



COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE: Zoning CALIFORNIA DEPARTMENT OF FISH AND GAME FEES

The State of California requires the payment of a fee to the State Department of Fish and Game, as a condition for filing Notices of Determination required by the California Environmental Quality Act (Stats. 1990, ch 1706). The fee is \$2,101.50 for a project receiving a Negative Declaration, and \$2,919.00 for a project with an Environmental Impact Report (EIR). A \$50 administrative charge will also be collected with the fee.

A Fish and Game Fee is required by Section 711.4 of the California Fish and Game Code for discretionary projects not exempt under the California Environmental Quality Act (CEQA) that have an “effect”, regardless of the significance, on fish and wildlife. This fee is associated with filing of CEQA Notices of Determination (NOD) for discretionary land use projects. Unless the California Department of Fish and Game signs a “No Effect” Form for a project, Fish and Game Fees for the subject project will be required before public review.

Commencing January 1, 2007, the State Clearinghouse will not accept or post a NOD filed by any State lead agency unless it is accompanied by one of the following: (1) a receipt with the correct Fish and Game fee payment, (2) a copy of a receipt showing prior payment of Fish and Game Fees or a “De Minimis” finding for the same previously approved project approved prior to January 1, 2007 for projects relying on a previous environmental document pursuant to CEQA §15162, or (3) a completed form from the Department of Fish and Game documenting the Department’s determination that the project will have “no effect” on fish and wildlife.

The “no effect” standard is more stringent than the de minimis standard that CEQA Lead Agencies previously applied to projects they determined were exempt from having to pay the Fish and Game Fee. Note that the “no effect” standard is not limited to sensitive fish and wildlife species; it encompasses all fish and wildlife species as well as habitat. It is anticipated that less than 5 percent of projects not exempt from CEQA will qualify for the “no effect” determination. If after consultation with County Staff you feel that your project has “no effect” to fish and wildlife, it is your responsibility to complete and submit to the Department of Fish and Game the “No Effect” Form for their concurrence.

If required, this fee will be collected by the County of San Diego and forwarded to the Department of Fish and Game. It is due and payable before a Negative Declaration or EIR is advertised for public review (Administrative Code Section 362, Article XX). Payment must be by certified check payable to the "County Clerk", and submitted to the cashier at the Department of Planning and Land Use, or the Office of the County Clerk/Recorder. When a project has been processed to the point where the Department is ready to advertise either a Negative Declaration or an Environmental Impact Report the applicant will be notified. The fees must be paid before the project will be advertised for public review.

A receipt will be issued upon payment. A copy of this receipt will be forwarded to the project manager, who will immediately schedule the EIR or Negative Declaration for advertisement.

If the project is not approved, the fee will be refunded. If the environmental determination is changed, as a result of public review, or during the decision making process, a refund of excess fees paid will be issued, or additional fees will be collected.