

NORTHAMPTON COUNTY CONSERVATION DISTRICT
FEE SCHEDULE FOR SERVICES RESOLUTION

I. Title

This resolution may be cited as the Northampton County Fee Schedule for Erosion and Sediment Control and Post Construction Stormwater Management Services.

II. Authority

The Northampton County Conservation District (NCCD) by authority of Act 217 of 1945, the Conservation District Law, hereby adopts the Northampton County Fee Schedule for Erosion and Sediment Control Plan and Post Construction Stormwater Management Services.

III. Effective Date

This resolution replaces any and all previous fee schedule resolutions and shall become effective **April 1, 2018 or upon execution of the PCSM Delegation with PADEP** and shall remain in effect until modified, amended, or rescinded by the Northampton County Conservation District Board.

IV. Intent

The primary purpose of this fee schedule is to help defray the costs incurred by the Northampton County Conservation District in its delegated authority of the State's Erosion and Sediment Pollution Control Program and Post Construction Stormwater Management Program in accordance with Chapter 102, Erosion and Sediment Control rules and regulations of the Department of Environmental Protection (DEP). The fees are intended to cover a range of services associated with the processing of National Pollutant Discharge Elimination System (NPDES), Erosion and Sediment Control (ESP) and Erosion and Sedimentation Control General (ESCGP) permit applications; their related erosion and sediment control (E&SC) and post-construction stormwater management (PCSM) plans; and E&SC plans for all other earth disturbance activities for which a District review is required. Services covered for permitted projects may include: pre-application meeting, technical plan reviews, telephone and email correspondences, plan review meeting, pre-construction meeting, routine site inspections, and administrative support. Applicable/Delegated services are also covered for projects where no permit is required and only an E&SC plan was reviewed by the District.

As of April 1, 2018, under a delegation agreement with the DEP, the NCCD will be reviewing all NPDES permit applications for conformance with Post Construction Stormwater Management requirements as outlined in the PA Stormwater BMP Manual. The fee for PCSM services has been combined with that of E&SC services (see Section VIII.B.)

V. Applicability of Fee Schedule

A. The fee schedule shall apply whenever the application and E&SC/PCSM plans are submitted, whether voluntarily or by state or municipal requirement, for an adequacy determination. The fee charged will cover initial services. The first revision will be subject to a surcharge of 10% of the original fee. The second and subsequent revisions will be subject to a surcharge of 15% of the original fee. Where an NPDES, ESP or ESCGP permit is required, the fee schedule shall also apply to the PCSM plan.

B. If a minor revision is requested for a E&SPC or PCSM plan previously approved by NCCD (aka: minor amendment, minor modification, etc.), the submission will be subject to a charge of 25% of the original base fee. If a minor revision is requested for both the E&SPC and PCSM plan previously approved by NCCD, the submission would be subject to a charge of 50% of the original base fee. If a minor revision is requested for a PCSM plan previously approved by an agency other than NCCD, the submission will be subject to a charge of 50% of the original base fee. However, if it is determined that the revisions are substantial, a full review fee will be charged based on the current fee schedule. A pre-application meeting is highly recommended to discuss proposed revisions and establish required fees.

C. Fees associated with a Major Modification/Amendment to an approved E&SPC, PCSM plan, NPDES Permit are assessed on a case-by-case basis by the District Manager. A pre-application meeting should be scheduled with the District to discuss proposed revisions and establish required fees.

E. Each resubmission of a different project on the same tract of land will be charged separately according to the fee schedule, regardless of whether or not the original project received a letter of adequacy.

F. E&SC and PCSM plans approved as associated with Permitted projects (NPDES, ESP or ESCGP permits) are valid over the life of the permit. Failure to begin earthmoving within the life of the permit will invalidate the review and require resubmission, which would be subject to the fee schedule in effect at the time of re-submittal. In addition, a new complete permit application will be required, as expired permits cannot be renewed. Letters of adequacy on all other erosion and sediment control plans are valid for four (4) years. Failure to begin earthmoving within four years will invalidate the review and require resubmission, which would be subject to the fee schedule in effect at the time of re-submittal.

G. Renewal service fees for Permitted projects that do not meet the current state erosion and sediment control and post construction stormwater management requirements will be based on disturbed acreage left to complete the project. (re: Section VIII.B.) NOTE: For all Permit Renewal applications, the permit application fee and un-paid disturbed acreage fees may also apply; supporting documentation (e.g. map, etc.) must be provided with the submission to support previously paid disturbed acreage fee(s).

VI. Total Project Area Delineation

The entire parcel, including areas designated for open space/protected area, controlled by the landowner/developer will represent the project area. Offsite work such as that for utility line installation, waste and borrow areas, and construction staging areas shall also be included in the total project area.

VII. Administrative Procedures

A. The applicant shall submit a check or money order in the amount per Section VIII.B. payable to the "Northampton County Conservation District," one complete set of erosion and sediment control plans (drawing and narrative) and (when applicable) one separate complete set of post construction stormwater management plans (drawing and narrative), and one copy of the Application for Review of Erosion and Sediment Pollution Control Plan and Permit Processing, including permit renewals and plan modifications/amendments. Three copies of all documents may/will be required prior to permit issuance/acknowledgment. NOTE: Additional copies of the application documents may be requested at any time during the review process.

B. All initial application submissions requiring a NPDES, ESP or ESCGP permit must include a complete Permit application in accordance with PADEP procedures; three copies of all permit application documents are required to be submitted with the initial application. An applicant needing to apply for a permit shall do so by using the appropriate PADEP program documentation available from our website: www.northamptoncd.org, the PADEP website: www.dep.pa.gov or from the Conservation District office. All fees are expected to be paid with the initial submission: Payment for the Permit filing fee must be made by separate check payable to "NCCD/Clean Water Fund." Payment for the Permit Disturbed Acre fee must also be made by separate check payable to "Commonwealth of PA Clean Water Fund." NCCD Service Fee must also be made by separate check payable to "Northampton County Conservation District" or "NCCD". (re: Section VIII below)

C. All plan/permit modification/amendment submissions must include a narrative detailing the proposed revisions to the E&SPC, PCSM and/or permit application.

D. The Northampton County Conservation District will accept, and stamp as received, the application only when all necessary information, completed forms and fees have been supplied. Plans or Permit applications delivered to the District office **after 3:00 P.M.** will be stamped as received the next business day. A plan for which the accompanying fee check has been denied because of insufficient funds will

lose its place in the review rotation and a new check including any bank charges must be submitted in order for the plan to be accepted for review. Any fee check returned for nonsufficient funds will be assessed a \$25 charge in addition to a new payment. If an applicant wishes to withdraw a review application, a request to do so must be made in writing to the District office. The fee will be refunded only if the District has not begun the review at the time the request is received. For Permitted projects, the maximum review time will be based on PADEP Standard Operating Procedures (SOPs). For non-permitted sites, the maximum review time will be thirty (30) business days.

E. Resubmission of E&SC/PCSM plans in response to a District review letter must address the reviewer’s comments in a response letter addressing each item to aid in the re-review process. If a response letter is not included, the resubmission may not be accepted as received until letter has been provided. Resubmission of all reviews must be received within 60 calendar days or as indicated on the review letter issued by the District (NOTE: extension request(s) per Chapter 102 regulations and/or PADEP SOPs may be applicable). If the resubmission is not provided to the District within the set deadline (or granted extension), the applicant will be notified in writing that the application is considered withdrawn, no further service will be provided for the project until a new application with applicable fees are submitted; service fees are non-refundable.

F. An increase in project acreage during the plan review process may result in an increase of the applicable review fees.

VIII. Fee Schedule

As authorized by Act 217 - The Conservation District Law, the Northampton County Conservation District will charge the following fees for E&SC and/or PCSM services. Applications cannot be accepted for review without the appropriate fee, complete application form, and required number of plans. With the exception of those projects listed in categories A, C and D, all projects shall be based on total project area acreage per the table below (re: Section VI above):

A. **Minor Earth Disturbance Project E&S plan review fees:** < 1.0 acre disturbed and not part of a larger common plan of development and does not require NPDES permitting

<u>Type of Project</u>	<u>Initial Fee</u>	<u>Each Resubmission (25%)</u>
Residential	\$200.00	\$50.00
Industrial/Commercial/Utility/Roadway/etc.	\$1,200.00	\$300.00

B. **Earth Disturbance Project Service Fees:** Residential; Industrial; Commercial; Utility Installation/Maintenance; Roadway Improvements/Construction/ Maintenance; Pond construction; Timber Harvests exceeding 25 acres; etc.
 Submittal for District services for E&S and/or PCSM plans per State/Federal required permitting or MOU agreement with municipality.

	E&SC and PCSM Service Fees – NPDES Permit Projects (ESCGP, PAG-02 & PAI)	First Resubmission	Each Additional Resubmission
Project area acres	Initial Fee	10%	15%
1-1.99	2,500.00	250.00	375.00
2-4.99	5,000.00	500.00	750.00
5-9.99	7,500.00	750.00	1,125.00
10-14.99	10,000.00	1,000.00	1,500.00
15-19.99	12,500.00	1,250.00	1,875.00
20-25.0	15,000.00	1,500.00	2,250.00
Over 25.0	15,000.00+200.00/ac (round to nearest whole acre)	Variable	Variable

C. Timber Harvesting E&S Plan Review

<u>Number of Harvest Acres</u>	<u>Initial Fee</u>	<u>Each Resubmission (25%)</u>
0-24.99	\$300.00	\$75.00
25-49.99	\$500.00	\$125.00
50-249.99	\$700.00	\$175.00
250 and above	\$700.00 + 4.00/ac (round to nearest whole ac)	Variable

- 1) NOTE: Timber Harvest E&S plan is NOT a permit. E&S plans submitted under this section are to be used for select cut timber harvests only. Any timber harvest resulting in 25 acre or more of earth disturbance requires a complete ESP permit to be submitted.
- 2) Clear cutting will be handled in the following manner:
 - a) If clear cut is for purpose of construction activities it will be subject to Chapter 102.4(b) and 102.5 and will require associated permitting; submission would be considered Phase 1 of the project and thus would be submitted under section B above.
 - b) If clear cut is for conversion to agricultural use, then this project will be referred to the Conservation District Agricultural technician to be incorporated into a Agricultural E&S plan.

D. Erosion & Sediment Control Plan review fees submitted as part of an encroachment permit application as outlined in PA Title 25, Chapter 105: "Dam Safety and Waterway Management"

<u>Type of 105 Permit</u>	<u>Initial Fee</u>	<u>Each Resubmission (25%)</u>
General permit E&S plan review	\$300.00	\$75.00
Joint/Individual Permit E&S plan review	\$600.00	\$150.00

- 1) These fees are for encroachment only. If a Chapter 105 activity is part of a larger project and/or involves additional earthmoving, the fee will be as in Section B above. Examples: (1) Public road bridges will be charged by project acreage including disturbance for any ramps or approaches to the bridge. (2) A proposed boat access ramp includes a parking area, area for a few picnic tables, and a restroom. This not just an encroachment activity and the fee charged will include the entire project (NOTE: Chapter 105 disturbed area does not count towards 102 permitting). Encroachments proposed as part of a project outlined in A, B and C are exempt from the fees outlined in D.
- 2) The proposed Chapter 105 permitted area (area within the floodway) should be clearly identified on the E&S plan. Projects requiring NPDES, ESP or ESCGP permits should clearly delineate between the Chapter 105 and 102 disturbance areas to support the proposed disturbed areas associated with each permit.
- 3) A copy of the Chapter 105 permit application submitted to PADEP should be provided with the submission.

IX. Adjustment of Fees

Fees will be waived only for an application filed under the name of a governmental agency of the United States, Commonwealth of Pennsylvania or the County of Northampton. This exemption does not apply to municipalities, school districts or special purpose authorities or any private, nonprofit organization or supersede Title 25, Chapter 102, Erosion and Sediment Control Regulations. Municipalities, school districts and authorities shall pay 50% of the applicable fee. Only Commonwealth agencies are exempt from the PADEP permit fees. In cases where the proposed earth disturbance is less than 30% of the total project acreage, the applicant may request that the fees be based on disturbed acreage rather than total project acreage. Prior to submittal, the applicant shall hold a pre-application meeting with the District and present a drawing supporting the project is under the 30% threshold OR submit a request in writing attesting that the project is under the 30% threshold, along with a drawing that shows the limits of proposed disturbance relative to the total project acreage. District staff will then give written notice of whether the review fee can be assessed on a disturbed acreage basis.

X. Expedited Technical Reviews

See separate NCCD Expedited Review Policy.

XI. PNDI Receipts Generated Through the PA Conservation Explorer

Requests for Northampton County Conservation District to provide PNDI receipts generated through the PA Conservation Explorer must be received in writing with all pertinent information and mapping provided and accompanied by a check for two times the fee imposed by PA DCNR. Checks should be made payable to "Northampton County Conservation District."

XII. Publication Available for Sale

Northampton County Soil Survey (USDA, 1974) \$ 20.00

XIII. Approval

Be it resolved this **9th day of January 2018**, that the Northampton County Conservation District Board of Directors does hereby agree to charge the above fees for services rendered as authorized by the Commonwealth of Pennsylvania Act Number 217 approved May 15, 1945, in accordance with above schedule of charges. (County Resolution # 28-2018). **This resolution repeals and replaces all previous Erosion and Sediment Control Plan Review Fee Resolutions.**