



# LAND DISTURBANCE PERMIT FACT SHEET

*A quick reference for applicants, contractors, and land disturbance submittals in the City of Berea.*

Use this fact sheet as a general application guide. Requirements vary by project, and only the submittal items applicable to the site are required.

<b>Application Portal</b> bereaky.viewpointcloud.com	<b>LDP Fee</b> \$425.00	<b>Before Approval</b> Submit required documentation.
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## Application and Key Requirements

Requirement / Topic	Summary
<b>KPDES NOI for KYR10</b>	After obtaining City approval for the Land Disturbance Permit, the applicant must submit an online Notice of Intent (NOI) for the KYR10 Construction Stormwater General Permit to the Kentucky Division of Water using the KY EEC eForms system. A copy of the approved City permit must accompany the NOI.
<b>Bond / Fiscal Surety</b>	Fiscal surety must equal twice the estimated cost of erosion prevention and sediment control (EPSC), with a minimum amount of \$1,500. A bond or letter of credit is acceptable and must be made payable to the City of Berea. The original surety document must be submitted before the LDP is approved. The surety should remain in effect for the duration of land disturbance until the site is stabilized and erosion control measures are no longer needed.
<b>Maintenance Agreement</b>	If required, the Stormwater Maintenance Agreement must be completed, recorded with the Madison County Clerk, and a copy of the recorded agreement must be submitted to the City of Berea Codes & Planning Department.

## Related Documents and References

Reference	Where to Find It
<b>Online permitting portal</b>	<a href="https://bereaky.viewpointcloud.com/">https://bereaky.viewpointcloud.com/</a>
<b>KY EEC eForms (KYR10 NOI)</b>	<a href="https://dep.gateway.ky.gov/eForms">https://dep.gateway.ky.gov/eForms</a>
<b>Stormwater Maintenance Agreement</b>	<a href="https://bereaky.gov/wp-content/uploads/2026/03/MS4-PC-02_STORMWATER-MAINTENANCE-AGREEMENT-PDF.pdf">https://bereaky.gov/wp-content/uploads/2026/03/MS4-PC-02_STORMWATER-MAINTENANCE-AGREEMENT-PDF.pdf</a>
<b>LMDO Appendix E (Grading &amp; Fill)</b>	<a href="https://bereaky.gov/wp-content/uploads/2024/12/GIS-Land-Management-and-Development-Ordinance-Appendix-E.pdf">https://bereaky.gov/wp-content/uploads/2024/12/GIS-Land-Management-and-Development-Ordinance-Appendix-E.pdf</a>
<b>Stormwater Design Manual</b>	<a href="https://bereaky.gov/wp-content/uploads/2025/11/Berea-Stormwater-Design-Manual-UPD-NOV-2025.pdf">https://bereaky.gov/wp-content/uploads/2025/11/Berea-Stormwater-Design-Manual-UPD-NOV-2025.pdf</a>
<b>Stormwater Ordinance</b>	<a href="https://bereaky.gov/wp-content/uploads/2023/07/GIS-Chapter-34-Stormwater-Ordinance.pdf">https://bereaky.gov/wp-content/uploads/2023/07/GIS-Chapter-34-Stormwater-Ordinance.pdf</a>



# LAND DISTURBANCE PERMIT WORKFLOW

*Typical sequence for local approval and related construction stormwater permitting.*

If a Development Plan is required for the project, it must be approved before the City issues a Land Disturbance Permit. Applicants may begin assembling LDP checklist materials before Development Plan approval is complete.

## Typical Workflow

Step	Workflow
1	Confirm whether the project requires Development Plan approval, a Stormwater Maintenance Agreement, or other supporting permits before final LDP approval.
2	Submit the Land Disturbance Permit application through the City's online permitting portal, along with applicable supporting documents and fiscal surety.
3	If required, record the Stormwater Maintenance Agreement with the Madison County Clerk and submit a recorded copy to the City.
4	After the City approves the Land Disturbance Permit, submit the NOI for KYR10 Construction Stormwater Permit coverage through KY EEC eForms.
5	Once the Kentucky Division of Water issues permit coverage, send a digital or physical copy of the KYR10 permit back to the City of Berea Codes & Planning Department.

## Additional Bond Notes

- The City does not provide a required bond or letter-of-credit template.
- Typical surety documents include signature blocks for the principal and the surety representative.
- Power-of-attorney documentation from the surety company is commonly attached to the bond or letter of credit.
- If a letter of credit is issued for one year and the site remains unstabilized beyond that period, the letter should be renewed.

### Questions about Land Disturbance Permits in Berea?

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# LAND DISTURBANCE PERMIT SUBMITTAL CHECKLIST

*Only the checklist items applicable to the project are required.*

Use this page as a working checklist during application preparation. Some items only apply when work occurs in streams, wetlands, the floodplain, state right-of-way, or other regulated areas.

## Checklist Items

Submittal Item	When Required / Notes
<input type="checkbox"/> <b>Stormwater Pollution Prevention Plan (SWPPP)</b>	May be a bound SWPPP document or a plan sheet showing applicable erosion control / BMP measures. If controls are shown only on drawings, include specifications for those measures.
<input type="checkbox"/> <b>KY Stormwater Construction Permit (KYR10 or Individual)</b>	Required for regulated construction stormwater coverage. The NOI is the application; the KYR10 is the approval issued by the Kentucky Division of Water. Submit the approved Berea LDP with the NOI.
<input type="checkbox"/> <b>KY DOW 401 Water Quality Certificate</b>	Required only when work will occur in a stream, pond, wetland, or other applicable water resource.
<input type="checkbox"/> <b>KY Stream Construction Permit</b>	Required only when work will occur in a stream, pond, wetland, or other applicable water resource.
<input type="checkbox"/> <b>USACE Section 404 Permit</b>	Required only when work will occur in waters subject to U.S. Army Corps of Engineers jurisdiction.
<input type="checkbox"/> <b>FEMA LOMR or CLOMR</b>	Required only when the project affects a FEMA Special Flood Hazard Area, as applicable.
<input type="checkbox"/> <b>KYTC Encroachment Permit</b>	Required only when work will occur within state right-of-way.
<input type="checkbox"/> <b>Planning and Zoning Approval</b>	Required when the project also needs Development Plan approval by the applicable approving authority.
<input type="checkbox"/> <b>Site Plan Review Checklist</b>	Required only when applicable to the project review process used by the City for development plans, plats, or related submittals.
<input type="checkbox"/> <b>Finalized Construction Plans and Specifications</b>	Required for grading, clearing, temporary sediment controls, detention features, or other applicable site work. For smaller projects, plans included with the SWPPP may be sufficient.
<input type="checkbox"/> <b>Application Fee</b>	Current local application fee is \$425.00.
<input type="checkbox"/> <b>Completed Maintenance Agreement</b>	Required only when long-term stormwater management / BMP maintenance obligations apply to the project.