



# LUZERNE CONSERVATION DISTRICT

325 Smiths Pond Road  
Shavertown, PA 18708  
Phone: (570) 674-7991  
Fax: (570) 674-7989  
www.luzernecd.org

## EROSION & SEDIMENT POLLUTION CONTROL (E&SPC) PLAN REVIEW APPLICATION

<b>Project Name:</b>	<b>Applicant's Name:</b>
<b>Project Address:</b>	<b>Applicant's Address:</b>
<b>Municipality:</b>	<b>Applicant's Phone:</b>
<b>Total Project Acres:</b>	<b>Applicant's Email:</b>
<b>Total Acres to be Disturbed:</b>	<b>Plan Preparer:</b>
<b>Number of Residential Lots/Units:</b>	<b>Preparer's Phone:</b>
<b>Site Supervisor:</b>	<b>Preparer's Fax:</b>
<b>Site Phone:</b>	<b>Preparer's Email:</b>

### PROJECT FEES

(Per the current Luzerne Conservation District E&SPC Program Fee Schedule)

<b>Administrative Fee</b>	Only for E&SPC Plans not associated with NPDES Permits = \$100 (Does not apply to <i>Section C. Small Projects.</i> )	\$
<b>Residential</b>	Fee based on number of lots/units. See current Fee Schedule for applicable amount.	\$
<b>Industrial/Commercial/ Institutional</b>	Fee based on the disturbed area or linear feet for utility lines. See current Fee Schedule for applicable amount.	\$
<b>Small Projects</b>	All small project reviews = \$100 See current Fee Schedule for types of projects.	\$
<b>Non-Profit, Open Space, Greenways &amp; Outdoor Recreation</b>	\$500 (basic fee) + _____ (\$20 per disturbed acre)	\$
	<b>TOTAL PROJECT SERVICE FEE:</b> (Check made payable to the Luzerne Conservation District)	\$
<b>NPDES Base Permit Fee (If applicable)</b>	General NPDES Permits = \$500 Individual NPDES Permits = \$1,500 (Separate check made payable to the Luzerne County Clean Water Fund)	\$
<b>NPDES Acreage Permit Fee (If applicable)</b>	General & Individual NPDES Permits = \$100 per disturbed acre For fractional acreage, the acreage shall be rounded to the closest whole number. (Separate check made payable to the Commonwealth of PA Clean Water Fund)	\$

**The applicant hereby agrees as follows:**

To acknowledge the stipulations and requirements contained in the Luzerne Conservation District's *E&SPC Program Service Fee Schedule* and *E&SPC Program Service Fee Schedule Policy*.

To acknowledge that the E&SPC Plan will be reviewed for adequacy to control erosion and sedimentation, in accordance with 25 Pa. Code Chapter 102 and the Clean Streams Law, and not for adequacy of structural design.

To retain full responsibility for any damage which may result from any construction activity notwithstanding Conservation District approval of the subject E&SPC Plan.

It is understood that approval of the plan submitted with this application shall be valid only for the duration of the initial project granted by the municipality.

All municipal renewals of this project will require resubmission and approval by the Conservation District.

To notify the Conservation District in writing or by phone at least 72 hours prior to any earth disturbance activity.

To notify the Conservation District upon completing the project.

To maintain a copy of the approved E&SPC Plan on the project site.

To allow Conservation District representatives to enter the project site for inspection.

That any conveyance of the project prior to its completion will include the transfer to the subsequent owner(s) the full responsibility of compliance with the approved E&SPC Plan and applicable regulations.

**Applicant's Name (please print):** \_\_\_\_\_

**Applicant's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**For District Use Only**

Initial Date Received: \_\_\_\_\_

Date of Final Approval: \_\_\_\_\_

Plan Reviewer's Signature: \_\_\_\_\_



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## EROSION & SEDIMENT POLLUTION CONTROL PROGRAM FEE SCHEDULE

The following fees will be charged by the Luzerne Conservation District for services under the Erosion and Sediment Pollution Control (E&SPC) Program and National Pollutant Discharge Elimination System (NPDES) Permit Program. Applications cannot be accepted for review without the appropriate fee and a completed E&SPC Plan Review Application.

### 1. ADMINISTRATIVE FEES

For E&SPC plans not associated with NPDES Permit applications = \$100 per plan

(Applies to projects that fall under sections A, B, and D below. Does not apply to projects that fall under section C. *Small Projects*. For NPDES Permit application, see the permit administrative fees listed under #3 below.)

### 2. PROJECT SERVICE FEES

#### A.

RESIDENTIAL			
Lot/Unit(s)	Fee	Lot/Unit(s)	Fee
1-2	\$325	51-75	\$3,900
3-4	\$650	76-100	\$4,500
5-10	\$1,300	101-125	\$5,000
11-20	\$1,700	126-150	\$5,700
21-30	\$2,400	151-175	\$6,300
31-40	\$3,000	176-200	\$6,800
41-50	\$3,500	200+	\$6,800 + \$50 per lot above 200

#### B.

INDUSTRIAL/COMMERCIAL/INSTITUTIONAL		
(Use linear feet to determine fees for underground utility lines. All other projects, including structures related to utility projects, use disturbed acreage to determine fees.)		
Disturbed Acres	Linear Feet	Fee
0 - 0.99	0 – 899	\$1,200
1 - 4.99	900 – 4,499	\$2,000
5 - 9.99	4,500 – 8,999	\$2,800
10 - 14.99	9,000 – 13,499	\$3,200
15 - 19.99	13,500 – 17,999	\$3,800
20 - 25.0	18,000 – 22,500	\$4,600
Over 25.0	Over 22,500	\$4,600 + \$100 for each additional acre above 25 or additional 900 feet above 22,500

C.

<p style="text-align: center;"><b>SMALL PROJECTS</b> (Stream crossings, 1 acre or less disposal areas for construction projects, logging activities, wetland mitigation projects and <i>E&amp;SPC Plan Guide for Small Projects</i> submissions.)</p>
<p style="text-align: center;">All reviews \$100</p>

D.

<p style="text-align: center;"><b>NON-PROFIT, OPEN SPACE, GREENWAYS &amp; OUTDOOR RECREATION</b> (Game fields, parks, playgrounds, rail/trails, fire stations, etc.)</p>
<p style="text-align: center;">\$500 basic fee + \$20 per disturbed acre</p>

**3. NPDES PERMIT FEES** - Two separate checks required:

- a. One check payable to “Luzerne County Clean Water Fund” in the amount of:
  - \$500.00 for General NPDES Permits
  - \$1,500.00 for Individual NPDES Permits
- b. One check payable to “Commonwealth of Pennsylvania Clean Water Fund” in the amount of:
  - \$100.00 per disturbed acre (for fractional acreage, the acreage shall be rounded to the closest whole number)

**4. REVISION FEES**

A Revision Fee equal to 40% of the initial Project Service Fee will apply to the second and subsequent technical comment/deficiency/review letters.

**5. PLAN MODIFICATION FEES** (Changes made after the E&SPC Plan has been approved)

- a. **Minor Modifications to the E&SPC Plan/NPDES Permit** – 10% of the initial fee
- b. **Major Modification to the E&SPC Plan/NPDES Permit** – Fee based on schedules above.  
(Proposed earth disturbance activities that will take place outside the permitted area, or that will have an additional point source discharge to a receiving water, not previously identified in the application/NOI)

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**Please Note:**

**Failure to begin earth disturbance activities within two (2) years from the original plan approval date will require resubmission of the E&SPC Plan and additional fees based on the schedule above, unless otherwise determined by state law and/or regulation.**

**Pennsylvania Law requires persons proposing or conducting earth disturbance activities to develop, implement and maintain best management practices to minimize the potential for accelerated erosion and sedimentation. An E&SPC Plan must be available at the project site at all times. (25 Pa. Code Chapter 102. Erosion and Sediment Control)**



## **EROSION & SEDIMENT POLLUTION CONTROL PROGRAM SERVICE FEE SCHEDULE POLICY**

### **1. AUTHORITY:**

The Luzerne Conservation District, by authority of Act 217 of 1945, The Conservation District Law, as amended, has adopted the Luzerne Conservation District Service Fee Schedule for services under the Erosion & Sediment Pollution Control (E&SPC) Program and the National Pollutant Discharge Elimination System (NPDES) Program.

### **2. EFFECTIVE DATE:**

This resolution shall become effective February 20, 2014, and shall remain in effect until modified, amended, or rescinded by the Luzerne Conservation District Board of Directors.

### **3. INTENT:**

The purpose of this fee schedule is to defray the costs incurred by the Luzerne Conservation District in its delegated authority of the Pennsylvania Department of Environmental Protection's (PA DEP) Erosion & Sediment Pollution Control Program in accordance with Title 25, Chapter 102, Erosion and Sediment Control rules & regulations of the Pennsylvania Code and the Pennsylvania Clean Streams Law.

### **4. WAIVER OF FEES:**

District service fees may be waived for applications filed by agencies of the Commonwealth of Pennsylvania. This exemption **does not** apply to other government entities or private, non-profit organizations. In unique situations, the District Manager shall have the authority to waive and/or reduce fees on a case by case basis.

### **5. PROJECT AREA DELINEATION:**

To determine the applicable project area, please refer to the Service Fee Section (Sec. 2) of the Fee Schedule.

### **6. PROCEDURES:**

- A. Applicants will submit a check or money order payable to the Luzerne Conservation District, 1 copy of the complete District E&SPC Plan Review Application, and 2 sets of the E&SPC Plan and narrative (3 sets for NPDES Permit applications)\*. An adequacy letter and stamped plans will be mailed to the Applicant upon District approval.
- B. The Luzerne Conservation District fee shall not be combined with any other municipal or county fee. The cancelled check will be the applicants receipt.
- C. In accordance with PA DEP's *Administrative Policy and Permitting Manual for the ESCP and the NPDES Program*, NPDES permit application submissions not containing the appropriate information will not be reviewed for technical adequacy. The applicant will be informed of any additional information or fees needed for a complete review.
- D. A \$50.00 charge will be assessed for any check refused by the bank due to insufficient funds, and the entire application package will be returned to the applicant with no further action taken.
- E. The maximum technical review time for E&SPC plans is 22 business days from the date the submission is deemed complete. The District has 15 business days to determine if the submission contains the information needed to be considered complete.
- F. Applications for NPDES permits require, by state regulation, a separate check made payable to "Luzerne County Clean Water Fund" for the following administrative filing base fees: General Permits \$500.00 and Individual Permits \$1,500.00. In

addition to the administrative base fee, a separate check made payable to "Commonwealth of PA Clean Water Fund" is required in the amount of \$100.00 per disturbed acre (fractional acreage shall be rounded to the closest whole number). Unless otherwise determined by PA DEP, these fees are required for all NPDES permit applications, including those submitted by government agencies.

**7. APPLICABILITY:**

- A. The fee schedule will apply whenever an E&SPC Plan Review Application and E&SPC Plan are submitted for an adequacy determination.
- B. In applications consisting of combined residential and commercial usage, the fee will be calculated by determining a separate fee for each portion according to the schedule, and then adding those separate fees together.
- C. Plans requiring more than one (1) technical comment/deficiency/review letter will be assessed a fee of 40% of the initial fee.
- D. If earth disturbance activities are not commenced within two years of the E&SPC Plan approval date, the plan must be resubmitted and will be subject to a full review fee as provided by the fee schedule, unless otherwise determined by state law and/or regulation. A new review and review fee will be required when an NPDES Permit or E&SPC plan approval has expired.

**8. E&SPC PROGRAM SERVICE FEE SCHEDULE:** Attached to this policy.

**9. E&SPC PLAN WITHDRAWAL:**

Upon written request by the applicant, and approval by the District Manager, a portion of the District's service fee may be refunded if the applicant withdraws the plan prior to review. Written requests for plan withdrawal and fee refund must be submitted within 90 days of the District's administrative or technical review of the application. If the District does not receive a resubmission of the application or a request to withdraw the application within that timeframe, the application will be considered withdrawn and all fees will be retained by the district. **Review fees will not be refunded once a technical adequacy determination has been made by the Luzerne Conservation District.**

**10. NOTIFICATION OF CHANGES:**

The Luzerne Conservation District Board of Directors reserves the right to revise the Fee Schedule as deemed necessary or appropriate. Luzerne County municipalities will be notified in writing of any changes.

**11. APPROVAL OF POLICY:**

Be it resolved, as of the 20<sup>th</sup> day of February, 2014, that all previous Luzerne Conservation District Fee Schedules are hereby defunct as agreed upon by the Board of Directors. Be it also resolved that the Board of Directors adopts the Service Fee Schedule and the Luzerne Conservation District will assess fees for services under the Erosion and Sediment Pollution Control Program 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.

*LUZERNE CONSERVATION DISTRICT BOARD OF DIRECTORS*

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\*In order to conserve paper, the District allows plan preparers to submit only one copy of the Erosion and Sediment Control Plan, Erosion and Sediment Control Narrative, Post Construction Stormwater Management Plan and Post Construction Stormwater Management Narrative until the plans are ready for final approval. The additional copies will be required once the plans are ready for final approval or if there is a request to review the public records associated with the application. This option is at the discretion of the plan preparer or the applicant. By choosing this option, you will be agreeing to provide additional copies within 5 working days if so requested by the District. The number of NPDES Permit Applications remains the same.