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**EROSION AND SEDIMENTATION POLLUTION CONTROL PROGRAM
 FEE SCHEDULE
 (Effective: March 8, 2017)**

I. AUTHORITY AND APPLICABILITY:

- a) The Westmoreland Conservation District (WCD) is delegated by PA DEP to administer the Commonwealth’s Erosion and Sedimentation (E&S) Pollution Control Program under PA Chapter 102 rules and regulations and the Clean Streams Law and the General Permit Program under PA Chapter 105 rules and regulations in Westmoreland County.
- b) Districts may charge fees for E&S plan reviews as authorized by Act 217 - The Conservation District Law.
- c) Review fees shall apply to all plans that are submitted to the WCD requesting E&S plan adequacy except as noted within.

II. E&S PLAN REVIEW FEES:

- a) The following fees will be charged by the WCD for earth disturbance E&S plan reviews. Fees will be based on the amount of disturbed acres associated with the project. Applications will not be accepted for review without the appropriate fee. The Earth Disturbance E&S review fee will not be reduced by the NPDES permit filing fee, the Chapter 105 E&S permit & review fee or the Stormwater Management Plan processing fee.

Disturbed Acreage**	Current Fee
*0 - .99	\$803.00
1 - 4.99	\$1540.00
5 - 9.99	\$2065.00
10 - 14.99	\$2585.00
15 - 19.99	\$3085.00
20 - 24.99	\$3605.00
25 - 29.99	\$4110.00
30 - 39.99	\$4300.00
40 - 49.99	\$6170.00
50 - 74.99	\$7400.00
75 - 99.99	\$9450.00
100+	\$11335.00 +\$25 each acre over 100

***Non-commercial single family residence over 5000 Sq.Ft. up to .99 acre disturbed. \$350.**

****Disturbed acres are defined as the area of the project in which the surface of the land is disturbed by excavations, embankments, land development, residential lot construction, mineral extraction and moving, depositing or storing of soil, rock, or earth, or other earthmoving activity.**

- b) Stormwater management plans may be submitted with the Earth Disturbance E&S plan. An additional fee will be charged for stormwater plan processing. (See stormwater fee schedule.)
- c) The WCD fees shall not be combined with any other municipal or county fee. The canceled check will be the applicant’s receipt. No separate receipt will be provided unless requested.

- d) The applicant will submit a check or money order (cash not accepted) for all E&S reviews **made payable to the Westmoreland Conservation District** and will submit this fee with the completed application form and the project plans. Plans will not be reviewed unless all components are submitted. Incomplete plan packages may be returned, but the WCD reserves the right to retain the fee.
- e) If the plan, check, or application is incomplete, the applicant will be notified. If a check is returned due to insufficient funds, the plan will **not** be reviewed.
- f) Plan reviews by the WCD will remain valid for 3 years from the approval letter date, except when the plan is associated with an NPDES Permit. The E&S plan expiration date is consistent with the NPDES 5 year expiration date.
- g) Failure to initiate earthmoving activities within this time will invalidate this review (subject to IV-A-2A site requiring a WCD plan review may not begin earthmoving activities until the E&S plan has been approved by the WCD technical staff.
- h) **Review Fees are non-refundable.**

III. STREAM ENCROACHMENT E&S REVIEW FEES:

- a) The Westmoreland Conservation District processes and approves the use of DEP Chapter 105 General Permits # 1 through 9 inclusive. Permit authorization requires WCD approval of an erosion control plan meeting Chapter 102 requirements. The E&S plan review fee for stream encroachments is structured according to the following table:

Total Cumulative Stream Length Impacted	Current Fee
0'-49'	\$125.00
50'-199'	\$225.00
200'+	\$325 +\$50 each 50' over 200'

Note: Refer to each General Permit for specific requirements, rules and restrictions.

- b) **DEP Chapter 105 General Permit Fee:** (as of February 16, 2013). Please check the link below to calculate the fee. The check is in addition to the above fee and made **payable to Westmoreland Clean Water Fund**. It must be submitted along with the Registration Form for General Permits 1 through 9 inclusive.
Chapter 105 Fee(s) Calculation Worksheet (3150-PM-BWEW0553):
<http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-11444>

IV. FEE ADJUSTMENTS:

- a) **WCD Fees will be waived for an application filed under the name of a governmental sub-unit of the Commonwealth of Pennsylvania, partnering conservation organizations or a city, borough, township or municipality with a Conservation Partnership Agreement (CPA) with the WCD. This waiver does not apply to county agencies, private non-profit organizations, authorities, or school districts.**
- b) Fees may be waived **or reduced** for earthmoving operations with limited acreages such as individual homesites **or Watershed improvement projects**. The WCD is the sole determinant of this waiver.
- c) If an application involves an NPDES Permit, the applicant shall attach **two additional checks:**
 - 1) one to the **Westmoreland Clean Water Fund, for the NPDES filing fee** (Individual=\$1500, General=\$500), and
 - 2) one to the **Commonwealth of PA Clean Water Fund, for the NPDES disturbed acreage fee of \$100 per disturbed acre**. This check will be forwarded to SW PA DEP by WCD.

- d) If an application involves a Stormwater Management Plan review or a Stream Encroachment E&S plan review, the application may include **one check for all applications to Westmoreland Conservation District.**
- e) The fee will not be applicable to agricultural operations such as plowing and tilling, and agricultural conservation practices completed in accordance with a conservation plan approved by the WCD. When a site disturbance occurs that is not an agricultural practice such as earth disturbance for a large building, the fee schedule for plan review **is** applicable.
- f) The Earth Disturbance fee schedule is not applicable to timber harvesting operations, but the base Chapter 105 General Permit E&S fee does apply. (See attached timber harvest fee schedule.)

V. ADDITIONAL FEES:

- a) One fee is intended to cover the entire review process except for the following:
 - 1) If after the initial review process the plan is considered “not adequate” and revisions are needed, the plan must be re-submitted with revisions and an additional fee of **65%** of the original fee. If after the second review the plan is not adequate, revisions must be submitted with an additional **65%** of the original fee. If after the third review the plan is not adequate, **75%** of the original fee must be submitted with revisions.
 - 2) Where the applicant or his agent fails to directly address and attempt to resolve concerns expressed by the WCD after three **revisions** of the E&S plan, a complete resubmission of the original fees (with the exception of the NPDES filing fee) will be imposed for all subsequent E&S plan revisions.
 - 3) **If a revised plan is waiting for revisions and a phone contact, email or letter requesting an extension of time is not received from the applicant for 2 months from the time of the WCD’s last “not adequate” or deficiency letter, the plan will be returned to the applicant and any resubmission will require a new full fee.**
 - 4) When site construction and final site stabilization are not completed within three years from the date of initial plan review, the WCD reserves the right to require the submission of a new plan and additional or upgraded controls if E&S standards have been revised **except when the plan is associated with an NPDES Permit. The E&S plan expiration date is consistent with the NPDES 5 year expiration date.** Fees will be charged as indicated in section II-A above.

VI. PHASED PROJECTS:

- a) On phased projects, the fee may be submitted in a lump sum with the E&S plan for the total project area, or may be submitted with individual phases of the project when the E&S plan for each phase is submitted for review. Phased plans are subject to section IV-A-3 above.

VII. CHANGE OF PROJECT:

- a) Each submission of a different project on the same site shall be considered as a new project and the fees shall be charged accordingly.

VIII. WAIVER OF PLAN LETTER:

- a) If the WCD is requested to provide a letter stating that an E&S plan is not required for a construction site (ie. less than 5,000 square feet of disturbed area), a \$100.00 processing fee will be charged. The WCD may waive this fee on a case by case basis.

IX. BILLABLE HOURS:

- a) The WCD reserves the right to charge a billable hours fee (\$50.00/hour) to cover costs associated with meetings on plan preparation assistance when that assistance is over and above the normally expected time. This does not include pre-plan, pre-submission, or pre-construction meetings.

Revised 3/8/17

**TIMBER HARVEST REVIEW
FEE SCHEDULE
(Effective: February 1, 2017)**

Disturbed Acreage	Current Fee
0-4.99	\$300.00
5-9.99	\$395.00
10-24.99	\$490.00
**25+	\$665.00

*** Over 25 acres disturbed requires an Earth Disturbance Permit from the DEP with an additional fee of \$200.00 payable to PA Clean Water Fund.*

Revised 1/6/17