**Pike County Soil & Water Conservation District**

**Storm Water Plan Review Policy**

1. **Authority & Applicability** 
   1. Jarod Bradfield is delegated by authority to review the county’s Construction Stormwater General Permit Stormwater Pollution Prevention Plans (SWP3) (formerly Rule 5) plans by the Pike County SWCD Board of Supervisors.
   2. Soil & Water Conservation Districts may charge fees for SWP3 reviews as authorized by Indiana Code 14-32 of the SWCD Law.
   3. Fees shall apply to all SWP3 plans that are submitted to the SWCD requesting CSGP adequacy except as noted within.
   4. Effective date: June 7th, 2022
2. **Fees** (please see review & inspection fee sheet for prices)
   1. Applications will not be accepted for review without the appropriate fee.
   2. The SWCD fee will not be reduced by the IDEM permit filing fee.
   3. The applicant will submit a check or money order (cash not accepted) made payable to the Pike County SWCD and will submit this fee with the completed application form and project plans. Plans will not be reviewed unless all components are submitted.
   4. The SWCD fee shall not be combined with any other municipal or county fee. The SWCD will send a receipt for the fee that is submitted.
   5. If the plan, check or application is incomplete, the applicant will be notified. If a check is returned for insufficient funds, the plan will not be reviewed.
   6. Plan reviews by the district will remain valid for two years from the approval letter date. Failure to initiate earthmoving activities within this time will invalidate this review.
   7. A site requiring an SWCD review may not begin earthmoving activities until the SWPPP has been approved by the District’s Contractor and exactly 48 hours from the time the NOI is submitted to the Indiana Department of Environmental Management.
   8. Prior to plan approval, a preconstruction meeting will be required to be held with SWPPP Reviewer, Plan Designer and Project Owner to discuss SWPPP submittal, project schedule and inspections.
   9. FEES ARE NON-REFUNDABLE.
3. **Fee Adjustments**
   1. 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 district. When a site disturbance occurs that is not an agricultural practice such as earth disturbance for large building, the review and inspection fee for the plans would be applicable. (See Appendix A for details)
4. Additional Fees
   1. One fee is intended to cover the entire review process except for the following:
      1. Where the applicant or his agent fails to directly address and attempt to resolve concerns expressed by the District after a review of the SWP3, and such actions require the reviewer to conduct more than two plan reviews, a $250.00 fee will be imposed for each submission thereafter.
      2. If the original plan is no longer applicable due to changes in either the plan design or site conditions, it will no longer be valid, and fees will be charged as indicated on the review & inspection fee sheet.
      3. When site construction and final site stabilization are not completed within two years from the date of initial plan review, the district reserves the right to require the submission of a new plan and additional or upgraded controls if SWP3 standards have been revised. Fees will be charged as indicated on the review & inspection fee sheet.
5. **Parceled Projects** 
   1. On parceled projects, the fee is to be submitted with the SWP3 for the total project area that is submitted for review.
   2. Individual parcels shall submit the required individual lot SWP3 and the Construction Stormwater Residential Development Registration Form along with the required fee.
6. **Inspections**
   1. A preliminary inspection will be scheduled with PCSWCD when initial installation of the SWP3 bmp’s are installed.
   2. A final inspection will be scheduled when 70% growth is established and before filing of the Notice of Termination.
   3. Interim inspections may occur.
   4. Inspections will be performed by Mr. Bradfield or IDEM staff.
7. **Governance**
   1. When any portion of this policy conflicts with the current Indiana Construction Stormwater General Permit, the provisions of the Indiana Construction Stormwater General Permit shall govern per State Law.
8. **Change of Project**
   1. Each submission of a different project on the same site shall be considered as a new project and the fees shall be charged accordingly.

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**Pike County Soil & Water Conservation District**

**Storm Water Plan Review & Inspection Fee**

As of December 18, 2021, Indiana no longer administers the construction stormwater program under Indiana Administrative Code (327 IAC 15-5 or Rule 5). Permitting coverage is now issued under the Construction Stormwater General Permit (CSGP). The CSGP is a performance-based regulation designed to reduce pollutants that are associated with construction and/or land-disturbing activities.

**Commercial and Industrial**

The following schedule includes the initial review of plans, preparation of approval or deficient letter, one initial site visit and one termination visit.

**Proposed land disturbance** **Fee\*\***

<5.0 acres $1,000.00

5.1 acres – 10.0 acres $2,000.00

10.1 acres – 20.0 acres $3,000.00

20.1 acres – 30.0 acres $3,600.00

>30.1 acres $3,600.00 + $75 per acre over 30 acres

\*\*An additional fee may be charged to the applicant if inordinate deficiencies are involved.

**Residential**

The following schedule includes the initial review of plans, preparation of approval or deficient letter, one initial site visit and one 70% termination visit for the entire development.

***Proposed Total Land Disturbance*** ***Fee***

1- 3 lots $1,000.00

4-25 lots $2,000.00

26-75 lots $3,000.00

76-150 lots $3,600.00

151 + lots $Fee to be set by SWCD Board.

In addition to the fee above – Per Individual Plat SWP3 & the Construction Stormwater Residential Development Registration Form Submittal for each platted parcel:

Per Plat Parcel $250.00

\*\*An additional fee may be charged to the applicant if inordinate deficiencies are involved.

Clarification of land-disturbing activities and the applicability to obtain permit coverage per IDEM Appendix A to the CSGP.

1. Specific activities will require permit coverage and notice of intent (NOI) based on land disturbance. Other land-disturbing activities will require compliance with conditions of this permit or may allow land-disturbing operations to occur under an existing permit for the overall development. These activities are defined below and apply to:
   1. An individual lot operator of a residential lot within a multi-lot project site with permit coverage is required to:
      1. Develop a lot specific stormwater pollution prevention plan (SWP3). Where site characteristics are similar, one SWP3 may be developed for multiple lots. The SWP3 must be developed in accordance with Section 3.8 and any applicable requirements of a MS4.
      2. Complete a Construction Stormwater Residential Development Registration form certifying their intent to comply with the Construction General Permit and where applicable the MS4 local ordinance. The Construction Stormwater Residential Development Registration certification must:
   2. Include the permittee of the overall residential development contact information, project name, permit number, and signature.
   3. Include the individual lot operator, contact information, and building lot or lots(s), and signature.
   4. Be maintained at each individual building lot.
2. A NOI for the land disturbance on a lot or multiple lots within a project site is not required unless notified by the department that:
   1. The site characteristics dictates the need for separate permit coverage.
   2. A compliance issue has been identified for a specific individual lot operator or lot owner.
   3. The original permittee is no longer available and land-disturbing activities on individual lots necessitate permit coverage.
   4. A single-family residential lot (not part of a multi-lot project) must obtain permit coverage if the projected land disturbance is one (1.0) acre or more.
   5. Off-site construction activities with a projected land disturbance of one (1) acre or more that provide services (for example, road extensions, sewer, water, and other utilities) to a permitted project site when the activity is not under the control of the project site permittee must obtain permit coverage.
   6. Residential strip developments are considered multi-lot projects and are required to obtain permit coverage. To determine applicability of coverage the following options apply.

(A) When improvements are made to the property in preparation for development and the total projected land disturbance for the entire development, including each building lot is one (1) acre or more based on the calculation in Appendix A (a)(c), the individual lot operator must obtain permit coverage. Upon sale of the individual lots, the permittee must notify each individual lot owner and/or individual lot operator of the requirements of this permit specifically Appendix A (1)(A) and (8).

(B) The individual that owns the parcels of platted lots does not make improvements and only sells the lots is not required to obtain permit coverage. Upon sale of the lots, the lot operator of one or more lots must obtain permit coverage and must develop a lot specific stormwater pollution prevention plan (SWP3). Where site characteristics are similar, one SWP3 may be developed for multiple lots. The SWP3 must be developed in accordance with Section 3.8 and any applicable requirements of a MS4.

* 1. Project site access roads and borrow, disposal, and soil stockpile areas that are associated with a permitted project and are located off the permitted site, must utilize the following criteria to determine if permit coverage is required:
     1. When the activities are located off-site and at a site or facility that has an NPDES permit that addresses stormwater run-off, the project site owner does not have to obtain permit coverage.

(B) When the off-site area is associated with an active construction stormwater permit and is owned and/or operated by the permittee, a new construction stormwater general permit is not required, provided the area(s) have been identified in the original construction plans and the acreage has been identified in the notice of intent (NOI).

1. When activities are located at an off-site property and is operated by the contractor, the contractor must obtain permit coverage.
2. When the contractor/project site owner offers for sale or transport to another location or delivers material and does not manipulate and/or place the material as part of an activity to construct or distribute for a specific purpose, the entity or property owner in receipt of the material must obtain permit coverage provided the operation meets the disturbance thresholds of this permit.
3. When the operation is an independent activity for the purpose of selling/providing soil material the activity requires permit coverage provided the operation meets the land disturbance thresholds of this permit.
   1. Land-disturbing activities for the construction of the following agricultural operations must obtain permit coverage:
      1. Barns.
      2. Buildings to house livestock.
      3. Roads associated with infrastructure.
      4. Agricultural waste lagoons and other facilities.
      5. Lakes, ponds and impoundments.
      6. Wetlands constructed voluntarily or as mitigation.
      7. Other infrastructure.
   2. Utility projects that will result in land disturbances equal to or greater than one

(1) acre must obtain permit coverage. Calculation of land disturbance must include an estimation for staging areas, new access roads, and the area necessary to work on a pole or junction.

1. Land disturbance does not include:
   1. Vehicle travel between distinct areas through agricultural land that is in row crop production.
   2. Sections covered by protective mat (timber or synthetic materials) that will be restored to pre-construction land use.
2. For projects that are not required to obtain permit coverage, appropriate storm-water management measures must be implemented on site to protect waters of the state.
   1. Facilities that have an industrial stormwater general permit or an individual permit that includes stormwater requirements must utilize the following criteria to determine if construction stormwater permit coverage is required from the department.
      1. Land disturbances of one (1) acre or more that are planned or projected, require the facility to obtain coverage under this permit.
      2. Land disturbances of less than one (1) acre that are to occur in a twelve­ month period do not require the facility obtain separate coverage under this permit, however the facility is required to modify the facility's industrial stormwater pollution prevention plan prior to land disturbance. The modification to the plan must:
         1. Meet the intent of this permit and address all pollutants, including sediment that is associated with the land disturbance.
         2. Document when land disturbance for each activity is initiated.
3. When incremental land-disturbing activities are planned or occur within the existing facility boundaries identified in the industrial permit for the facility which will cumulatively result in one (1) acre or more disturbance in a twelve (12) month period (the 12 months is based on the first initiation of land disturbance), coverage under this permit will be required in accordance with the following:
   1. When the projected acreage of the incremental disturbance is known prior to initiation of construction, the facility operator is required to obtain permit coverage.
   2. When the projected acreage of the incremental disturbance is not known at the time of the first initiation of land disturbance, the facility operator is required to obtain permit coverage for the final activity that meets or exceeds the one (1) acre threshold regardless of the acreage size.
4. Land disturbance associated with off-road recreational commercial operations require permit coverage for initial land-disturbing activities or expansion of an existing operation of one (1) acre or more. The following provisions apply to these facilities and their operations:
   1. Off-road recreational facilities must maintain all post-construction measures, including sediment control measures that are designed to capture sediment from the final established track layout at the time of termination of permit coverage.
   2. Discharges of sediment or other pollutants once operations commence, may require continued permit coverage or a new permit.
5. Land disturbance on a multi-lot project must be calculated by adding the total area of land disturbance for improvements, such as roads, utilities, or common areas, and the expected total disturbance on each individual lot. The expected land disturbance for an individual lot must be calculated for:
   1. A single-family residential project site where the lot(s) are one-half (0.5) acre or more in total size, as one-half (0.5) acre of land disturbance.
   2. A single-family residential project site where the lot(s) are less than one-half (0.5) acre in size, as the actual lot size.
   3. All other types of project sites, such as industrial and commercial project sites, as a minimum of one (1) acre for all lots regardless of size.

***The Pike County Soil & Water Conservation District will not issue an approval of termination letter until all fees are paid in full.***

Please make checks payable to: Pike County SWCD

Thank you!