

Lancaster County Conservation District
Erosion & Sedimentation Committee Meeting Minutes
Thursday, October 27, 2022
1:30 P.M. – 3:00 P.M.
LCCD Upstairs Conference Room and virtually via Zoom

Attendees: Jay Snyder, Greg Strausser, Eric Hout, Adam Stern, Ryan Riebling, Chris Thompson

1:30 PM Meeting Called to Order

1. E&S Management Team

Adam Stern reviewed the E&S Management Team Division of Duties document. The E&S Management Team now consists of 2 Managers (Program Manager & Technical Manager). The document outlines tasks and responsibilities assigned to each position. (see attached)

2. E&S Department staffing & current workload

Adam Stern provided an overview of the current workload of the E&S Department Staff. Discussion occurred concerning future plans for “territory” coverage amongst the staff and timelines for continued training of new staff members.

3. Florin Hill update

Eric Hout provided an overview of the continued enforcement activities involving the project site.

4. Revised LCCD Application & Fee Schedule

Adam Stern and Eric Hout reviewed the updated draft of the LCCD Application and Fee Schedule. Two copies are attached (one includes the red line edits and one is the current draft with all edits incorporated). The Committee discussed the proposed changes and recommends sending the final draft to the LCCD Board of Directors for review at the November 3, 2022 meeting and board action at the December 7, 2022 meeting.

3:00 PM Meeting Adjourned

E&S Management Team

This list will serve as an outline for how specific day to day tasks and responsibilities should be shared between the E&S Program Manager and the E&S Technical Manager. Items on the list are presented in no particular order. Tasks and responsibilities not covered by this list will be addressed on a case by case basis. The management structure is designed to be a collaborative approach between the Program Manager and Technical Manager. The two managers will be in regular communication and will provide additional insight and input to each other for items identified below that require both programmatic and technical expertise.

E&S Program Manager

The E&S Program Manager is tasked with overseeing the programmatic and administrative operations of the department. They provide “big-picture” oversight of the operational aspects of the team.

- Payroll review
- Time off requests
- Takes lead on staff evaluations
- Operations team meetings
- Point of contact for administration/staff on operational items
- Ensure program supplies and technology needs for department/staff are fulfilled
- Municipal assignments and staff workload evaluation
- Quarterly reporting
- Annual report
- Fee schedule updates
- Lead and prepare agendas for E&S team meetings
- Prepare agendas and coordinate E&S Committee meetings
- Provide report at monthly board meetings
- Annual outreach requirements e.g. workshops, lunch and learns (program/logistics)
- MOU updates/fulfillment
- Takes lead on hiring new staff
- Updates to PK
- Update “Attachment B’s” for DEP
- Verify adequacy of submitted fees, make decisions on the adequacy of fees that don’t fit neatly into the fee schedule
- Distributes received complaints to E&S staff
- Training new staff (program/administrative)
- “Cross trainings” with other LCCD departments (program/administrative)
- Develop annual department budget
- Coordinate department response to legislative inquiries, press inquiries, and other general inquiries (Technical Manager/other team members will be consulted for further information)
- Responsibilities overseen by Program Manager with potential for delegation to a lead technician or other team member
 - Vehicle maintenance/fleet management
 - IT support (dependent on department representation on IT Committee)
 - Website updates and administration
 - Newsletters (dependent on department representation on Communications Committee)

E&S Technical Manager

The E&S Technical Manager is tasked with overseeing the technical operations of the department. They provide the primary technical expertise needed for the day to day administration of regulatory programs administered by the team.

- Point of contact for DEP on technical/permitting questions
- Determinations regarding necessity of DEP Technical Review
- Sign fact sheets & decides whether to authorize permits
- Decides whether or not to withdraw permit applications
- Evaluate enforcement potential of a site
- Receives permit authorization documents from DEP – distributes to staff as needed
- Responding to the requests of “walk-ins” or phone calls for technical assistance
- Serve as primary support for staff needing technical guidance on inspections, plan reviews, or permit decisions
- Annual outreach requirements e.g. workshops, lunch and learns (technical)
- Training new staff (technical)
- “Cross trainings” with other LCCD departments (technical)



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Official Use Only	
LCCD File # _____	
Date Rec'd _____	
LCCD Fee \$ _____	Check # _____
LCCD CWF Fee \$ _____	Check # _____

E&S Control Plan / Chapter 102 Permit Review Application and Fee Schedule

I. PROJECT INFORMATION

Proposed Project Name / Project Description		Municipality
Physical Address of Proposed Project		Current Permit # (if applicable)
Project Acreage	Disturbed Acreage	Name of Stream: _____ Chapter 93 Classification: _____

II. APPLICANT / CONSULTANT INFORMATION

Name of Applicant	E-Mail Address	Phone ()
Mailing Address / City / State / Zip		
Name of Plan Preparer	Email Address	Phone ()
Company Name	Mailing Address / City / State / Zip	

III. FEES (See Current Fee Schedules on Page 2)

LCCD FEES FOR PLAN REVIEW SERVICES

Detached, Single Family Residential	# of Dwelling Units <i>(Owned and/or Rented)</i>	Fee \$
Commercial / Multi-Family Residential / Industrial / Agricultural / Other (Includes Oil & Gas)	# of Disturbed Acres _____ (Rounded to the Nearest Whole Acre)	Fee \$
Timber Harvest Projects & Road Maintenance Activities	# of Disturbed Acres _____ (Rounded to the Nearest Whole Acre)	Fee \$
Borrow / Disposal Site	# of Disturbed Acres _____ Distance from Parent Project _____	Fee \$
Chapter 105 General Permit E&S Plan (Not Associated with a Larger Common Plan of Development)	Fee Required - \$100	Fee \$
TOTAL LCCD REVIEW FEE	Make check payable to: "LCCD"	Total Fee \$

CHAPTER 102 PERMIT FEES

NPDES / E&SC PERMIT / ESCGP-3 FILING FEE <input type="checkbox"/> \$1,500 – Individual NPDES or E&S Permit <input type="checkbox"/> \$500 – General (PAG-01 or PAG-02) NPDES or ESCGP-3 Permit Make check payable to: "LCCD Clean Water Fund"	NPDES / E&SC PERMIT / ESCGP-3 DISTURBED ACREAGE FEE # of Disturbed Acres _____ x \$100/Acre Fee \$ _____ (Disturbed Acres rounded to nearest whole acre) Make check payable to: "Commonwealth of Pennsylvania Clean Water Fund"
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A completed copy of this review application and all appropriate fees **MUST** accompany **ALL E&S Plans and/or Chapter 105 General Permit (GP) Applications** submitted to LCCD for both review and approval. Members of LCCD, Board of Directors and staff, are authorized to enter the project site for site inspection, as necessary.

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT _____ DATE _____

(Revised 4/4/2024 1/1/2023)

**LANCASTER COUNTY CONSERVATION DISTRICT
E & S CONTROL PLAN REVIEW / INSPECTION FEE SCHEDULE**

RESIDENTIAL – DETACHED SINGLE FAMILY

(Number of Dwelling Units, Owned and/or Rented Detached, Single Family Dwelling Units)

1 UNIT (< 1 Acre Disturbed)	\$ 600
1 UNIT (> or = 1 Acre Disturbed) - 25 UNITS	\$ 600 + \$ 250 per Dwelling Unit
26 OR MORE UNITS	\$ 6,850+ [(# of Dwelling Units – 25) x \$ 200]

COMMERCIAL / MULTIFAMILY RESIDENTIAL / INDUSTRIAL / AGRICULTURAL / OTHER (Includes Oil & Gas)

(Number of Disturbed Acres Rounded to the Nearest Whole Acre)

< 1 ACRE	\$ 800
1 – 4.49 ACRES	\$ 1,000 + (# of Disturbed Acres x \$ 300)
= or > 5 ACRES	\$ 2,500 + [(# of Disturbed Acres - 5) x \$ 250]

TIMBER HARVEST PROJECTS & ROAD MAINTENANCE PROJECTS ACTIVITIES

(Number of Disturbed Acres Rounded to the Nearest Whole Acre)

< 25 ACRES	\$ 500 \$ 700
= or > 25 ACRES	** Fee based on the Commercial/Multi-Family/Industrial/Agricultural/Other Fee Schedule (Above)

BORROW / DISPOSAL SITE

(Based on both Number of Disturbed Acres Rounded to the Nearest Whole Acre and Distance from the Parent Project)

< 1 ACRE DISTURBED and > ¼ MILE FROM PARENT PROJECT:	\$ 500 \$ 600
= or > 1 ACRE DISTURBED and > ¼ MILE FROM PARENT PROJECT:	** Fee based on the Commercial/Multi-Family/Industrial/Agricultural/Other Fee Schedule (Above)
EXISTING CHAPTER 102 PERMIT and = or < ¼ MILE FROM PERMIT BOUNDARY:	** Refer to item “d” within “Guidelines” section below. Contact LCGD for Both Permit Amendment Requirements and Applicable Fees

NOTES:

CHAPTER 102

1. For all fees based on the proposed number of Disturbed Acres, the acreage shall be rounded to the nearest whole acre.
2. Detached Single Family homes subject to the “Residential” category are generally intended to house one family unit and are considered to be free-standing building units each with one front, one rear, and two side yards. Where the dwelling is located on a corner lot, the dwelling may have one front, one rear, and one side yard. Manufactured, modular, and tiny homes may be considered as detached single family homes.
3. Examples of multi-family residential structures subject to the “Commercial/Multi-Family Residential” fee category include townhomes/row houses, condominiums, duplexes/twin homes, apartment buildings, and other semi-detached dwelling units.
4. For all Timber Harvest Projects and Road Maintenance Projects, the Fee Schedule is, as follows:
 - a. Where the proposed number of Disturbed Acres is less than (<) 25 acres, the fee is \$500.
 - b. Where the proposed number of Disturbed Acres is either equal to (=) or greater than (>) 25 acres, the fee will be based on the Commercial/Multi-Family Residential/Industrial/Other Fee Schedule.
5. For projects proposing both single-family detached homes and commercial or multi-family structures, the applicant or consultant will be required to submit a schematic of the project site which delineates the areas of the site being proposed for the “detached, single family” use and the areas being considered for the “commercial/multi-family” use along with a proposed fee. Based on the schematic, LCCD staff will determine whether the proposed fee is adequate.
6. As a condition of 25 PA Code, Chapter 105, an E&S Plan review is required for all General Permits (GPs). In addition to the appropriate Chapter 105 GP fee(s), a separate A fee of \$100 will be charged for LCCD to review and approve the respective E&S Plan associated with a GP, unless the GP(s) is submitted as part of a larger common plan of development. LCCD will review E&S plans associated with all GP’s except for GP-11 registrations, for which E&S plans are submitted directly to the DEP. Please be advised that the \$100 fee is separate from the appropriate Chapter 105 GP fee(s), and The \$100 fee shall be made payable to “LCCD.”
7. For E&S plans associated with Chapter 105 small projects or individual permits, waivers, or environmental assessments, the LCCD review fee will be based on the appropriate project type category identified above.
8. For a Corrective Action Plan (CAP), the fee will be based on the Commercial / Industrial / Agricultural / Other Fee Schedule. If the CAP will be submitted as an amendment to an Existing Chapter 102 Permit, then contact LCCD for both Permit Amendment Requirements and applicable fees.

9. Through an executed Memorandum of Understanding (MOU), the PA Turnpike Commission has agreed to pay \$150 per Disturbed Acre (rounded to the nearest whole acre) for any E&S Plans submitted for both review and approval.
10. An independent State Commission, State Agency, and / or Federal Agency which provides funding for Chapter 102 program administration by PA DEP through the terms and conditions of a mutual agreement may be exempt from all applicable fees.

CHAPTER 105

- ~~1. A completed DEP Chapter 105 Fee Calculation Worksheet shall accompany all Chapter 105 General Permit (GP) applications.~~
- ~~2. Exemption from the appropriate Chapter 105 GP fee(s) will be based on the definition of a "political subdivision".~~
- ~~3. For a Timber Harvest Project where a Chapter 105 General Permit 8 (GP-8—Temporary Road Crossings) is required, the appropriate Chapter 105 GP fee(s) will be in addition to the Chapter 102 fee.~~

Lancaster County Conservation District
 Summary of E&S Plan Review Fee requirement for "OTHER"
 category of earth disturbance activities

Category	E&S Plan Review Fee required?	
	Y = yes	N = no
Chapter 105 Environmental Assessment (Waiver 11 & Waiver 16)		Y
Chapter 105 Small Projects or Individual Permit		Y
Community Fairgrounds		Y
Community Recreation Centers		Y
Growing Greener Grant Funded Projects (319)		Y
Hospitals		Y
Independent Borrow / Disposal Site		Y
Lancaster County Library System		Y
Lancaster County Public Agency / Authority Projects		Y
Local Municipal Projects		Y
Oil & Gas Projects		Y
Places of Worship & Religious Facilities		Y
Police, Fire, & EMS Stations		Y
Ponds, Dams, & Impoundments		Y
Private Non-Profit Organizations		Y
Private Schools		Y
Public Parks		Y
Public Schools & School Districts		Y
Rails-To-Trails Projects		Y
Sewer & Water Authority Projects		Y
Utility Projects		Y

GUIDELINES

- a. For all Chapter 102 Permit applications, LCCD will make every effort to conform to the time frames for review, as noted in both PA DEP's Permit Review Process and Permit Decision Guarantee Policy and the respective Standard Operating Procedure (SOP).
- b. For all Chapter 102 non-permitted projects, LCCD will make every effort to review such projects within thirty (30) days from the date of receipt.
- c. The E&S Control Plan Review / Inspection fee includes a pre-application meeting(s), a completeness review(s), one (1) initial technical review, one (1) resubmission technical review, a pre-construction meeting(s), all field meetings, all site / complaint inspections, and all tasks delegated to LCCD relative to Chapter 102 Permit termination. If the E&S Control Plan is deemed significantly inadequate upon completion of the resubmission technical review, then the subsequent resubmission will be subject to an additional charge of 50% of the original E&S Control Plan Review / Inspection fee.
- d. For an existing Chapter 102 Permit, Field Changes, Minor Amendments, and Major Amendments will be both reviewed and approved in accordance with PA DEP's Chapter 102 Permit Amendments Frequently Asked Questions (FAQ) document. ~~Contact LCCD for both Chapter 102 Permit Amendment requirements and applicable fees. Fees for Major and Minor Amendments are charged as follows:~~
 - Residential Detached Single Family:
 - Where no dwelling units are added and Limits of Disturbance decrease, remain the same, or increase less than one acre: \$600.
 - Where the Limits of Disturbance increase by 1 acre or more but no dwelling units are proposed: Use the appropriate category in the "Commercial" category.
 - Where one or more detached dwelling units are added: Use the appropriate tier and respective formula.
 - Commercial/Multi-Family Residential/Industrial/Agricultural/Other:
 - Where the Limits of Disturbance decrease, remain the same, or increase less than one acre: \$800.
 - Where the Limits of Disturbance increases one acre or more: Use the appropriate tier and respective formula.
 - For example: A project was originally authorized for 10 acres of earth disturbance. The permittee wishes to add an additional 1 acre of earth disturbance. The required review fee is: \$1000 + (1 x \$300) = \$1300.
- e. For a Chapter 102 Permit application which is withdrawn (either voluntarily or involuntarily), all remitted fees will NOT be refunded. If the applicant intends to submit a new Chapter 102 Permit application for the proposed project, then all applicable fees shall be remitted with the new Chapter 102 Permit application.
- f. For a Chapter 102 non-permitted project which is deemed inadequate, the applicant will have one (1) year from the date of the Technical Deficiency Letter to resubmit a revised E&S Control Plan which addresses all noted technical deficiencies. If the applicant fails to resubmit the revised E&S Control Plan within one (1) year from the date of the Technical Deficiency Letter, then LCCD will involuntarily withdraw said project, and all remitted fees will NOT be refunded. If the applicant intends to submit said project after being involuntarily withdrawn, then the applicable fee shall be remitted with a new E&S Control Plan / Chapter 102 Permit ~~/Chapter 105 Permit Review Application.~~
- g. Should the proposed limits of disturbance or number of detached dwelling units decrease while an application is under review, LCCD will not provide a partial refund of any previously submitted fees.
- h. LCCD will make every effort to implement this fee schedule fairly and consistently across all applications submitted for review. However, LCCD staff and Board of Directors reserve the right to deviate from the dollar amounts and guidance presented in this document should site-specific circumstances warrant.



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Official Use Only	
LCCD File # _____	
Date Rec'd _____	
LCCD Fee \$ _____	Check # _____
LCCD CWF Fee \$ _____	Check # _____

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Proposed Project Name / Project Description		Municipality
Physical Address of Proposed Project		Current Permit # (if applicable)
Project Acreage	Disturbed Acreage	Name of Stream: _____ Chapter 93 Classification: _____

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Timber Harvest Projects & Road Maintenance Activities	# of Disturbed Acres _____ (Rounded to the Nearest Whole Acre)	Fee \$ _____
Borrow / Disposal Site	# of Disturbed Acres _____ Distance from Parent Project _____	Fee \$ _____
Chapter 105 General Permit E&S Plan (Not Associated with a Larger Common Plan of Development)	Fee Required - \$100	Fee \$ _____
TOTAL LCCD REVIEW FEE	Make check payable to: "LCCD"	Total Fee \$ _____

CHAPTER 102 PERMIT FEES

NPDES / E&SC PERMIT / ESCGP-3 FILING FEE <input type="checkbox"/> \$1,500 – Individual NPDES or E&S Permit <input type="checkbox"/> \$500 – General (PAG-01 or PAG-02) NPDES or ESCGP-3 Permit Make check payable to: "LCCD Clean Water Fund"	NPDES / E&SC PERMIT / ESCGP-3 DISTURBED ACREAGE FEE # of Disturbed Acres _____ x \$100/Acre Fee \$ _____ (Disturbed Acres rounded to nearest whole acre) Make check payable to: "Commonwealth of Pennsylvania Clean Water Fund"
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A completed copy of this review application and all appropriate fees **MUST** accompany **ALL E&S** Plans submitted to LCCD for both review and approval. Members of LCCD, Board of Directors and staff, are authorized to enter the project site for site inspection, as necessary.

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT _____ DATE _____

(Revised 1/1/2023)

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E & S CONTROL PLAN REVIEW / INSPECTION FEE SCHEDULE**

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(Number of Detached, Single Family Dwelling Units)

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TIMBER HARVEST PROJECTS & ROAD MAINTENANCE ACTIVITIES

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Oil & Gas Projects		Y
Places of Worship & Religious Facilities		Y
Police, Fire, & EMS Stations		Y
Ponds, Dams, & Impoundments		Y
Private Non-Profit Organizations		Y
Private Schools		Y
Public Parks		Y
Public Schools & School Districts		Y
Rails-To-Trails Projects		Y
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