

Greene County Conservation District Erosion and Sedimentation Plan Review Resolution, Fee Schedule and Policy

100 Title

This Resolution may be cited as the Greene County Fee Schedule for Erosion and Sedimentation Pollution Control Plan reviews.

101 Authority

The Greene County Conservation District by authority of Act 217 of 1945, Conservation District Law, as amended by Act 221 of 1984, and with authority delegated by the PA Department of Environmental Protection Office of Water Management to review Erosion and Sedimentation Pollution Control Plans, hereby adopts the Greene County Fee Schedule for Erosion and Sediment Pollution Control Plan reviews.

102 Effective Date

This resolution shall become effective February 15, 2005 and remain in effect until modified, amended, or rescinded by the Greene County Conservation District Board of Directors. (Rev. 4-17-2007, Rev. 5-30-2008, Rev. 3-16-2010, Rev. 9-21-2010, Rev. 1-15-2013, Rev. 10-21-14, Rev. 2-16-16) This resolution shall be reevaluated every 2 years by the Greene County Conservation District Board of Directors to ensure program consistency and adequate support is maintained to implement the program.

103 Intent

The purpose of this Fee Schedule is to help defray the costs incurred by the Conservation District in its delegated authority of the PA Erosion and Sedimentation Control Program in accordance with Chapter 102 of the Clean Streams Law.

104 Project Delineation

The total disturbed project area identified on the plan maps will be the basis for determining the review fee.

105 Waiver of Fees

E&S Pollution Control Plan review fee collection is waived for the following activities and entities:

- Units of Government – federal, state, counties, municipalities (cities, boroughs, and townships), and school districts.
- Agricultural activities – Routine agricultural activities such as tilling and harvesting are exempt from fees. Earth disturbance associated with the construction of

commercial facilities for the sales of agricultural products *will* be assessed fees consistent with the Fee Schedule.

- Limited or Minimal Disturbance – A waiver may also be considered where project is limited to non-commercial earth disturbance, such as a single-family dwelling that are not part of a development and areas with less than 5,000 square feet of disturbance. Waiver requests should be submitted in writing to the Greene County Conservation District for consideration.
- Waiver of fees **does not** apply to non-profit organizations, private organizations, or municipal authorities.

106 Applicability of Fee Schedule

- The fee schedule in this Resolution will apply whenever the application and Erosion and Sediment Pollution Control Plan are submitted for an adequacy review. Submission of a different project on the same tract of land will be charged a separate fee or additional fee.
- **Minor Modifications-** A fee of \$100 per modification
- **Major Modifications-**Major project modifications, amendments, alterations, or revisions to a previously approved project plan will be charged new fees. Please contact the district staff for a clear explanation of a major modification prior to submission.
- An adequacy review will remain in effect for a project for two (2) years from date of approval. Plan revisions beyond that date will be considered a new plan and charged review fees according to the fee schedule in effect at the date of resubmission.

107 Application Submission Information

All land developers may request a pre-application meeting. Each meeting request shall be held within a timely manner by the GCCD staff. The intent of a pre-application meeting is to ensure information is submitted correctly. Please see Table A for guidance on permitting requirements.

ONLY COMPLETE PLAN SUBMISSIONS WILL BE REVIEWED

The applicant shall:

- Submit appropriate fees based on the individual project.
- Include 1 set of E&S control plans and drawings for initial review. Final copies of reviewed plans that address deficiencies may be requested for final approval and will be returned to the Applicant. (Preferably bound)
- Submit the completed Conservation District Project Review Application and Checklist
- Provide Post Construction Stormwater Management Plans **separately** from Erosion and Sediment Control Plans
- Submit original signatures on permit applications
- Reply to an incomplete review with necessary information within **60 calendar days** unless an extension is requested and granted in writing
- Reply within **17 business days** to technical deficiencies for General NPDES or ESCGP permits
- Reply within **23 business days** to technical deficiencies for Individual NPDES permits
- Submit revisions with bold or ballooned changes

District Preferences:

- All engineered drawings shall be **folded** 24 x 36" plan sets with scales ranging from 50 -100 ft scale.
- All mapping shall show adequate drainage outside permitted area including all wetlands, streams or other waterbodies.
- All mapping shall show the following:
 - Proposed and existing structures
 - Property boundaries and Property owner names and tax identification numbers
 - Proposed and existing roads, all roads shall be listed as temporary or permanent
 - Limits of disturbance
 - Permit boundary
 - Existing or proposed swales
 - Existing and proposed ditches/channels
 - All waterways, wetland and waterbodies
 - Wells or water sources including agricultural uses
 - All proposed erosion control devices and facilities
 - Slope of land
 - Contour lines of existing(solid lines) and proposed contours (dashed lines) at 2 ft intervals
 - Soil symbols
 - Direction of water flow
 - Culverts (proposed and existing)
 - All Utilities
 - Sinkholes

- Existing and proposed stormwater facilities
 - And other existing and proposed significant landscape features
- All Chapter 105 General Permit applications **must** be submitted with an Erosion and Sedimentation Control Plan.
- **Electronic submissions will not be accepted for review.**
- If a project is located within the 100 year floodplain, then the local municipality must be contacted to ensure that the project corresponds with their local floodplain ordinance. Written verification is needed.
- If the project has PNDI hits without resolution letters from the proper agencies the District will not be able to process plans or permits until the resolution letter is obtained.
- A site requiring an approved District E&S Review may not begin earthmoving activities until the E&S Plan has been approved by the GCCD Technical Staff.

The District will:

- Accept the application when all of the elements requested are complete and fees are supplied.
- Follow standard operating procedures of the Department and will supply each project with a completeness review and technical review prior to plan approval.
- **Not authorize or acknowledge any permit until the appropriate PNDI/PNHP clearances have been provided.**
- Notify plan preparer of any deficiencies needing correction.
- Issue a statement of adequacy following plan approval.

Procedures

1. All fees must be paid at the time of submission
2. All E&S plan submissions are reviewed in order of receipt at the Conservation District Office.
3. When site construction and final stabilization are not completed within two (2) years from the date of initial plan approval, the District reserves the right to require the submission of a new plan and additional or upgraded controls to meet current E&SCP guidelines. **(The fee for resubmission will be in accordance with the appropriate project description).**

Specifications of Disturbance	Written E&S Plan Requirement	Permit Requirement
Less than 5,000 sq/ft	No -(Unless in an HQ or EV watershed) BMP's are to be in place	No
5,000 sq/ft to one acre	Yes -E&S plan must be on site	No
1 Acre of disturbance over the life of a project	Yes -E&S plan must be on site	Yes -NPDES permit
High Quality or Exceptional Value Watersheds disturbance 1 acre or more over the life of a project	Yes -E&S plan must be on site	Yes -Individual NPDES permit
Timber Harvesting or road maintenance activity involving 25 acres or more	Yes -E&S plan must be on site	Yes -E&S permit required
Disturbance occurs within the floodway, or within 50' from Waters of the Commonwealth	Yes -E&S plan must be on site	Yes -Chapter 105 Encroachment Permit

Table A

Greene County Conservation District Erosion and Sedimentation Plan Review Fee Schedule

The Greene County Conservation District (GCCD) charges the following fees for Erosion and Sedimentation Control Plan reviews. The following fees become effective February 16, 2016. The District Board shall review at a minimum every two years to reevaluate the program and fee schedule. ***Plans will not be accepted for review without the appropriate fee AND application form.***

FOR E&S REVIEW:

Number of Acres Disturbed	Fee
0-0.24	\$300
0.25-0.49	\$350
0.5-0.74	\$400
0.75-0.99	\$500
1-1.99	\$600
2-2.99	\$700
3-3.99	\$800
4-4.99	\$900
5-5.99	\$1100
6-6.99	\$1150
7-7.99	\$1200
8-8.99	\$1250
9-9.99	\$1300
Projects 10 acres and over	\$1500.00 plus \$100/acre per additional acre

Accelerated Plan Review Fee

The GCCD will offer an accelerated turn around for applicants who elect to double the normal required fee (e.g. - A project disturbs 3.2 acres and the applicant elects to have the accelerated fee $\$800.00 \times 2 = \$1,600.00$).

Accelerated Plan Review Procedure-Submitting the accelerated fee will potentially reduce the review threshold following a successful administrative completeness review. Call GCCD for further information and guidance.

Accelerated review fees will not be refunded if a complaint is received during the review process, PNDI clearances have not been acquired, etc. GCCD reserves the right to deny accelerated reviews. Accelerated review fees can only be refunded if GCCD is solely responsible for the delay. Applicants in non-compliance or with a history of non-compliance with GCCD may not submit for accelerated review unless otherwise approved by GCCD staff.

Individual NPDES Permits are excluded from accelerated review, but are subject to the time frame established by the PA Department of Environmental Protection. In High Quality watersheds the Conservation District can only accelerate the review of the Erosion and Sedimentation Control Plan. The Post Construction Stormwater Plan in High Quality watersheds must be reviewed by the Pittsburgh Regional DEP office. Plan approval or permit issuance is dependent on many factors that are not controlled by the District.

Residential Development Fee

Single Family Home \$ 25.00 (May be waived if disturbance is minimal)
Subdivision/Multiple Units \$ 50.00 per unit & total disturbed acreage fee

Chapter 105 Permit Registration Fee

As of February 16, 2013, the PA Department of Environmental Protection has imposed Registration Fees for Chapter 105 permits. Please refer to the Department fees listed in the 105 permit applications. Each project shall include the appropriate Chapter 105 General Permit Registration form, a site specific erosion and sedimentation control plan and appropriate fees.

Chapter 105 Administrative Filing Fees

Chapter 105 General Permit Filing Fee: Filing Fee made payable to "Greene County Clean Water Fund" with Chapter 105 Filing Fee indicated in Memo. Each permit has a separate cost associated with the permit requested. Please complete and see PA DEP form 3150-PM-BWEW0553 Rev. 3/2013 CHAPTER 105 FEE(S) CALCULATION WORKSHEET for further guidance.

A separate E&S Review Fee is a required for each Chapter 105 Permit submitted for review. The review fee is based on disturbed acreage as noted on E&S Plan Review Fee Schedule table. (Check made payable to GCCD)

All fees based on disturbed acreage shall be rounded to the nearest whole number.

Timber Harvesting Operation E&S Review Fees and Permitting Requirements

0.00-24.99 acres	\$ 100.00
25.00-49.99 acres	\$ 200.00
50.00-99.99 acres	\$ 400.00
100.00-199.00 acres	\$ 600.00

102.5 b of Title 25 PA Code Chapter 102 requires

"a person proposing a timber harvesting operation involving 25 acres (10 hectares) or more of earth disturbance shall obtain an E&S Permit under this chapter prior to commencing the earth disturbance activity. Earth disturbance activities including the construction of skid trails, logging roads, landing areas and other similar logging or silvicultural practices."

NPDES Permits and Fees

The Commonwealth of Pennsylvania mandates a fee for construction activities based on certain conditions of the project under the National Pollutant Discharge Elimination System (NPDES). NPDES permits are required for any project according to 102.5 a of Title 25 PA Code Chapter 102 that

"Other than agricultural plowing or tilling activities, animal heavy use areas, timber harvesting activities or road maintenance activities, a person proposing an earth disturbance activity that involves equal to or greater than 1 acre (0.4 hectare) of earth disturbance, or an earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involves equal to or greater than 1 acre (0.4 hectare) of earth disturbance, shall obtain an individual NPDES Permit or coverage under a general NPDES permit for Stormwater Discharges Associated With Construction Activities prior to commencing the earth disturbance activity. In addition to other applicable requirements, persons required to obtain an Individual NPDES Permit for Stormwater Discharges Associated With Construction Activities for projects proposed in special protection watersheds shall evaluate and use BMPs in accordance with anti-degradation requirements in §§ 102.4(b)(6) and 102.8(h) (relating to erosion and sediment control requirements; and PCSM requirements) regardless of whether the discharge is new, additional or increased."

NPDES Administrative Filing Fees

General NPDES Permit: \$ 500.00 (made payable to GCCD Clean Water Fund)
Individual NPDES Permit: \$ 1,500.00 (made payable to GCCD Clean Water Fund)
DEP disturbed acreage fee: \$100/acre (made payable to Commonwealth of PA Clean Water Fund)

A separate E&S Review Fee is a required for each NPDES permit. The review fee is based on disturbed acreage as noted on E&S Plan Review Fee Schedule table. (Check made payable to GCCD)

All fees based on disturbed acreage shall be rounded to the nearest whole number.

ESCGP-2 for Intrastate and Interstate Pipelines

All Intrastate and Interstate Pipelines and associated access roads, soil stockpiles, staging areas, extra work space or any other associated disturbance greater than 5 acres, at any time in a common development, will require this permit.

ESCGP-2 Application Fees

Administrative Filing Fee	\$ 500.00 (payable to GCCD Clean Water Fund)
DEP Disturbed Acreage Fee	\$100/acre (payable to Commonwealth of PA Clean Water Fund)

A separate E&S Review Fee is required for each NPDES permit the review fee is based on disturbed acreage as noted on E&S Plan Review Fee Schedule table (Check made payable to GCCD). All fees based on disturbed acreage shall be rounded to the nearest whole number.

*****Please note:** Any permit related to activities associated with exploration, processing or gathering of Oil and Gas that is not an Intrastate or Interstate Pipeline must go to the Department of Environmental Protection Regional Office – Bureau of Oil and Gas Management Program. Please contact GCCD for further explanation or assistance.

Only Certain State Government Agencies are exempt from permit filing fee. Federal and Local Agencies are not exempt.

**The Conservation District does not review PCSM plans for adequacy. The design, structure integrity, and installation of the PCSM plans are the responsibility of the engineer, landowner and/or the earthmover. Neither the District nor the County of Greene assumes any responsibility for the implementation of the plan or the proper construction and operation of the facilities contained in the plan.*

Miscellaneous Fees:

Minor Modification Fee \$100/modification
Subsequent Review Fee 25% of the initial fee will be assessed for each revision beyond the first that does not adequately address the reviewers comments. Subsequent review will not be completed until the fee is submitted.

Major Permit Revision Fee Previously approved plans requiring a major modification will be charged all new fees.

Returned Check Due to Insufficient Funds

If a check is refused by the bank due to insufficient funds, the review process will stop immediately and the applicant will be notified of the insufficient

funds. The applicant will be charged a \$25 service fee for the handling of the returned check. The review process will not begin again until the proper fees have been paid in full.

Approval:

Be it resolved, this 16th day of March, 2016 that all previous Greene County Conservation District Plan Review Resolutions, Fee Schedules and Policies are hereby defunct as agreed upon by the Board of Directors at the February 16, 2016 regular meeting.

Be it resolved that the Board of Directors adopts the 2016 Plan Review Resolution, Fee Schedule and Policy and the Greene County Conservation District will assess fees for the review of all Erosion and Sediment Pollution Control Plans as authorized by the Commonwealth of Pennsylvania under Act 217 of 1945, The Conservation District Law, as amended, in accordance with the attached schedule of charges.

GREENE COUNTY CONSERVATION DISTRICT BOARD OF DIRECTORS

Bradley Eisinger
(Board Chairman)

3-15-2016
(Date)