



Lehigh County Conservation District – Fee Schedule for Services Resolution

100 Title

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

101 Authority

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

102 Effective Date

This resolution replaces any and all previous fee schedule resolutions and shall become effective **March 1, 2024** and shall remain in effect until modified, amended, or rescinded by the Lehigh County Conservation District Board.

103 Intent

The primary purpose of this fee schedule is to help defray the costs incurred by the Lehigh 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) or Erosion and Sediment Control General Permit (ESCGP) 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 include: pre-design and pre-submittal meetings, plan reviews, telephone calls, review comment conferences, pre-construction conferences, site inspections, permit termination, and administrative support. Such services are also covered for projects where no NPDES permit, and only an E&SC plan, is required.

104 Applicability of Fee Schedule

A. The fee schedule shall apply whenever the application is submitted, whether voluntarily or by state or municipal requirement, for an adequacy determination. The fee charged will cover an initial review. The first revision will be subject to a surcharge of 15% of the original service fee. The second and subsequent revisions will be subject to a surcharge of 30% of the original service fee. Significant changes made during the technical review may be subject to an increased resubmission fee.

B. Major and minor amendments to NPDES permits will be subject to a charge of 25% of the current LCCD Service Fee Schedule. If it is determined that the revisions are substantial, a full review fee will be charged. Major and minor amendments do not include permit time extensions; for permit extensions a separate renewal fee is required; refer to Section 104 D. Additionally, any amendments that expand the NPDES permit boundary will be subject to a charge of 100% of the new area. Amendments to residential subdivisions that are limited to a single lot are subject to single lot NPDES residential fee.



C. Renewal fees for NPDES Permitted projects that do not meet the current State erosion and sediment control and post-construction stormwater management requirements, or where changes have been made, will be 50% of the current LCCD Service Fee.

D. Renewal fees for NPDES Permitted projects where there are no revisions to the approved erosion and sediment control and/or post-construction stormwater management plans, the fee will be the NPDES permit filing fee and the LCCD service fee based on the current LCCD Service Fee Schedule. If applying for a major amendment and also a permit renewal at the same time, the NPDES permit filing fee must only be paid once.

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. All Corrective Action Plans (CAP) should follow the current NPDES LCCD Service Fee Schedule for 'NPDES Permit Projects.'

105 NPDES Permit Boundary Delineation and Limits of Disturbance

The NPDES Boundary (Project Site Area) can encompass the entire parcel or a portion thereof, but should include all E&S and PCSM BMPs; reference DEP permit guidance for additional clarification. All earth disturbance activities should be shown and quantified as within the limits of disturbance. Be sure to include areas designated as temporary grading, new facilities/structures, stockpiles, laydown areas, land cover changes, site access areas and erosion control measures, etc. Offsite work such as that for utility line installation, waste and borrow areas, and construction staging areas shall also be included in the total NPDES Permit Boundary and limits of disturbance.

106 Administrative Procedures

A. The applicant shall submit checks in accordance with Section 110 below, as well as submission documents consistent with the LCCD Electronic Submission Policy, including an LCCD Application.

B. If the NPDES application package is insufficient to perform a completeness review, the submission will not be formally accepted. Non-NPDES submissions for E&SC review must include an LCCD Application, E&S Plans and Narrative.

C. The Lehigh County Conservation District will accept the application only when all necessary information, completed forms and fees have been supplied. Plans or NPDES applications received by the District office **after 3:00 P.M.** will be considered 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 re-accepted for review. If an applicant wishes to withdraw a review application, a request to do so must be made in writing to the District office. Submitted fees will not be refunded.

D. Resubmission of E&SC/PCSM plans in response to a District review letter must address the reviewer's comments in a letter, item for item.

E. Extension requests for resubmission of administrative incomplete materials and/or technical incomplete materials can be made via email to the District prior to the re-submittal date. The applicant will be granted no more than one (1) 30-day extension during the NPDES permitting process for the completeness review and no more than one (1) 30-day extension during the NPDES permitting process for the technical review, unless otherwise approved by the DEP.

107 LCCD Service Fee Schedule

As authorized by Act 217 - The Conservation District Law, the Lehigh 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 submission items. All LCCD Service fees for NPDES projects should be based off of NPDES (Project Site) Boundary area.

A. Residential; Industrial; Commercial

NPDES Permit Projects					
Project Type	Initial Fee	1st Revision (15%)	Additional Revisions (30%)	Renewals without changes, or Plan Amendments (25%)	Renewals with changes, or Amendment/Renewals (50%)
Single Residential Lot ¹	\$3,125.00	\$468.75	\$937.50	\$781.25	\$1,562.50
0-0.99 acres ²	\$3,671.00	\$550.65	\$1,101.30	\$917.75	\$1,835.50
1-4.99 acres	\$6,853.00	\$1,027.95	\$2,055.90	\$1,713.25	\$3,426.50
5-9.99 acres	\$12,135.00	\$1,820.25	\$3,640.50	\$3,033.75	\$6,067.50
10-14.99 acres	\$13,754.00	\$2,063.10	\$4,126.20	\$3,438.50	\$6,877.00
15-19.99, acres	\$17,710.00	\$2,656.50	\$5,313.00	\$4,427.50	\$8,855.00
20-25.0 acres	\$21,574.00	\$3,236.10	\$6,472.20	\$5,393.50	\$10,787.00
Over 25.0 acres	\$21,574.00 + \$200.00/acre ³	Variable	Variable	Variable	Variable
Non- NPDES ⁴					
0-0.99 acres Non-Residential	\$1,843.00	\$276.45	\$552.90	\$460.75	\$921.50
0-0.99 acres Residential	\$625.00	\$93.75	\$187.50	\$156.25	\$312.50
0-0.99 acres Stockpile sites / Offsite Support Areas	\$625.00	\$93.75	\$187.50	\$156.25	\$312.50

¹ Single residential lots where the shared subdivision infrastructure (roads, stormwater and other utilities, etc.) has been constructed but an NPDES permit is required, or a standalone residential lot that is not part of a subdivision but disturbance exceeds 1 acre

² Non-residential lots less than 1 acre but part of a common plan of development, and an NPDES permit is required

³ For each acre over 25, rounded up to the next whole acre

⁴ Projects which are not part of a common plan of development, and do not require NPDES permit coverage (0 to 0.99 disturbed acres)

B. Timber Harvesting	<u>Number of Acres</u>	<u>General Fee</u>
	0- 24.99	\$500.00
	25- 49.99	\$1000.00
	50-249.99	\$1250.00
	250 and above	\$1250.00 + 4.30/acre or fraction thereof over 249.99 acres

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

1) Chapter 105 General Permits	\$750.00
2) Joint Permit and Small Project Applications	\$750.00
3) Pond or lake construction/rehabilitation	\$750.00

Note: 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 107 A or B. Examples: (1) Public road bridges will be charged by NPDES permit boundary 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.

D. The above fees for plan reviews will be charged separate from, and in addition to, the filing fees for the NPDES permits required for the discharge of stormwater from construction activities.

108 Adjustment of Fees

In accordance with 25 Pa. Code § 102.6(b)(4), any federal or state agency or independent state commission that provides funding for program administration by DEP through the terms and conditions of a mutual agreement may be exempt from the application fees identified above. At this time, DEP, EPA, the Pennsylvania Fish and Boat Commission (PFBC), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Department of Transportation (PennDOT) are agencies that meet this requirement. DEP, EPA, PFBC, DCNR, and PennDOT are exempt from the District Service Chapter 102 Plan Review fee, NPDES Permit Application fee, and the Disturbed Acreage Fee. These agencies must be the applicant and sign the District Application for fees to be waived.

In cases where the proposed earth disturbance acreage is less than 30% of the total NPDES permit boundary acreage, the applicant may request that the fees be based on earth disturbed acreage rather than total NPDES permit boundary acreage. Prior to Application submittal, the applicant shall 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 NPDES permit boundary acreage. District staff will then give written notice of whether or not the review fee is on a disturbed acreage basis.

109 Expedited Reviews

A separate and additional fee equal to one and one-half (1.5) times that of the LCCD service fee will be charged. The one and one-half (1.5) additional fee will apply only to projects under an NPDES application and that includes a Post Construction Stormwater Management review. Projects that are not associated with an NPDES permit shall be charged a separate and additional fee equal to three (3) times that of the normal service fee. See also separate LCCD Expedited Review Policy revised April 13, 2023.

110 Summary of fees

For NPDES permit applications, the following fees are required:

Fee Type:	Fee:	Make check payable to:
NPDES Filing Fee*	\$500 for General Permits, \$1500 for Individual Permits	LCCD/Clean Water Fund
LCCD Service Fee	Based on NPDES boundary, reference Section 107 A-C	LCCD
Disturbed Acreage Fee	\$100 per disturbed acre (rounded up or down to nearest acre)	Commonwealth of Pennsylvania/Clean Water Fund

*Permit filing fees are required for new permit applications, major amendments, and renewals.

For non-NPDES applications, the following fees are required:

Fee Type:	Fee:	Make check payable to:
LCCD Service Fee	Based on project type, reference Section 107 A-C	LCCD



111 Approval

Be it resolved this **13th day of November, 2008**, that the Lehigh County Conservation District does hereby agree to charge the above fees for the review of all erosion and sediment control plans as authorized by the Commonwealth of Pennsylvania Act Number 217 approved May 15, 1945, in accordance with above schedule of charges. **This resolution repeals and replaces all previous Erosion and Sediment Control Plan Review Fee Resolutions.**

Section 107 – Fee Schedule revised December 11, 2008, effective January 1, 2009.

Section 107 – Revised May 14, 2009, Sections 104, 106 and 107 – February 10, 2011.

Section 103, 104, 106 and 107 – Revised December 7, 2011, effective January 1, 2012.

Section 107 – Fee Schedule revised July 10, 2014, effective September 1, 2014.

Section 107 – Fee Schedule revised December 11, 2014, effective December 16, 2014.

Sections 104, 106, 107, 109, and 110 revised 2/8/2018, effective 4/2/2018.

Sections 102 – 110 revised 2/8/2024, effective 3/1/2024.