

Erosion and Sedimentation Control Plan Review Fee Schedule

A Resolution of the Elk Conservation District

Adopted_9-16-09

100 TITLE: This resolution may be cited as the Elk Conservation District Fee Schedule for Erosion and Sedimentation Control Plan Review.

101 AUTHORITY: The Elk Conservation District is delegated with the responsibility to administer the Commonwealth's Erosion and Sedimentation Pollution Control Program under The Pennsylvania Clean Streams Law, Chapter 102 Erosion Control Rules and Regulations, Chapter 92, and the National Pollution Discharge Elimination System (herein after referred to as NPDES) Permit Requirements for Stormwater Discharges from Construction Activities.

The Conservation District Law (Sec. 9 of Act 217) provides the Elk Conservation District the ability to accept the responsibility to administer the erosion control program and to collect fees for services performed.

102 EFFECTIVE DATE: The resolution shall become effective on _9-16-09 and shall remain in effect until modified, amended or rescinded by the Elk Conservation District Board of Directors.

103 INTENT: The purpose of this fee schedule is to promote complete and accurate erosion and sedimentation control plan submission and efficient review and to help defray costs incurred by the Elk Conservation District in its delegated administration of the State's Erosion and Sedimentation Control Program in accordance with Chapter 102, erosion Control, Rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP).

104 WAIVER OF FEES: Fees may be waived for an application files under the name of the United States of America or Municipalities of the Commonwealth of Pennsylvania. This does not include authorities of Municipalities (i.e. sewer and water, housing, school districts, universities, etc.)

E&SPC fees will not be applicable to agricultural operations such as plowing and tilling and agricultural conservation practices completed in accordance with a conservation plan. When site disturbance occurs that is not an agricultural practice such as earth disturbances for a large building, the fee schedule for plan review and site inspection would be applicable.

State Government agencies are exempt from the NPDES permit-filing fee as outlined in Chapter 92 Rules and Regulations for General and Individual Permits for Stormwater Discharge associated with Construction Activities. However, these agencies need to complete the NPDES NOI forms and the E&SPC Plan.

The District Manager shall have the ability to waive fees for plan reviews on a case-by-case basis. To be considered for this provision a cover letter must be included with the review application outlining the extent of the project and the reasoning for the requested waiver fee.

105 PROJECT AREA DELINEATION: The entire parcel controlled by the applicant will represent the project area. Open space areas are to be included in the total project area. Acreage covered by a Department of Environmental Protection permit will be considered as the project area.

106 PROCEDURES:

- A. An E&SPC Plan will be considered complete for review when the District receives a completed application form, a check or money order made payable to the Elk Conservation District in the appropriate amount, two (2) copies of the Erosion and Sediment Control Plan, etc. as required to define the proposed activity.
- B. The Conservation District fee should not be combined with any other state, county, or municipal fee. The cancelled check will be the applicant's receipt.
- C. Any submission that does not contain the appropriate information will not be reviewed. The applicant will be informed of any additional information or fees needed for a review.
- D. A \$50.00 charge will be assessed for any check refused by the bank due to insufficient funds and the entire application package will be returned to the applicant without the reviews being performed.
- E. The maximum review time will be thirty (30) days from the date of receipt of a completed submission.
- F. Projects that require an Erosion and Sediment Control Permit or an NPDES permit will require an additional check in the proper amount for the specific permit payable to the Elk County Clean Water Fund.
- G. Letters indicating the adequacy of Erosion and Sediment Control Plans are valid for two (2) years after issuance. Should project construction fail to commence before two (2) years have elapsed, a resubmission of the plan is required.
- H. The Elk Conservation District reviews Erosion and Sediment Control Plans solely to determine whether it is adequate to satisfy the requirements of Title 25, PA Code Section 102 et. Seq., the Erosion Control Regulations of the Department of Environmental Protection. By a determination that the plan is adequate to meet these requirements, neither the Conservation District nor the County assumes any responsibility for the implementation of the plan or proper construction and operation of the facilities contained in the plan.
- I. The design, structural integrity and installation of the control measures are the responsibility of the landowner and/or earthmover.
- J. Before the construction or earthmoving may begin, the appropriate and necessary local, state and federal permits must be secured from the agency having that particular permitting authority (i.e. jurisdictional wetlands, highway occupancy permits, Chapter 105, Army Corps. Etc.)
- K. The District encourages a pre-plan development meeting with District staff. There is no fee for this additional meeting.

107 APPLICABILITY:

- A. The fee schedule will apply whenever the application and the Erosion and Sediment Pollution Control Plan are submitted for and adequacy determination, or environmental review. Each submission of a different project on the same tract of land will be charged according to the fee schedule. The District will review all Erosion and Sediment Pollution Control Plans submitted with NPDES "Notices of Intent" (NOI) and applications for Individual NPDES permits.
- B. Plans submitted for a second review will not be assessed an additional fee. All plans submitted for third and subsequent reviews will be charged half (1/2) the original fee.
- C. Any Plan for the tract of land resubmitted more than two (2) years after the last Review will be charged a new fee.
- D. The District can request to review a plan if a problem is perceived on site. The fee Schedule will apply to such reviews.

108 FEE SCHEDULE:

A. The following plan review fees will be charged by the Elk Conservation District.

Subdivision/Residential

Less than two (2) acres	\$50.00
2- 4.99 acres	150.00
5 – 9.99 acres	250.00
10 – 14.99 acres	750.00
15 acres or larger	750.00 plus \$35 per acre over 14.99 acres

Industrial/Commercial

Less than one (1) acre	\$200.00
1 – 4.99 acres	350.00
5 – 9.99 acres	500.00
10 – 14.99 acres	650.00
15 - 24.99 acres	800.00
25 acres or larger	900.00 plus \$50 per acre over 25

Timber Harvest (tract size)

0 –99 acres	\$75.00
100 – 199 acres	125.00
200 – 299 acres	175.00
300 – 399 acres	225.00
400 – 499 acres	275.00
500 acres or larger	300.00 plus \$50.00 per 100 acres over 500

Other Development

Basic fee	\$75.00 (includes Chapter 105 permitting)
0-2 acres	75.00
Greater than 2 acres	75.00 plus \$10.00 per acre over 2

A. Plan withdrawal policy:

Upon written request by the applicant and approved by the District Board Of Directors, a portion of the review fee may be refunded if the applicant withdraws the plan prior to approval. No fees are refunded after District Approval.

B. Fee Changes:

Changes to the fee schedule will go into effect upon approval of the Elk Conservation District Board of Directors.

109 APPROVAL:

Be it resolved this 16th day of September 2009, that the Elk Conservation District Does hereby adopt a fee schedule and policy for the review and approval of all Erosion and Sediment Pollution Control Plans as authorized by the Commonwealth of Pennsylvania Act number 217 of 1945, Conservation District Law as amended, in accordance with the attached schedule of fees and policy.

District Chairman

Date