



BERKS COUNTY CONSERVATION DISTRICT
 1238 COUNTY WELFARE ROAD, SUITE 200
 LEESPORT, PA 19533-0520
 (610) 372-4657 • FAX (610) 478-7058
 http://www.berkscd.com

SUPPLEMENTAL REVIEW APPLICATION

Application Type: Expedited Plan Review NPDES Permit Initiative Review

Project Name: _____ **Municipality:** _____

APPLICANT INFORMATION

Applicant's Last Name	First Name	MI	Phone
			FAX

Organization Name or Registered Fictitious Name	Phone
	FAX

Email _____

EARTHMOVING CONTRACTOR INFORMATION

Last Name	First Name	Company Name
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Email	Phone	Ext
	FAX	

(Complete only the applicable section below)

EXPEDITED REVIEW

Base Fee \$ _____ (E&S + PCSM Project Fees)	Expedited Review Fee \$ _____ 2x Base Fee (Separate Check)	Alt. Expedited Review Fee \$ _____ 2x Base Fee - 20% Discount for Contractor's Presence (Separate Check)
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Checklist

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Written request for Expedited Review including statement that plans are complete and represents a professional standard of work. |
| <input type="checkbox"/> | Erosion & Sediment Control Applications. |
| <input type="checkbox"/> | Administratively Complete Plan Submission. |
| <input type="checkbox"/> | NPDES Permit Application (if required). |
| <input type="checkbox"/> | Earthmoving contractor for the project, who <u>will be present at the review meetings</u> and has participated with the plan design. (Required for 20% reduction of fee) _____ |

NPDES PERMIT INITIATIVE REVIEW

E&S + PCSM Project Fee \$ _____	Initiative Review Fee \$ _____
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Checklist

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Written request for Expedited Review including statement that plans are complete and represents a professional standard of work. |
| <input type="checkbox"/> | Administratively Complete Plan Submission. |
| <input type="checkbox"/> | Application for Erosion & Sediment Control Plan Review. |
| <input type="checkbox"/> | Colored Cut and Fill Balance Drawing. |
| <input type="checkbox"/> | Contractor for the project, who will be present at the review meetings and has participated with the plan design.
_____ |

For District Use Only

Plan # _____	Date Received _____
Expedited Plan Fee _____	Initiative Plan Fee _____
Check # _____	Check # _____



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PROJECT FEE SCHEDULE

The following fees will be charged by the Berks County Conservation District for **Erosion and Sediment Control Project Plan reviews**, as authorized by Act 217 – The Conservation District Law. These fees are effective November 19, 2010. Plans cannot be accepted for review without the appropriate project fee and application form. Contact the Berks County Conservation District if assistance is required. **NOTE: Project fees include plan reviews, site inspections, technical assistance, complaint response, educational programs and administrative support.**

Erosion & Sediment (E&S)		Post-Construction Stormwater Management (PCSM) (fee only required for NPDES Permitted Sites)	
Number of Disturbed Acres		*It is highly recommended that applicants schedule a meeting with the Berks County Conservation District and DEP for all NPDES Individual Permit applications prior to submittal.	
Up to 0.49 Acres	\$500	1-4.99 Acres	\$750
0.5-0.99 Acres	\$750	5-9.99 Acres	\$1,000
1-4.99 Acres	\$1,500	10-14.99	\$1,250
5-9.99 Acres	\$2,000	15-19.99	\$1,500
10-14.99	\$2,500	20-24.99	\$1,750
15-19.99	\$3,000	25 Acres or greater	\$2,000 + \$30 for each additional acre of disturbance
20-24.99	\$3,500		
25 Acres or greater	\$4,000 + \$60 for each additional acre of disturbance		

Timber Harvest		Chapter 105 Water Encroachment General Permits	
Based on Number of Disturbed Acres		Cumulative Waterway Impact (per General Permit)	
5,001 sq. ft – 9.99 acres	\$500.00	0'-199'	\$200.00
10-14.99 acres	\$600.00	200'-249'	\$250.00
15.00-19.99 acres	\$700.00	250'-299'	\$300.00
20.00-24.99 acres	\$800.00	300'-349'	\$350.00
25 acres or greater	\$1000.00	350'-399'	\$400.00
		400'-449'	\$450.00
		450'-500'	\$500.00
			* Some General Permit E&SC Plan Review Fees Are Waived- See Rules and Guidelines Section II.C.5

NPDES Permit Filing Fees – Effective November 19, 2010

General NPDES Permit	Individual NPDES Permit
Permit Fee = \$500.00 + \$100 for each disturbed acre (for fractional acreage, the acreage shall be rounded to the closest whole number) <ul style="list-style-type: none"> Project is not located in a special protection High Quality or Exceptional Value watershed. Total Cumulative Disturbed Area is 1.0 acre or greater over the life of the project. 	Permit Fee = \$1,500.00 + \$100 for each disturbed acre (for fractional acreage, the acreage shall be rounded to the closest whole number) <ul style="list-style-type: none"> Project is located in a special protection High Quality or Exceptional Value watershed. Total Cumulative Disturbed Area is 1.0 acre or greater over the life of the project.

NPDES PERMIT INITIATIVE REVIEW

The Berks County Conservation District E&SC Plan Review Application, E&SC & PCSM Review Fee (made payable to the Berks County Conservation District), PARM Fee (made payable to the Berks County Conservation District), NPDES Permit Fee (made payable to Clean Water Fund), E&SC Plan, NOI, PCSM Plan, and Dam Safety and Waterway Management General Permit Applications are submitted at the PARM. Refer to pages 8 and 9. See table below for PARM Fee Schedule:

RESIDENTIAL DEVELOPMENT	COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND OTHER LAND DEVELOPMENTS
1 – 10 Lots/Units - \$500.00	1 –4.99 Acres - \$500.00
Greater than 10 Lots/Units - \$1,000.00	Greater than 5 Acres - \$1,000.00

Berks County Conservation District Erosion and Sediment Control Plan Review Rules and Guidelines

I. Authority & Applicability

- A. The Berks County Conservation District (BCCD) is delegated the responsibility to administer the Commonwealth's Erosion and Sediment Control (E&SC) Program and portions of the National Pollutant Discharge Elimination System (NPDES) Program under The PA Clean Streams Law. The Conservation District Law (Sec. 9) provides the BCCD with the authority to accept the responsibility to administer programs and to collect fees for services performed.
- B. The project fees shall apply to all plans that are submitted to the BCCD requesting determination of Erosion and Sediment Control adequacy except as noted within these Rules and Guidelines.
- C. Waiver of Fees – Requests for waiver of fees will be subject to Board of Directors approval. Requests must be submitted in writing at least 14 days prior to Board Meetings. The time period to review a plan will not start until the Board makes a decision on the waiver request
- D. Agricultural Operations – Project fees shall not be applicable to agricultural operations engaged in normal farming activities (including manure storage facilities), and documented in a BCCD approved conservation plan. When agricultural Best Management Practices (BMPs) are to be installed and no conservation plan has been approved by the BCCD or when site disturbance occurs that is not part of the approved conservation plan, such as an earth disturbance for a building or any deviation from an approved conservation plan, the project fee schedule is applicable.

II. Fees

- A. Project Fee Schedule – The BCCD will charge the project fees found on the back of the E&SC Plan “Application Form”, which accompanies this set of Rules and Guidelines.
- B. Expedited Review Fees and Procedure –
 - 1. Expedited review requests will be accepted on a first-come, first served basis. The request must be initiated by a phone call to one of the E&SC Technicians at 610-372-4657. The phone conversation is then confirmed via a FAX transmission from the requestor to the Conservation District at 610-478-7058 or an email. **Expedited review requests will be honored and scheduled pursuant to staff availability.**
 - 2. Agencies exempt from Erosion & Sediment Control (E&SC) Plan project fees will not be eligible for the expedited review.
 - 3. The following are to be submitted for the expedited review:
 - A. Two checks: *Payable to the Berks County Conservation District
 - 1. The initial E&SC Plan Project Fee (include PCSM fee for NPDES permitted sites)
 - 2. The expedited E&SC Plan Review Fee equal to double the initial project fee.
 - B. The NPDES Permit Fees (if applicable).
 - C. The NPDES Notice of Intent – NOI and required documentation (if applicable)
 - D. The E&SC Plan narrative and drawings
 - E. The E&S Manual's E&SC Plan technical review checklist
 - F. The Post Construction Stormwater Management (PCSM) narrative and drawings
 - 4. NPDES Projects only - The Conservation District will conduct an administrative review of the documents within five (5) working days of receipt of the scheduled expedited review submission. If the administrative review determines that the submission is incomplete, both the applicant and the plan designer(s) will be notified by both an e-mail and telephone call. The notification will identify the omissions and request that the documents be resubmitted.
 - 5. The E&SC Plan and PCSM plan designer(s) and the applicant or permittee (if applicable) will be required to attend the design meeting. The earthmoving contractor for the project (if selected) is encouraged to attend the design meeting, but is not required. Attendance by the earthmoving contractor will result in a 20% discount of the expedited review fee. The applicant must advise if the earthmoving contractor is going to attend the design meeting during the initial telephone conversation and in the FAX transmission.
 - 6. The NOI, E&SC Plan, E&SC Plan technical review checklist and PCSM plans will receive a cursory review during the design meeting. The E&SC & PCSM Plan drawings, details, and construction sequence will receive a detailed review during the design meeting. All other aspects of the submission will be subject to a detailed review, i.e., BMP- sizing calculations, during the “in-office” technical review and will not be reviewed during the design meeting.
 - 7. The technical review will be completed within ten (10) working days for projects disturbing up to fifty (50) acres and within an additional five (5) working days for each fifty (50) disturbed acre increment.

8. If the applicant is advised that the documents are incomplete at the conclusion of the design meeting, the applicant will have to resubmit the documents. The resubmission shall include a cover letter identifying all changes to the documents, along with highlighted changes within all the documents. No additional fee will be required for the first resubmission.
9. If technical deficiencies or inadequacies are detected during the technical review, a review letter with all of the comments will be e-mailed to both the applicant and the plan designer(s). The applicant will have to resubmit the documents and include a cover letter identifying all changes to the documents, along with highlighted changes within all the documents. No additional fee will be required for the first resubmission.
10. In the event the technical deficiencies or inadequacies are not properly addressed in the resubmission, both the applicant and the plan designer(s) will be notified and the project will not be eligible for the expedited review procedure. The project will have to be resubmitted and will be subject to a revision fee equal to 50% of the initial E&SC Plan review fee. The resubmission will be reviewed within ten (10) working days.
11. Expedited review requests must be made at the scheduled time of submission of a project to the BCCD. Regular submissions not scheduled for expedited reviews and entered into the BCCD database for a normal review will not be eligible for an expedited review unless specifically requested by the applicant and authorized by the District.

C. Terms and Conditions – The following guidelines are to be utilized in determining the appropriate fee:

1. Small Project Residential E&SC Plans – A \$500.00 or \$750.00 fee (based on disturbed acres) will be charged for a **single residential lot project** with less than one (1) acre of disturbance on slopes less than 5%, prepared by a design professional (or an individual that has attended and obtained a certificate from a BCCD Design Training), is located at least 100 feet from a surface water and not subject to a PA DEP Chapter 105 Dam Safety and Waterway Management permit. All small residential E&SC Plans must meet the requirements of Chapter 102.
2. Residential Developments - Fees charged in this category shall be based on the total disturbed project acres.
3. Industrial, Commercial, Institutional and other Land Development – Fees charged in this category shall be based on the total disturbed project acres. This shall include office buildings, retail stores, restaurants, hotels/motels, manufacturing, warehouses, colleges, universities, churches and other non-profits.
4. Timber Harvesting – Fees charged in this category shall be based on the total number of harvest acres. This includes disturbed acres within the project limits.
5. Chapter 105 Water Obstruction and Encroachment General Permit (GP) E&SC plans-A \$200.00 fee per GP will be charged for GP E&SC plan review. The fee is subject to an escalator fee based on the cumulative impact to the waterway. The E&SC plan review fee is waived for the GP-1, Fish Enhancement Structure. The E&SC plan review fee is also waived for the GP-6, Agricultural Crossings and Ramps and the GP-9, Agricultural Activities for encroachment activities associated with a conservation plan. However, the E&SC plan review fee will not be waived if a Conservation District employee is providing technical assistance to the GP-6 or GP-9 applicant and the GP is not included within a conservation plan.
6. Initial and Revision Submissions – The review fee is intended to cover the initial E&SC Plan review and one (1) subsequent revision. If additional reviews are required, each resubmission shall be assessed a fee of 50% of the original review fee.
7. Projects with additional acreage that was not included in the original submission, must submit a fee equal to the difference between the original acreage and new acreage.
8. Phased Development Projects – For phased projects, the fee shall be based on either the total disturbed acres included in all phases of work or on the disturbed acres within the phase that is being reviewed for immediate development. Exceptions and conditions to this are as noted below:
 - a) On phased projects where an E&SC Plan adequacy determination has been granted for the entire project and any of the phases have not been initiated within two years from the date of adequacy determination, the District reserves the right to require a new plan and upgraded controls in accordance with applicable laws.
9. All reviews will be handled in the order they are received and reviewed within 30 days for initial determinations of adequacy.

D. Additional Fees – the BCCD reserves the right to impose additional plan review fees of 50% of the initial review fee for plan reviews in accordance with the conditions listed herein:

1. Where the owner or owner's agent fails to directly address and attempt to resolve concerns expressed by the BCCD after review of the resubmitted E&SC Plan and such negligence requires the BCCD to conduct additional E&SC Plan reviews, the cost of additional plan reviews as indicated above shall be required for each submission thereafter.
 2. When design of an E&SC Plan, which has been submitted and reviewed, is revised to the point that the previous E&SC Plan is not applicable, the BCCD shall require an additional initial project fee at the cost as indicated above. A 50% project fee shall be required for all subsequent submittals thereafter until adequacy has been determined.
 3. Minor revisions to approved plans may be subject to reduced fees. It is the policy of the Berks County Conservation District to allow a reduced fee for minor revisions to approved plans where the mandated 50% fee is deemed to be excessive for the amount of work required. All fees will be at the District's discretion and based on a percentage of the current fee schedule.
- E. Special Conditions – the BCCD reserves the right to adjust fees in accordance with the special conditions list herein:
1. Change of project – A submission of a different project on the same site shall be considered as a new project and shall be subject to a new review fee.
 2. Letters of adequacy issued by the BCCD for non NPDES projects are valid for two (2) years from the date of issuance. Failure to initiate earth disturbance within two (2) years of the issuance of the adequate review letter will invalidate the review and require a resubmission, which is subject to an additional fee, not to exceed the review fee schedule in effect at the time of the re-submittal.
 3. Letters of adequacy issued by the BCCD for General NPDES (PAG-02) projects are valid for two (2) years from the date of issuance. Failure to initiate earth disturbance within two (2) years of the issuance of the adequate review letter will invalidate the review and require a resubmission and permit renewal, which is subject to an additional fee, not to exceed the review fee schedule in effect at the time of the re-submittal.
 4. Letters of adequacy issued by the BCCD for Individual NPDES projects are valid for five (5) years from the date of issuance. Failure to initiate earth disturbance within five (5) years of the issuance of the adequate review letter will invalidate the review and require a resubmission and permit renewal, which is subject to an additional fee, not to exceed the review fee schedule in effect at the time of the re-submittal.

IV. **Withdrawal of Project**

- A. Withdrawal of Projects – The following requirements shall be applicable to the withdrawal or termination of projects and request for refund of E&SC and PCSM Project fees.
1. A request for withdrawal of an E&SC Plan and refund of the submitted project fee must be in writing, stating intentions and/or reasons for the withdrawal.
 2. It is the policy of the Berks County Conservation District to terminate submitted projects where no extension requests were received or granted and the timely resubmission deadlines have not been met. In the event that the project was not deemed administratively complete, the applicant may submit a written request to have the Erosion and Sediment Control and Post Construction Stormwater Management review fees returned, minus \$200 for administrative costs. If no request for return is received within sixty (60) days, the District will retain the fees and apply them to the potential resubmittal of the project. Administrative/permit fees will be retained for all projects. Submitted project materials will not be returned but will be made available for pick-up for a period of fifteen (15) days after the date of the termination letter. If the E&SC and/or PCSM Plan review has been completed by the District prior to the request for refund, the request will be denied. If earth disturbance activities have been initiated on the project site, the request will be denied.

“Be it resolved this 22nd day of February 1989 that the Berks County Conservation District does hereby agree to charge a fee for the review of all Erosion and Sediment Control Plans, as authorized by the Commonwealth of Pennsylvania Act #217 approved May 15, 1945, as amended in accordance with the attached schedule of charges.” Amended by resolution on November 30, 2005. Amended by resolution on November 29, 2006. Amended by resolution on November 28, 2007. Amended by resolution on July 30, 2008, Amended by resolution on August 26, 2009. Amended by resolution on January 27, 2010, Amended by resolution on September 29, 2010.

BERKS COUNTY CONSERVATION DISTRICT NPDES PERMIT INITIATIVE REVIEW PROCESS

- A written request for an Initiative Review, the Notice of Intent (NOI), and the Post Construction Storm Water Management (PCSM) Plan must be submitted to the Conservation District. If any items of concern are detected within the NOI or the PCSM Plan, the Conservation District will immediately notify the plan designer to either correct the inadequacies, or to contact the PA DEP Southcentral Regional Office engineer assigned to Berks County for further guidance.
- The Initiative Review submission will be reviewed within five working days of receipt.
- If no items of concern are detected and the NOI is administratively complete, the Conservation District will notify the Plan Designer to schedule a PARM and an NPDES Administratively Complete letter will be issued
- The Plan Designer will schedule PARM with District staff. The Applicant or Agent of Record, Earthmoving Contractor, and Plan Designer must attend the scheduled meeting.

PRE-APPLICATION REVIEW MEETING (PARM)

- The Berks County Conservation District E&SC Plan Review Application, E&SC Project Fee (made payable to the Berks County Conservation District), PARM Fee (made payable to the Berks County Conservation District), NPDES Permit Fee (made payable to Clean Water Fund), E&SC Plan, NOI, PCSM Plan, and Dam Safety and Waterway Management General Permit Applications are submitted at the PARM. See table below for PARM Fee Schedule:

RESIDENTIAL DEVELOPMENT	COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND OTHER LAND DEVELOPMENTS
1 – 10 Lots/Units - \$500.00	1 –4.99 Acres - \$500.00
Greater than 10 Lots/Units - \$1,000.00	Greater than 5 Acres - \$1,000.00

- A cursory review of the E&SC Plan and the NOI will be conducted during the PARM.
- At the conclusion of the PARM the Conservation District will either state that the submissions are adequate for the initiation of a technical review, or provide the Plan Designer with verbal comments about the inadequacies with the E&SC Plan and PCSM Plan. No permit or letter of adequacy will be issued at conclusion of PARM.
- If inadequacies are determined during the PARM, the Plan Designer will be required to address the inadequacies and submit the revised documents for the initiation of a technical review.
- If any required documentation or forms are missing during the PARM, they may be brought to the PARM by a third party, prior to the conclusion of the PARM. The failure to provide the required documentation will result in the termination of the PARM
- The Conservation District will complete a technical review of the E&SC Plan and PCSM Plan within twenty working days of the PARM (or within 20 days of the resubmitted plans), providing that no revisions to any of the Plans are required.
- The technical review of the E&SC Plan must determine that the following are included:
 1. A sequence of BMP installation and removal in relation to the scheduling of earth disturbance activities, prior to, during and after earth disturbance activities.
 2. Supporting calculations.
 3. Fully completed set of E&SC Plans delineating the work zones and all of the designated phases within the designated work zones. Plans must show the road, parking areas and building locations with grading elevations and floor elevations, respectively. Plans must also include all utilities, E&SC structures and perimeter measures for the construction limits.
 - A. Plan set showing the cuts and fills in color, identifying the quantities and final grade of excavation and fill in each phase.
 - B. Plan set showing the sub-surface installation of all water and sanitary sewer.
 - C. Plan set showing final grading for landscaping, sidewalks, driveways, streets, roads, parking areas, channels and swales. List street and/or road names and stations. **Frequently** identify the final contour numbers.
 4. Each phase within a work zone shall be identified with a written schedule, sequence method, E&SC plan and narrative for the implementation of the Plan. Include the “boxing method” to minimize disturbance and establish stabilization of all disturbances.
 5. Provide a complete detail for all encroachment structures and utility installations with separate scale and mapping.

FINAL PERMIT APPLICATION MEETING (FRM)
(THIS MEEETING MAY BE SCHEDULED TO REVIEW SUBMITTED REVISIONS)

- The Plan Designer may submit revisions for the initiation of the technical review, without scheduling a FRM. However, if desired, the Plan Designer may schedule a FRM to highlight the revisions to the originally submitted plans.
- The revised plans will be technically reviewed within twenty working days of submission.
- The technical review will determine if the E&SC Plan and PCSM Plan are adequate or inadequate. If the Plans are adequate, an Adequacy Letter and the NPDES Permit acknowledgement letter will be issued to the Applicant and the respective municipality. The letters will be mailed within two working days.
- If the Plans are inadequate, an inadequacy letter will be issued and the NPDES Permit will not be issued.