



**BERKS COUNTY CONSERVATION DISTRICT**

1238 COUNTY WELFARE ROAD, SUITE 200

LEESPORT, PA 19533-9710

610-372-4657

www.berkscd.com

| PROJECT APPLICATION   |  |                            |  |
|---|--|----------------------------|--|
| <b>APPLICATION TYPE:</b> New <input type="checkbox"/> Chapter 102 <input type="checkbox"/> Chapter 105 <input type="checkbox"/> Minor Amendment <input type="checkbox"/> Major Amendment <input type="checkbox"/> Expedited Review <input type="checkbox"/><br>(check all that apply)    Renewal <input type="checkbox"/> Transfer <input type="checkbox"/> Initial Revision <input type="checkbox"/> Subsequent Revision <input type="checkbox"/> Other <input type="checkbox"/> |  |                            |  |
| <b>Project Name:</b>  |  | <b>Municipality:</b>       |  |
| Site Location/Address:  |  |                            | Tax Parcel                                       |
| Total Project Area (Acres):   | Total Disturbed Area (Acres):  | Lat . . . . .              | ° Long . . . . . °                               |
| Receiving Water/Watershed Name:   |  | Chapter 93 Classification: |  |
| APPLICANT INFORMATION   |  |                            |  |
| <b>Permittee Name:</b>  |  | <b>E-mail:</b>             |  |
| Applicant's Last Name   | First Name   | Phone                      | <b>E-mail</b>                                    |
| Organization Name or Registered Fictitious Name   |  | Phone                      | <b>E-mail</b>                                    |
| Mailing Address   | Suite #  | City                       | State    ZIP + 4                                 |
| CONSULTANT INFORMATION  |  |                            |  |
| Last Name (license, certifications)   |  | First Name                 | Consulting Firm                                  |
| Mailing Address   |  | City                       | State    ZIP+4                                   |
| <b>E-mail</b>   |  | Phone                      | Ext  |
| PLAN INFORMATION  |  |                            |  |
| <b>**ALL PLANS MUST BE FOLDED. ROLLED PLANS WILL BE RETURNED**</b>  |  |                            |  |
| <b>Have you included the following:</b>   | <b>Permits Required:</b>   |                            | <b>Type of Submission:</b>                       |
| <input type="checkbox"/> Attached Fees  | <input type="checkbox"/> Non-NPDES Application <input type="checkbox"/> Small Project                  |                            | Single Residential Lot <input type="checkbox"/>  |
| <input type="checkbox"/> Written Narrative  | <input type="checkbox"/> NPDES General <input type="checkbox"/> PAG-01 <input type="checkbox"/> PAG-02 |                            | Residential <input type="checkbox"/>             |
| <input type="checkbox"/> Plan Drawings  | <input type="checkbox"/> NPDES Individual  |                            | Commercial / Industrial <input type="checkbox"/> |
| <input type="checkbox"/> Calculations   | <input type="checkbox"/> 105 Water Encroachment (GP)   |                            | Government <input type="checkbox"/>              |
|   | <input type="checkbox"/> E&SC Permit (only for ≥25 acres of disturbance for Timber Harvests and Roads) |                            | 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)  |  |                            |  |
| 102 Review Fee \$ _____ (see NOTE below)  | NPDES Base Fee \$ _____ (payable to Berks County Clean Water Fund)                                     |                            |  |
| 105 Review Fee \$ _____ (see NOTE below)  | NPDES Disturbed Acre Fee \$ _____ (payable to Commonwealth of PA Clean Water Fund)                     |                            |  |
| Additional Fee \$ _____ (25% of initial fee)  | Ch. 105 Permit Fee \$ _____ (payable to Berks County Clean Water Fund)                                 |                            |  |
| <b>NOTE:</b> The initial project fee includes the initial review, one subsequent review, site inspections, technical assistance, complaint response, and administrative support. <b>Each fee must be on a separate check – DO NOT COMBINE fees.</b>   |  |                            |  |
| <b>For District Use Only: Application# _____ Date: _____</b>  |  |                            |  |
| <b>Project Review Fee \$ _____ Ck# _____</b>  | <b>Additional Review Fee \$ _____ Ck# _____</b>  |                            |  |
| <b>NPDES Base Fee \$ _____ Ck# _____</b>  | <b>Additional Review Fee \$ _____ Ck# _____</b>  |                            |  |
| <b>Disturbed Acre Fee \$ _____ Ck# _____</b>  | <b>Additional Review Fee \$ _____ Ck# _____</b>  |                            |  |
| <b>105 Permit Fee \$ _____ Ck# _____</b>  | <b>Additional Review Fee \$ _____ Ck# _____</b>  |                            |  |
| <b>Expedited Fee \$ _____ Ck# _____</b>   | <b>Additional Review Fee \$ _____ Ck# _____</b>  |                            |  |



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| <b>Project Fee Schedule</b><br>Project Type   | General Permit<br>Review Fee<br>(Initial + 1 review)                         | Individual Permit &<br>PCSM Review Fee<br>(Initial + 1 review) | General Permit Minor<br>Amendments &<br>Additional Rev.Fee | General Permit Major<br>Amendments |
|---|--|--|--|------------------------------------|
| <b>NPDES, E&amp;S &amp; PCSM Review Fees</b>  |  |  |  |                                    |
| Single Residential Lot  | \$2,000.00   | \$2,000.00   | \$500.00   | \$1,000.00                         |
| 1.0-4.99 Acres  | \$2,805.00   | \$4,210.00   | \$700.00   | \$1,405.00                         |
| 5.0-9.99 Acres  | \$3,850.00   | \$5,775.00   | \$965.00   | \$1,925.00                         |
| 10-14.99 Acres  | \$4,785.00   | \$7,490.00   | \$1,195.00   | \$2,390.00                         |
| 15-19.99 Acres  | \$5,670.00   | \$8,510.00   | \$1,420.00   | \$2,835.00                         |
| 20-24.99 Acres  | \$6,580.00   | \$9,870.00   | \$1,645.00   | \$3,290.00                         |
| 25 Acres Base Fee   | \$7,545.00   | \$11,310.00  | \$1,885.00   | \$3,775.00                         |
| Projects over 25 Acres - 25 Acre Base Fee plus an Additional \$255.00 /acre (Round To The Nearest Whole Acre) |  |  |  |                                    |
| <b>NPDES Administration (Permit) Fees</b>   |  |  |  |                                    |
| General NPDES Permit  | \$500.00   | Payable to the "Berks County Clean Water Fund"                 |  |                                    |
| Individual NPDES Permit Fee   | \$1,500.00   | Payable to the "Berks County Clean Water Fund"                 |  |                                    |
| <b>Non-NPDES and E&amp;S Review Fee</b>   |  |  |  |                                    |
| Small Residential Projects  | \$150.00   |  |  |                                    |
| 0.11-0.990 Acres Residential  | \$970.00   |  | \$240.00   | \$485.00                           |
| 0.11-0.990 Acres Commercial<br>Non-Residential, Public  | \$1,870.00   |  | \$470.00   | \$935.00                           |
| 0.11-0.990 Acres<br>Stockpile/Offsite Support<br>Areas  | \$1,560.00   |  | \$390.00   | \$780.00                           |
| <b>Chapter 105 Review &amp; Permit Fees</b>   |  |  |  |                                    |
| Review Fee / GP   | \$780.00   | Payable to the "Berks County Conservation District"            |  |                                    |
| Permit Fee  | See DEP Worksheet<br>in GP application                                       | Payable to the "Berks County Clean Water Fund"                 |  |                                    |
| <b>Other NPDES and E&amp;S Review Fees</b>  |  |  |  |                                    |
| Oil & Gas Activities  | \$2,080.00/acre (Round To The Nearest Whole Acre)                            |  |  |                                    |
| Road Maintenance Activity   | \$620 / acre (Round To The Nearest Whole Acre)                               |  |  |                                    |
| 25 Acres or Greater For<br>Timber Harvest & Road<br>Activities  | \$1,040.00   | \$1,530.00   | \$260.00   | \$520.00                           |
| <b>Timber harvest</b>   |  |  |  |                                    |
| Acres   | Voluntary Fee<br>(Initial + 1 review)  | Complaint Fee (Initial<br>+ 1 rev)                             | Additional Rev. Fee<br>(Voluntary)                         | Additional Rev. Fee<br>(Complaint) |
| 5000 SF - 3.99 Acres  | \$335.00   | \$1,005.00   | \$85.00  | \$250.00                           |
| 4.0 - 9.99 Acres  | \$545.00   | \$1,635.00   | \$135.00   | \$410.00                           |
| 10 - 24.99 Acres  | \$830.00   | \$2,490.00   | \$210.00   | \$625.00                           |
| <b>Note: \$75 Dollar discount of AFSFI training, applies to Voluntary Fee only, proof is required</b>         |  |  |  |                                    |
| <b>Miscellaneous Review Fees</b>  |  |  |  |                                    |
| Expedited Reviews   | 3 times the Normal Review Fee (must be approved prior to submission)         |  |  |                                    |
| NPDES CAP Reviews   | Double the Normal Review Fee Amount for General and Individual NPDES Permits |  |  |                                    |
| "After the Fact" Reviews  | Double the Normal Review Fee Amount for Non-NPDES, 105 GP and Amendments     |  |  |                                    |
| <b>A Total of THREE Checks should be submitted with each NPDES Permit Submission;</b>                         |  |  |  |                                    |
| <b>1) Review Fee; 2) Administration (Permit) Fee; 3) Disturbed Acre Fee</b>                                   |  |  |  |                                    |

# 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 Review Fee – Requests for waiver of the Review Fee 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. Administrative Permit Fees and Disturbed Acre Fees are required by DEP and not subject to waiver by the District.
- 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 construction-related 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 schedule titled “Project Fee Schedule” (page 2) which accompanies this set of Rules and Guidelines. All Chapter 102 Fees are based on Disturbance Area, rounded to the nearest whole acre.
  1. Review Fee established per the Project Fee Schedule for the District to review the submitted applications. Payable to **Berks County Conservation District**.
  2. Administration (Permit) Fee established by the DEP for General NPDES permits (\$500.00) and Individual NPDES permit (\$1,500.00). Payable to **Berks County Clean Water Fund**.
  3. Disturbed Acre Fee established by the DEP at \$100.00 per acre of disturbance. Payable to **Commonwealth of PA Clean Water Fund**.
  4. NPDES Corrective Action Plan (CAP), Chapter 105 Restoration Plans or After the Fact General Permits will be double the normal review fee. Payable to **Berks County Conservation District**.
- B. General Terms and Conditions – The following guidelines are to be utilized in determining the appropriate fee:
  1. All plan review fees are based on acres of disturbance, rounded to the nearest whole number, if greater than one acre or three decimal places if less than one acre.
  2. A Berks County Conservation District Application must be submitted with each application for new e&s plans, NPDES Permits, amendments, renewals, transfers, extensions, etc. If not received application will be placed on hold until BCCD application is received.
  3. A pre-application meeting is **strongly recommended** prior to submitting the permit application materials. During the pre-application meeting, the plans will receive an informal review. The submission will be subject to “in-office” completeness and technical reviews, as applicable, and will not be formally reviewed during the pre-application meeting. Pre-Application Request Form must be submitted before meeting is scheduled.

4. ESCGP and ESCP Permits – An Erosion and Sediment Control General Permit (ESCGP) is required for a person proposing oil and gas activities (distribution and transportation) that involve 5 acres or more of earth disturbance over the life of the project. An Erosion and Sediment Control Permit (ESCP Permit) is required for a person proposing a timber harvesting or road maintenance activity involving 25 acres or more of earth disturbance over the life of the project. ESCGP and ESCP review fees are based on acres of disturbance noted in the Project Fee Schedule. ESCGP and ESCP permits are also subject to an additional DEP application (permit) fee and an additional disturbed acreage fee.
  5. Timber Harvest Plans for disturbance areas of 5,000 sf to under 25 acres can be applied for Voluntarily and reviewed by the District to ensure the plans are adequate. A discount for the Voluntary Review Fee is provided to applicant that have attended AFSFI training (proof is required).
  6. Chapter 105 Water Obstruction and Encroachment General Permit (GP) E&SC plans – A review fee per GP will be charged for GP plan review. The plan review fee is waived for the GP-1, Fish Enhancement Structure. The 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.
  7. 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 within the completeness and technical review periods. In the event completeness or technical deficiencies are not properly addressed in the initial resubmission, the project will have to be resubmitted and will be subject to a revision fee equal to 25% of the initial plan review fee. The resubmission will be reviewed within five (5) business days.
  8. 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). An agency that is exempt from a 105 GP permit fee is not exempt from the BCCD review fee unless the review fee is waived by approval of the BCCD Board of Directors or District Executive.
  9. 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 25% of the original review fee. Please refer to Section D below for further information on additional fees.
  10. Permit applications under review for NPDES, ESCGP, or ESCP projects which increase disturbance area acreage, that was not included in the original submission must submit a disturbed acreage fee equal to the difference between the original acreage and new acreage. An additional review fee may also be required for the additional disturbance in accordance with Section D below.
  11. Phased Development Projects – For phased projects, the fees 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.
- C. Expedited Review Fees and Procedure  
 (Note: if PADEP requires review all terms and conditions of the expedited review process are not applicable)
1. Expedited review requests will be accepted on a first come, first served basis. The request must be initiated by a phone call or email to the Resource Conservation Team Leader at 610-372-4657 or [UrbanTeamAdim@berkscd.com](mailto:UrbanTeamAdim@berkscd.com).
  2. The phone conversation should be confirmed by an email to the BCCD. **Expedited review requests will be honored and scheduled pursuant to staff availability and must be approved by the District Executive, in advance of submission.** Program can be suspended at any time by a posting at the CD Office.
  3. 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).
  4. 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.

5. The following are to be submitted for the expedited review:
  - a. Two checks: Payable to the Berks County Conservation District
  - a. The initial plan review fee
  - b. The expedited plan review fee, equal to double the initial plan review fee (total = 3 times the normal fee)
  - b. The NPDES Permit fees (if applicable)
  - c. The NPDES Notice of Intent and required documentation (if applicable)
  - d. Module 1(the E&SC plan narrative)
  - e. E&SC plan drawings
  - f. Module 2 (the PCSM narrative)
  - g. PCSM drawings (if applicable)
  - h. Modules #3 or #4, additional reports and documents as applicable.
6. If the applicant is advised that the documents are incomplete at the conclusion of the pre-application meeting, the incomplete documents will need to be revised, and the revisions will be incorporated in the initial submission.
7. The Conservation District will conduct a formal completeness 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. The notification will identify the omissions and request that the documents be resubmitted. The applicant/plan designer must respond within five (5) business days of the District sending the notice of deficiencies. The District will review the documents within five (5) business days.
8. The in-office technical review will be completed by the District within the following prescribed timeframes:
  - a. The in-office technical review will be completed by the District for E&S Plan Approvals and General NPDES Permit applications.
    - The in-office technical review will be completed within 10 business days;
    - If inadequate, the applicant/plan designer must respond within 5 business days of the District sending the notice of deficiencies;
    - The applicant/plan designer's response will be reviewed by the District within 5 business days of receipt
    - If still incomplete upon the 2<sup>nd</sup> review or the District did not receive the revisions within the prescribed timeframes, the expedited review process and fees will be forfeited and the project will be subject to normal review timeframes.
  - b. The in-office technical review will be completed by the District for Individual NPDES Permit application, that PA DEP does not review.
    - The in-office technical review will be completed within 25 business days;
    - If inadequate, the applicant/plan designer must respond within 10 business days of the District sending the notice of deficiencies
    - The applicant/plan designer's response will be reviewed by the District within 15 business days of receipt;
    - If still incomplete upon the 2<sup>nd</sup> review or the District did not receive the revisions within the prescribed timeframes, the expedited review process and fees will be forfeited and the project will be subject to normal review timeframes.

#### D. Small Residential Projects Procedure

1. Conditions of use:
  - a. Disturbance Area less than one half acre (21,780 square feet);
  - b. Impervious Area less than 2,000 square feet;
  - c. Accessory Residential Use (Patios/ Pools/ Sheds/ Additions/ Bole Barns/ etc.);
  - d. No steep slopes in excess of 15%;
  - e. No surface waters within 50' of earth disturbance is proposed.

2. Specific BMPs Standard Construction Details to be used for ease of construction:
    - a. Temporary Soil Erosion Controls:
      - Rock Construction Entrance (RCE);
      - Compost Filter Sock (CFS);
      - Straw Bale Barrier;
      - Concrete Washout Facility.
    - b. Permanent Stormwater and Soil Erosion Controls:
      - Rain Garden ;
      - Fertilizer, Seed and Straw Mulch.
  3. Amended Soils:
    - a. Residential Subdivisions constructed since 2010 typically had amended soils throughout the lawn areas.
    - b. If amended soils are removed to install the proposed improvements a Rain Garden will be required.
    - c. Documentation should be provided to the homeowner on the maintenance of the Rain Garden.
- E. Additional Fees – the BCCD reserves the right to impose additional plan review fees of up to 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 deficiencies expressed by the BCCD after review of the resubmitted E&SC and PCSM Plans and thus requires the BCCD to conduct additional Completeness or Technical E&SC and PCSM Plan reviews.
  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. Up to a 50% review fee may be required for each subsequent submittal thereafter until adequacy has been determined.
  3. Printing or Scanning of large documents (larger than 11”x 17”) will be performed by an outside provider. Costs will be based on the outside providers cost plus \$20.00 offsite copy fee. Payment is required before plans are released.
  4. In cases where an additional 25% or 50% fee is believed to be excessive, a reduced fee may be granted with the District Executive approval. All fees will be at the District’s discretion and Must be received prior the commencement of the review.
- F. Special Conditions – the BCCD reserves the right to adjust fees in accordance with the special conditions list herein:
1. 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. A renewal of the E&S Plan for an additional two years is subject to the Administrative fee shown below (Section E.4a). A new BCCD Application and cover letter requesting the Renewal and providing all the information required shown below (Section E.2).
  2. NPDES Permit renewals may not contain any Amendments or changes. Amendments must be addressed separately. A statement is required stating; “No Changes to the E & S and PCSM plans are Planned”, a description of work completed and the work remaining.
  3. Plans submitted after any construction has begun on a property will be charged double the fees listed on the Project Fee Schedule for the normal review of the project. All construction should be halted until the project has been approved as adequate.

4. The Conservation District will charge additional fees for the following scenarios for permitted sites:
  - a. Administrative fees, including renewals, project name changes, applicant name changes prior to permit issuance, and extension requests, will be charged \$250.00 per administrative request, payable to the Berks County Conservation District.
  - b. Major and Minor Amendments
    - i. Major Amendments: 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 Amendments to permit applications, will require a review fee equal to 50% of the current base review fee schedule based on the total cumulative disturbance acres. In scenarios where the review fees are deemed excessive, the Conservation District may charge reduced fees. Major amendments are also subject to an additional disturbed acreage fee noted in Section A.3 above, as well as an additional application (permit) fee.
    - ii. Minor Amendments to permitted sites: Minor amendments on permitted sites will be charged 25% of the current review base fee schedule based on the total cumulative disturbance acres. In scenarios where the review fees are deemed excessive, the Conservation District may charge reduced fees. Minor amendments may be subject to an additional disturbed acreage fee noted in Section A.3
  - c. The Transfer of a Permit from one owner/ applicant to another is considered a Minor Amendment and the appropriate Review Fee will be charged accordingly.
  - d. A Partial NOT is also considered a Minor Amendment and the appropriate Review Fee will be charged.
- G. 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.
- H. ePermitting Assistance – specific assistance with submission of any application through the PA DEP's Greenport system, will be charged \$75.00 per hour. The entering of applicant's data for submitted paper copy of the application is included under this item. Cost of uploading large plans will be as listed under Section D, above.