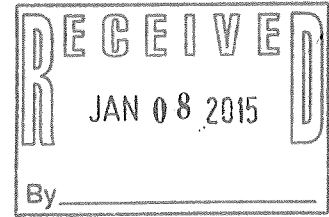


COUNTY CLERK
GOVERNMENT CENTER BUILDING
201 WEST FRONT STREET
MEDIA, PENNSYLVANIA 19063



Phone: (610) 891-4260

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INTEROFFICE MEMO

ANNE M. COOGAN
COUNTY CLERK

TO: Edward M. Magargee
Soil & Water Conservation

FROM:

Anne M. Coogan
County Clerk

DATE: January 8, 2015

County Council approved, at their regular meeting held January 7, 2015, of Resolution 2015-1 approving a Revised Fee Schedule for the Soil & Water Conservation District.

Attached is your copy of the executed Resolution 2015-1. If you have any questions, please do not hesitate to contact me.

cc: File

Resolution 2015-7

REQUEST FOR AGENDA ACTION

Q. Q. Gill
Solicitor Signature/ Date

Date: 12/17/14

Prepared By: (Dept.) Soil & Water Conservation

Person: Edward M. Magargee

Reviewed By (Dept.) _____

Person: _____

Description of Action Taken:

Approval of Resolution, approving a Revised Schedule for the Soil & Water & Conservation District.

Expense Budget Line Item Account N/A

Total Available Budget Balance N/A

Estimated or Actual Cost of this Request N/A

Founding Source:

County Revenue _____

Other Revenue _____

Indicate Source _____

Is This a Renewal of a prior year Expenditures for similar goods and/or services Yes _____
No _____

If Yes, give comparable prior year cost _____

Additional Comments:

The revisions represents approximately 30% increase over the fees that were last revised at the end of 2010. These fees have been prepared to comply with policy developed by the Pennsylvania - State Conservation Commission which provides oversight of our delegation authority with the Pennsylvania Department of Environmental Protection to charge and collect such fees.

Dept. Head Signature Edward M. Magargee

Approved 1/7/15
Stem #10
Anne M. Coogan

COUNTY OF DELAWARE, PENNSYLVANIA

RESOLUTION NO. 2015 - 1

A RESOLUTION OF THE COUNTY OF DELAWARE, PENNSYLVANIA, PROVIDING SPECIFIC INCREASES IN THE EROSION AND SEDIMENT POLLUTION CONTROL FEE FOR SERVICES SCHEDULE FOR THE DELAWARE COUNTY CONSERVATION DISTRICT.

IT IS HEREBY ENACTED by the County Council of Delaware County, Pennsylvania, that the following is the fee schedule for the DELAWARE COUNTY CONSERVATION DISTRICT:

§100 Title

This resolution may be cited as the Delaware County Fee Schedule for Erosion and Sediment Pollution Control Services.

§101 Authority

The Delaware County Conservation District by authority of Act 217 of 1945 Conservation District Law, as amended by Act 221 of 1984, hereby adopts the Delaware County Fee Schedule for Erosion and Sediment Pollution Control Plan Services.

§102 Effective Date

This Resolution shall become effective 30 days from approval and shall remain in effect until modified, amended, or rescinded by the Delaware County Conservation District Board.

§103 Intent

The purpose of this fee schedule is to help defray the costs incurred by the Delaware County Conservation District in its delegated authority of the State's Erosion and Sediment Control Program in accordance with Chapter 102 Erosion Control, rules and regulations of the Department of Environmental Protection.

§104 Waiver of Fees

Fees will be waived only for an application filed under the name of a local municipality or the Commonwealth of Pennsylvania. School District and separate authorities are no longer exempt. On minimum earth disturbing activities, or projects developed for environmental remediation the District Manager, Delaware County Conservation District has the ability to waive fees on a case-by-case basis, or charge the minimum \$150.00 fee.

§105 Project Area Delineation

The entire parcel controlled by the Developer will represent the project area. Open space areas are to be estimating the necessary area to build the new improvements. Example : A college campus proposing to add a new dormitory. The project area would not be the entire college campus, but only the area needed to construct the new dormitory.

§106 Applicability of Fee Schedule

A. The fee schedule below will apply whenever the application and Erosion and Sediment Pollution Control Plan are submitted for an adequacy determination. Each resubmission of a different project on the same tract of land will be charged an additional fee.

B. As of Nov. 1, 1995 the fee charged will cover the cost of an initial review plus one follow-up revision submitted in response to the first review letter (if necessary). To qualify for this provision, a cover letter based on the review letter, which details specifically the corrections made, must be included with the resubmitted plan. All changes (revisions) made on the resubmitted plan sets will be distinguished by using highlighting.

C. Plans which receive a letter of adequacy, and are resubmitted with minor revisions will be subject to a \$150.00 processing fee only.

D. Plans which require more than a second review, and have more than minor review comments will be subject to a review fee of 50% of the current fee. The Conservation District plan reviewer will notify the applicant of the need for additional fees in the second review letter.

E. Plans which are resubmitted with major revisions (such as lot layout, road layout, drainage design, etc.), but primary Erosion and Sediment Control BMP's remain unchanged shall be subject to a review fee of 50% of the original fee.

§107 Administered Procedures

A. The applicant shall submit a check or money order payable to the Delaware County Conservation District, a complete set of Erosion and Sediment Pollution Control Plans, and one copy of the review application form. All sites that require an NPDES Permit must submit an entire complete permit package. Once an administrative review (15 business days) is conducted of the application and it is found to be complete the Erosion and Sediment Control plan review clock will begin.

B. The Delaware County Conservation District will accept the application when all the necessary information and fees have been supplied. The review time for projects that do not require an NPDES Construction Permit will be 45 days under normal circumstances. The review time for NPDES permitted plans will be 22 business days for the first technical review.

§108 Emergency Review Provision

A. The Conservation District realizes that in certain circumstances an applicant cannot afford to wait the require review period. The applicant will pay a fee twice the normal review fee. The applicant will submit two checks. The normal fee will be deposited in the Delaware County General Fund. The additional charge will be deposited in the Conservation District's Affiliate Membership Fund. Prior approval from the Conservation District Manager must be obtained to start this process. Five to ten days (Calendar Days) will be the review time for the first submittals. For projects that require an NPDES Construction Permit the emergency review process will remain available, but will not be initiated until a complete permit package is submitted and found administratively complete.

B. The emergency review fee like the normal review fee will cover the cost of an initial review plus one follow-up revision submitted in response to the first review letter (if necessary).

C. The emergency review may be initiated after the conservation district's first review with the submission of a fee equal to 50% of the original review fee. This procedure is subject to all of the provisions of the standard review. This provision does not apply to those plans, which upon initial review are found to be either incomplete or insufficient. For those plans initiation of the emergency review process will require submittal of a fee equal to the total amount of the original review fee. To qualify for this provision the procedures as outlined in as outlined in as outlined in §106, §§B. above must be followed.

§109 Fee Schedule

The following fees will be charged by the Delaware County Conservation District for Erosion and Sediment Pollution Control Plan Reviews as authorized by Act 217 - The Conservation District Law. Applications cannot be accepted for review without the appropriate fee, completed application form, and required number of plan sets.

Project Area Acreage	General Fee
0 - 0.99	\$ 490.00
1 - 4.99	\$ 780.00
5 - 9.99	\$ 1,120.00
10 - 19.99	\$ 1,510.00
20 - 29.99	\$ 1,705.00
30 - 39.99	\$ 2,050.00
40 - 49.99	\$ 2,240.00
50 - 74.99	\$ 2,730.00
75 - 99.99	\$ 3,215.00
100 – Plus	\$ 3,215.00
\$20.00 per acre over 100 ac.	

*\$150.00 will be charged to review a minimum earth disturbance activity such as: one residential unit, encroachment E&S Pollution Control Plan not associated with other construction and low hazard activities.

Chapter 105 Permit Applications – Will require a separate erosion and sediment control plan, and a \$150.00 fee unless the application is a part of a larger plan being reviewed by the Conservation District. Applications that do not include an erosion and sediment control plan will be considered incomplete.

Timber Harvesting Projects will be subject to a fee that is based on the following: Only 10% of the entire timber sale area will be considered the project area. The fee would then be based on this calculated 10% of the project, or \$150.00 whichever is greater. Example a 42 acre timber harvest fee would be 10% of 42 acres or 4.2 acres which equals \$780.00.

§110 Other Service Fees

Meeting to Discuss Conservation Review Letters:

If the Design Engineer wishes to schedule a meeting with the Conservation District to obtain assistance in addressing a review letter a standard fee of \$100.00 will be required at the time of the meeting. This fee will not apply if the Conservation District plan reviewer suggests the meeting.


Administrative Hearing Meeting held at the Conservation District Office:

The Conservation District will request as part our cost recovery process a fee of \$100.00 for scheduling of meeting facilities.

§111 Repeal

Delaware County Conservation District Resolution, adopted the 21st day of December, 2010, is hereby rescinded.

ENACTED AND ORDAINED by County Council of the County of Delaware, Pennsylvania, this 7 day of JANUARY, 2015.


MARIO J. CIVERA, JR., Chairman

ATTEST:


ANNE M. COOGAN, County Clerk