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May 31, 2018

To: Interested Parties

From: Keith G. Earley, P.E., P.S., Lucas County Engineer

**Subject: New Soil Erosion and Sedimentation Control Rules, Review and Inspection Fees**

In late 2017, Lucas County's Joint MS4 Permit Program was audited by the Ohio EPA and found to be deficient in the implementation of Construction Site Reviews, Inspections, and Enforcement. It was determined that Lucas County did not have adequate soil erosion and sedimentation control rules in place, nor were adequate enforcement procedures in place.

In response to this audit, the Lucas County Engineer's Office (LCEO) drafted a set of soil erosion and sedimentation control rules. These rules are similar in structure to the Ohio EPA Construction General Permit as well as surrounding communities, including Wood County. The Lucas County Commissioners passed a resolution on January 2<sup>nd</sup>, 2018 for the adoption of the Rules and they apply only to construction activities that will disturb more than 1 acre, including single family homes on acreage parcels.

**At this time, all of the unincorporated areas of Lucas County are subject to the new soil erosion and sedimentation control rules.**

As a result of the increased costs of compliance with the new Rules and requirements of the Ohio EPA, the Lucas County Commissioners has authorized the assessment and collection of application and inspection fees. The application fee will be collected at the time of application for review of the SWP3 and include 2 hours of plan review time. After completion and approval of the SWP3, if additional hours for plan review was necessary, additional review fees may be assessed in accordance with the approved fee schedule. For site inspections, an estimate will be prepared by the LCEO at the time of review to cover the amount of anticipated SWP3 inspection time for the project, and a deposit collected to cover the estimated time to perform inspections over the life of the project. If the actual time to perform site inspections exceeds the deposit amount, additional funds will be required to cover the required inspections for a project. The attached fee schedule, as approved by the Board of Lucas County Commissioners, outlines the approved fees.

Finally, a one page application form has been added to the required SWP3 submittal documents. The updated required submittal documents for SWP3s in Lucas County are:

- LUCAS COUNTY SWP3 APPLICATION FORM
- SWP3 SUBMITTAL COVER SHEET
- STORMWATER POLLUTION PREVENTION PLAN CONTACT LIST
- CONTRACTOR CONTACT SHEET AND CERTIFICATION FORMS
- 1 COPY OF COMPLETE SWP3 (PLAN SHEETS, DOCUMENTS, FORMS, ETC.)
- 1 COPY OF COMPLETED OHIO EPA SWP3 CHECKLIST
- 1 COPY OF STORM DRAINAGE AND WATER QUALITY CALCULATIONS
- 1 COPY OF BMP MAINTENANCE AGREEMENT W/LONG TERM MAINT. PLAN
- DIGITAL COPY OF ALL ITEMS SUBMITTED

The new application procedures and fees will be implemented on July 1, 2018.

Additional information about these new rules, application requirements, and the electronic forms can be found on the Lucas County Engineer's website <https://co.lucas.oh.us/engineer>.