projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection; or not exclusively routine

maintenance projects that the entity will need to complete separately at different time periods during the term of the agreement and for which specific detailed design plans have not been prepared at the time of the original notification; and

(B) describes a procedure the entity shall follow for construction, maintenance, or other projects the agreement covers.

(C) An example of a project for which the department would issue a master agreement is a large-scale development proposal comprised of multiple projects for which specific, detailed design plans have not been prepared at the time of the original notification. The master agreement will specify a process the department and entity will follow before each project begins and may identify various measures the entity will be required to incorporate as part of each project in order to protect fish and wildlife resources. The process specified in the master agreement may require the entity to notify the department before beginning any project the agreement covers and to submit the applicable fee. After the department receives the notification, it will confirm that the master agreement covers the project and propose measures to protect fish and wildlife resources in addition to any included in the master agreement, if such measures are necessary for the specific project. By contrast, if the large-scale development proposal is comprised of, for example, multiple residences, golf courses, and associated infrastructure projects for which specific, detailed design plans have been prepared by the time the entity notifies the department and the entity is ready to begin those projects, the entity may obtain a standard agreement only.

"**Master agreement for timber operations**" means an agreement with a term of greater than five years that:

(A) covers timber operations on timberland that are not exclusively projects to extract gravel, sand, or rock; not exclusively projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection; or not exclusively routine maintenance projects that the entity will need to complete separately at different time periods during the term of the agreement; and

(B) describes a procedure the entity shall follow for construction, maintenance, or other projects the agreement covers. For the purposes of this definition, "timberland" and "timber operations" have the same meaning as those terms are defined in sections 4526 and 4527 of the Public Resources Code, respectively.

"Minor amendment" means an amendment that would not significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources, as determined by the department, or an amendment to transfer the agreement to another entity by changing the name of the entity to the name of the transferee.

"**Project**" means either of the following as determined by the department:

(A) One activity. An example of such a project is one that is limited to the removal of riparian vegetation at one location along the bank of a river, stream, or lake that will substantially change the bank.

(B) Two or more activities that are interrelated and could or will affect similar fish and wildlife resources. An example of such a project is the construction of one bridge across a stream that requires the removal of riparian vegetation, the installation of abutments in

or near the stream, and the temporary de-watering of the stream using a diversion structure. Each of those three activities together would constitute one project for the purpose of calculating the fee under this section because they are all related to the single purpose of constructing one bridge at one location. By contrast, the construction of three bridges and two culverts across a stream at five different locations would not constitute one project, but instead would constitute five projects, even if each structure were to provide access to a common development site or were physically connected to each other by a road.

"Project" does not mean project as defined in Section 21065 of the Public Resources Code or Section 15378 of Title 14 of the California Code of Regulations.

"Standard agreement" means any agreement other than an agreement for gravel, rock, or sand extraction, an agreement for timber harvesting, an agreement for routine maintenance, a master agreement, or a master agreement for timber operations.

FEES

Standard Agreement

Fee if the term of the agreement is five years or less:

$561.00 if the project costs less than $5,000.

$704.00 if the project costs from $5,000 to less than $10,000.

$1,405.00 if the project costs from $10,000 to less than $25,000.

$2,109.00 if the project costs from $25,000 to less than $100,000.

$3,095.00 if the project costs from $100,000 to less than $200,000.

$4,198.00 if the project costs from $200,000 to less than $350,000.

$5,000.00 if the project costs $350,000 or more.

Fee submittal: If the entity requests an agreement with a term of five years or less, the applicable fee specified above shall be submitted with the notification.

Fee if the term of the agreement is a Long-term agreement, longer than five years:

$6,750.00 base fee, plus:

$561.00 if the project costs less than $5,000.

$704.00 if the project costs from $5,000 to less than $10,000.

$1,405.00 if the project costs from $10,000 to less than $25,000.

$2,109.00 if the project costs from $25,000 to less than $100,000.

$3,095.00 if the project costs from $100,000 to less than $200,000.

$4,198.00 if the project costs from $200,000 to less than $350,000.

$6,328.00 if the project costs from $350,000 to less than $500,000.

$11,249.00 if the project costs $500,000 or more.

Fee submittal: If the entity requests an agreement with a term longer than five years, the base and the applicable project fee specified above shall be submitted with the notification.

For the purpose of this subsection, project cost means the cost to complete each project for which notification is required. Project costs shall include, but are not limited to, the cost of all investigations, surveys, designs, labor, and materials required to complete the project.

A notification for a standard agreement should identify only one project.

If an entity chooses to identify more than one project in a single notification, the fee shall be calculated by adding the separate fees for each project. For example, if a notification identifies three projects, one of which will cost less than $5,000 to complete, one of which will cost $7,500 to complete, and one of which will cost $17,500 to complete, the fee for the first project would be $561.00, the fee for the second project would be $704.00, and the fee for the third project would be $1,405.00. Hence, the total fee the entity would need to submit with the notification that identifies those three projects would be $2,670.00.

Notwithstanding the above, the department may require the entity to separately notify the department for one or more of the projects included in the original notification based on their type or location. If the department requires the entity to separately notify the department for one or more of the projects included in the original notification, the department shall return the original notification and fee to the entity, after which the entity may submit to the department separate notifications and a fee for each project.

An entity may not obtain a standard agreement for any project identified in the notification that qualifies for an agreement for gravel, rock, or sand extraction, an agreement for timber harvesting, an agreement for routine maintenance, a master agreement, or a master agreement for timber operations unless the department agrees otherwise.

Agreement for Gravel, Sand, or Rock Extraction

Any agreement for commercial or non-commercial mining or extraction of gravel, sand, rock, or other aggregate material.

Fee if the term of the agreement is five years or less:

$1,405.00 if the annual extraction volume identified in the notification is less than 500 cubic yards.

$2,812.00 if the annual extraction volume identified in the notification is 500 to less than 1,000 cubic yards.

$5,000 if the annual extraction volume identified in the notification is 1,000 or more cubic yards.

Fee submittal: If the entity requests an agreement with a term of five years or less, the applicable fee specified above shall be submitted with the notification.

Fee if the term of the agreement is longer than five years:

$28,123.00 base fee, plus an annual fee of $2,812.00.

Fee submittal: If the entity requests an agreement with a term longer than five years, the base fee shall be submitted with the notification, and the annual fee shall be submitted as specified in the agreement.

Agreement for Timber Harvesting

Pursuant to subdivision (c) of Section 4629.6 of the Public Resources Code, no fee shall be required if the department received the notification after July 1, 2013. This includes a notification made to the department pursuant to Section 1602 or Section 1611 of the Fish and Game Code.

Agreement for Routine Maintenance

Fee if the term of the agreement is five years or less:

$3,376.00 base fee, plus $281.00 for each maintenance project completed per calendar year.

Fee if the term of the agreement is longer than five years:

$6,750.00 base fee, plus $281.00 for each maintenance project completed per calendar year.

Fee submittal: The base fee shall be submitted with the notification, and the project fee shall be submitted as specified in the agreement.

Master Agreement

Fee: $84,368.00 base fee, plus:

An annual fee of $7,030.00, unless the department specifies otherwise.

$704.00 for each project the agreement covers, unless the department specifies otherwise.

Fee submittal: The base fee shall be submitted with the notification. The annual fee and project fee shall be submitted as specified in the agreement.

Timber Master Agreement

Pursuant to subdivision (c) of Section 4629.6 of the Public Resources Code, no fee shall be required if the department received the notification after July 1, 2013. This includes a notification made to the department pursuant to Section 1602 or Section 1611 of the Fish and Game Code.

Additional Fee for Marijuana Cultivation Sites That Require Remediation

If the purpose of an agreement, or major amendment to an agreement, is to remediate a marijuana cultivation site, the entity shall submit the applicable fee below, which shall be in addition to the fee for the agreement or major amendment, in accordance with subdivision (d) of Section 12029 of the Fish and Game Code.

Fee:

$3,000.00 if the total remediation area is less than or equal to 1,000 square feet as determined by the department.

$5,000.00 if the total remediation area is greater than 1,000 square feet as determined by the department.

Fee submittal: The fee specified above shall be submitted with the notification or amendment request by separate check or other method of payment.

Extensions for Agreements

To request an extension for an existing agreement, complete an Extension Request Form, and submit to the appropriate department Regional office with the proper fee. An extension request must be made prior to expiration date of the agreement. An extension is not an amendment.

Fee: $562.00.

Fee submittal: The fee specified above shall be submitted with the request for an extension.

Amendments

The holder of a Lake or Streambed Alteration Agreement may request the department to amend the agreement, provided the request is submitted to the department in writing prior to the agreement's expiration. To request an amendment for an existing agreement, complete an Amendment Request Form, and submit to the appropriate department Regional office with the proper fee. A project may not be added to an agreement by amendment unless the agreement specifies otherwise.

Minor Amendments -

Fee: $421.00.

Major Amendments -

Fee: $1,405.00.

Fee submittal: The fee specified above shall be submitted with the request for an amendment.

California Environmental Quality Act (CEQA)

When the department is required to act as lead agency to administer and enforce Sections 1600-1616 of the Fish and Game Code, the department may charge and collect a reasonable fee from the entity to recover its estimated CEQA-related costs in accordance with Section 21089 of the Public Resources Code. The department may recover its estimated CEQA-related costs by collecting from the entity one or more deposits.

Payment of Fees

The department may refuse to process a notification, or a request for an extension, or a request for a minor or major amendment until the department receives the proper fee or fees.

Method of Payment.

Any fee specified herein shall be made to the Department of Fish and Wildlife by check, money order, or credit card accepted by the department.

To pay a fee by credit card, the department's Credit Card Payment Authorization Form (DFW 1443b (8/15)) shall be completed in full and submitted to the department with the notification form, request for an extension, or request for a minor or major amendment, unless the fee is paid in person at one of the department region offices. The form is available on the internet at: www.wildlife.ca.gov/Conservation/LSA/Forms.

If the fee is paid by credit card, the department shall assess a separate credit card processing fee of 1.6% to recover handling costs and credit card company charges.

Refunds

The department may not refund or return any fee specified herein except as specified below.

(A) If an entity requests an agreement with a term longer than five years and the department denies the entity's request, the department shall return the fees paid and instruct the entity to submit the applicable fee for an agreement with a term of five years or less.

(B) If an entity identifies more than one project in a single notification, and the department requires the entity to separately notify the department for one or more of the projects in accordance with subsection (b)(4)(A), the department shall return to the entity the fee with the original notification.

(C) If after receiving a notification the department determines that the fee submitted was more than the amount required, the department shall refund to the entity the excess amount.

(D) If after receiving a notification the department determines that notification is not required because the project is not subject to subdivision (a) of Section 1602 of the Fish and Game Code, the department shall refund to the entity any fees submitted with the notification.

Type of Agreement

The department shall determine at its sole discretion the type of agreement the entity may obtain for a project or projects.