



BERKS COUNTY CONSERVATION DISTRICT
 1238 COUNTY WELFARE ROAD, SUITE 200
 LEESPORT, PA 19533-9710
 (610) 372-4657 • FAX (610) 478-7058
 www.berkscd.com

| PROJECT APPLICATION | | | |
|---|--|--|--------------------------|
| APPLICATION TYPE (check all that apply) New <input type="checkbox"/> Renewal <input type="checkbox"/> Initial Revision <input type="checkbox"/> Subsequent Revision <input type="checkbox"/> Expedited Review <input type="checkbox"/> | | | |
| Project Name: | | Municipality: | |
| Site Location/Address: | | Tax Parcel | |
| Total Project Area (Acres): | Total Disturbed Area (Acres): | Lat ° ' " | Long ° ' " |
| Receiving Water/Watershed Name: | | Chapter 93 Classification: | |
| APPLICANT INFORMATION | | | |
| Applicant's Last Name | | First Name | Phone |
| | | | E-mail |
| Organization Name or Registered Fictitious Name | | Phone | |
| | | FAX | |
| Mailing Address | City | State | ZIP + 4 |
| CONSULTANT INFORMATION | | | |
| Last Name (license, certifications) | | First Name | Consulting Firm |
| Mailing Address | | City | State ZIP+4 |
| E-mail | | Phone | Ext |
| | | FAX | |
| PLAN INFORMATION | | | |
| **ALL PLANS MUST BE FOLDED. ROLLED PLANS WILL BE RETURNED** | | | |
| Have you included the following: | | Permits Required: | |
| Type of Submission: | | | |
| <input type="checkbox"/> Attached Fees | <input type="checkbox"/> NPDES General | Residential | <input type="checkbox"/> |
| <input type="checkbox"/> Written Narrative | <input type="checkbox"/> NPDES Individual | Commercial/Industrial | <input type="checkbox"/> |
| <input type="checkbox"/> Plan Drawings | <input type="checkbox"/> 105 Water Encroachment (GP) | Government | <input type="checkbox"/> |
| <input type="checkbox"/> Calculations | <input type="checkbox"/> E&SC Permit (only for ≥25 acres of disturbance for Timber Harvests) | Timber Harvest | <input type="checkbox"/> |
| | <input type="checkbox"/> ESCGP (for oil and gas activities ≥5 acres of disturbance) | Agricultural | <input type="checkbox"/> |
| | | Other _____ | <input type="checkbox"/> |
| Enclosed Fees (All Checks Payable to BCCD Unless Otherwise Stated) | | | |
| Review Fee \$_____ (see NOTE below) | NPDES Base Fee | \$_____ (payable to Berks County Clean Water Fund) | |
| 2 nd Revision Fee \$_____ (50% of initial fee) | NPDES Disturbed Acre Fee | \$_____ (payable to DEP/Commonwealth Clean Water Fund) | |
| | Ch. 105 Permit Fee | \$_____ (payable to Berks County Clean Water Fund) | |
| NOTE: The initial project fee includes the initial review, one subsequent review, site inspections, technical assistance, complaint response, and administrative support. Each fee must be on a separate check – DO NOT COMBINE fees. | | | |
| For District Use Only: Application# _____ | | Date: _____ | |
| Project Review Fee \$ | Ck# | _____ | |
| NPDES Base Fee \$ | Ck# | _____ | |
| Disturbed Acre Fee \$ | Ck# | _____ | |
| 105 Permit Fee \$ | Ck# | _____ | |
| Expedited Fee \$ | Ck# | _____ | |



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PROJECT FEE SCHEDULE

The following fees will be charged by the Berks County Conservation District for Erosion and Sediment Control Plan reviews, as authorized by Act 217 – The Conservation District Law. These fees are effective April 1, 2016.

| | | |
|---|---|---|
| Regular E&SC Plan (under 1 acre of disturbance) Submit 1 original and 1 copy of Narratives & Plans | Up - 0.49 Acres | \$500 |
| | 0.5 - 0.99 Acres | \$750 |
| Timber Harvest (based on acres of disturbance) A \$75 discount can be taken with proof of <i>Society of American Forestry</i> or <i>Sustainable Forestry Initiative</i> training. Submit 1 original and 1 copy of Narratives, Forms & Plans | 5,001 sqft. - 4.0 Acres | \$300 |
| | 4.1 - 10 Acres | \$500 |
| | 10.1 - 25 Acres | \$750 |
| | 25.1 Acres or More | \$1,000 |
| Chapter 105 Water Encroachment (A permit fee must be paid for each permit applied for, as well as a review fee. Some water encroachment permit fees are waived; please see the Rules and Guidelines section) Submit 1 original and 1 copy of Narratives, Forms & Plans | Review Fee (made out to Berks County Conservation District) | \$200/GP |
| | Permit Fee (made out to Berks County Clean Water Fund) | See DEP's Chapter 105 Fee Calculation Worksheet |
| ESCGP Permit Review Fee For Oil and Gas Activities (based on acres of disturbance, see Rules & Guidelines section for disturbance criteria) Submit 1 original and 1 copy of Narratives & Plans | \$750 per acre, rounding to the nearest whole acre | |
| Road Maintenance Activities (based on acres of disturbance) Submit 1 original and 1 copy of Narratives & Plans | \$500 per acre, rounding to the nearest whole acre | |
| Expedited Review Fee (see Rules & Guidelines section for additional information) | The expedited fee is equal to two times the normal review fee, paid in a separate check. <i>Example:</i> normal review fee of \$750 plus an additional check for \$1,500 | |

NPDES Fees

NPDES Review Fee

(based on acres of disturbance, see Rules & Guidelines section for disturbance criteria)

This check should be made out to Berks County Conservation District or BCCD

| | |
|---------------------|--|
| 1-4.99 Acres | \$2,250 |
| 5-9.99 Acres | \$3,000 |
| 10-14.99 Acres | \$3,750 |
| 15-19.99 Acres | \$4,500 |
| 20-24.99 Acres | \$5,250 |
| 25 Acres or greater | \$6,000 + \$90 for each additional acre of disturbance |

NPDES Administrative Fees

| | | |
|---|--|--|
| General NPDES Submit 1 original and 1 copy of Narratives, Forms & Plans | \$500 permit fee made out to Berks County Clean Water Fund | \$100 x each disturbed acre, made out to DEP/Commonwealth Clean Water Fund . Please round up or down to the nearest whole acre. |
| Individual NPDES | \$1,500 permit fee made out to Berks County Clean Water Fund | \$100 x each disturbed acre, made out to DEP/Commonwealth Clean Water Fund . Please round up or down to the nearest whole acre. |

A total of three checks should be submitted for each NPDES submission;
 a review fee, permit fee, and disturbed acre fee

Berks County Conservation District 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. BCCD also has obligations for review under MOUs and MS4 programs with Municipalities.
- B. 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. Board Meetings are typically the last Wednesday of every month. The time period to review a plan will not start until the Board makes a decision on the waiver request unless the fee is paid in full.
- C. Agricultural Operations – Plan review 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. The applicant must provide permission for the BCCD to view the conservation plan. Exceptions are: earth disturbance for new buildings, associated parking areas, and other circumstances. In these cases, the project fee schedule is applicable.

II. Fees

- A. Project Fee Schedule – The BCCD will charge the project fees found on the page titled “Project Fee Schedule” 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 Resource Conservationists at 610-372-4657. The phone conversation is then confirmed by an email or fax to the BCCD. **Expedited review requests will be honored and scheduled pursuant to staff availability and must be approved by the District Executive. Program can be suspended at any time by a posting at the CD Office.**
 - 2. Agencies exempt from project fees will not be eligible for the expedited review unless all *review* fees are paid. Any applicable NPDES administrative fees do not need to be paid in this case (these are still exempt).
 - 3. The E&SC Plan and PCSM plan designer(s) and the applicant or permittee (if applicable) will be required to attend a pre-application meeting with the BCCD.
 - 4. The following are to be submitted for the expedited review:
 - A. Two checks: Payable to the Berks County Conservation District
 - 1. The initial plan review fee
 - 2. The expedited plan review fee, equal to double the initial plan review fee
 - B. The NPDES Permit fees (if applicable)
 - C. The NPDES Notice of Intent and required documentation (if applicable)
 - D. An E&SC plan narrative and drawings
 - E. A PCSM narrative and drawings (if applicable)
 - 5. NPDES Projects only - The Conservation District will conduct an administrative review of the documents within five (5) business days of receipt of the scheduled expedited review submission. If the submission is incomplete, both the applicant and the plan designer(s) will be notified by e-mail and phone call. The notification will identify the omissions and request that the documents be resubmitted.
 - 6. During the pre-application meeting, the plans will receive a general review. All other aspects of the submission will be subject to a detailed review during an “in-office” technical review and will not be reviewed during the pre-application meeting.
 - 7. If the applicant is advised that the documents are incomplete at the conclusion of the pre-application 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.

8. The in-office technical review will be completed within five (5) business days for projects disturbing up to fifty (50) acres and within an additional five (5) business days for each fifty (50) disturbed acre increment
9. If technical deficiencies or inadequacies are found during the in-office technical review, a review letter with all of the comments will be emailed to both the applicant and the plan designer(s). The applicant must resubmit within 5 business days, and include a cover letter identifying all changes to the documents, along with highlighted changes within all the documents. The applicant may request a 10 day extension (in writing, email is fine) to submit revisions. 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, the project will have to be resubmitted and will be subject to a revision fee equal to 50% of the initial plan review fee. The resubmission will be reviewed within five (5) business days.

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

1. All plan review fees for residential, commercial, industrial, and timber harvesting are based on acres of disturbance.
2. An Erosion and Sediment Control General Permit (ESCGP) is required for a person proposing oil and gas activities that involve 5 acres or more of earth disturbance over the life of the project. ESCGP review fees are based on acres of disturbance.
3. 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 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. The 105 GP Permit fee is separate from the E&SC plan review fee. Federal, State, County, Municipal Agencies and Authorities are exempt from the permit fee (See DEP's 105 Fee Calculation Worksheet).
4. Initial and Revision Submissions – The review fee is intended to cover the initial 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.
5. 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.
6. 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. It is recommended that the applicant reviews DEP's Permit Guidelines for Phased NPDES projects.
7. All reviews will be handled in the order they are received and reviewed within 30 calendar days for initial determinations of adequacy. Berks CD will meet the intent of the PADEP SOP for the program.

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.

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. Major Modifications to NPDES permit applications will require a review fee equal to 50% of the original 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 complete 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.
3. NPDES Permit renewals may require updated plans and associated review fee at the discretion of the BCCD depending on the age of the project and its compliance with current regulations at the time of resubmission.
4. Plans submitted after any construction has begun on a property will be charged double the fees listed on the Project Fee Schedule for the review of the project. All construction should be halted until the project has been approved as adequate.

IV. **Withdrawal of Project**

- A. Withdrawal of Projects – It is the policy of the Berks County Conservation District to provide no refund of any project fees unless required by Conservation District Law or other applicable statutes once the initial project application is processed.

“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. Amended by resolution on May 29, 2013. Amended by resolution on March 30, 2016. Amended by resolution June 17, 2016.