

## **APPLICATION PROCESSING FEES FOR CONSTRUCTION, ENLARGEMENT OR REMOVAL OF DAM**

The 1990 General Assembly authorized in General Statute (G. S.) 143-215.28A the required payment of application processing fees for the construction of new dams, and for the enlargement or removal of existing dams. The total fee amount is based on the cost of the completed project with a Minimum Application Processing Fee of \$200.00

The cost of the completed project includes all labor and materials costs associated with the construction, enlargement or removal of a dam and appurtenances. The cost of the completed project, however, does not include costs associated with engineering design or quality control testing, land or right-of-way acquisition, electrical generating machinery, or constructing a roadway across the dam.

There are two types of fees: (1) the “Minimum Application Processing Fee,” and (2) the “Additional Application Processing Fee.” These two types of fees are described below.

The Minimum Application Processing Fee is \$200.00. This is an initial review fee and must be submitted with the application for construction, enlargement or removal of a dam along with a preliminary estimate of the cost of the completed project. The State’s review of an application will not commence if the Minimum Application Processing Fee is not submitted with the application.

If the cost of the completed project exceeds \$10,001.00, an Additional Application Processing Fee must be submitted at the completion of the project. The Additional Application Processing Fee must be submitted along with the dam owner’s certification of the cost of the completed project; the engineer’s as-built plans; and the engineer’s certification that the dam and all appurtenances have been constructed, enlarged or removed in conformance with the approved plans and specifications.

The Additional Application Processing Fee is based on the cost of the completed project and is calculated according to the following percentages:

- (a) 2% of the actual costs between \$10,001.00 and \$100,000.00
- (b) 1.5% of the actual costs between \$100,001.00 and \$500,000.00.
- (c) 1% of the actual costs between \$500,001.00 and \$1,000,000.00
- (d) 0.5% of the actual costs over \$1,000,000.00.

The maximum Additional Application Processing Fee is \$50,000.00.

The Additional Application Processing Fee must be for the exact amount as determined from the percentages above and must be paid for by check or money order made payable to **NCDENR. DO NOT SEND CASH.** If the amount of the Additional Application Processing Fee remitted is incorrect, it will be returned as unacceptable. An approval to impound will not be issued until receipt of the required Additional Application Processing Fee and an as-built inspection by the Division of Land Resources, Land Quality Section determines that the dam is

in compliance with the approved plans and specifications. It should be noted that only the Director of the Division of Land Resources has the authority to issue an approval to impound. Civil penalties up to \$500.00 per day can be assessed or injunctive relief can be sought for dams impounding prior to issuance of an approval to impound.

Examples for calculation of the Additional Application Processing Fee follow.

ADDITIONAL APPLICATION PROCESSING FEE CALCULATION, EXAMPLE NO. 1

Cost of Completed Project = \$77,000.00

- Additional Application Processing Fee Submitted at Completion of Project is:

$$2\% \times (\$77,000.00 - \$10,001.00) = \mathbf{\$1,339.98}$$

ADDITIONAL APPLICATION PROCESSING FEE CALCULATION, EXAMPLE NO. 2

Cost of Completed Project = \$342,000.00

- Additional Application Processing Fee Submitted at Completion of Project is:

$$\begin{aligned} & 2\% \times (\$100,000.00 - \$10,001.00) \\ & + 1.5\% \times (\$342,000.00 - \$100,001.00) \\ & = \$1,799.98 + \$3,629.99 = \mathbf{\$5,429.97} \end{aligned}$$

ADDITIONAL APPLICATION FEE CALCULATION, EXAMPLE NO. 3

Cost of Completed Project = \$850,000.00

- Additional Application Processing Fee Submitted at Completion of Project is:

$$\begin{aligned} & 2\% \times (\$100,000.00 - \$10,001.00) \\ & + 1.5\% \times (\$500,000.00 - \$100,001.00) \\ & + 1.0\% \times (\$850,000.00 - \$500,001.00) \\ & = \$1,799.98 + \$5,999.99 + \$3,499.99 = \mathbf{\$11,299.96} \end{aligned}$$

Should you have any questions concerning the calculation of the Additional Application Processing Fee, please contact the Dam Safety Program staff at telephone number (919) 707-9220.

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