



DEP Permitting

What Can I Do...Legally?

August 7, 2014

▶ About DEP

The Department of Environmental Protection's mission is to protect Pennsylvania's air, land and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. We will work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources.

▶ About DEP

DEP is a regulatory agency:

- We review and act on permit applications
- We conduct inspections/investigations
- We take enforcement actions
- We develop regulations, policies and procedures as required by legislation

▶ About Waterways & Wetlands Program

- We regulate activities in streams, wetlands and floodways (Chapter 105)
- We regulate floodplain activities proposed by municipalities and “Utilities” (Chapter 106)
- We regulate construction stormwater and post-construction stormwater activities (Chapter 102)
- We inspect dams
- We respond to complaints

▶ About Waterways & Wetlands Program

Not untypical complaints:

“The stream that flows between our properties is dammed up by debris because of my neighbor”

“My property next to the creek is really wet and I can no longer mow it”

“I’ve lived here for 12 years and never had flooding before”

“The creek next to my property is flooding my yard”

“The township is not maintaining the stormwater pond”

“The failure of the Commonwealth to maintain the stream located behind my building”

“My neighbor has built a dam”

➤ About Waterways & Wetlands Program

Not untypical complaints are often accompanied by the phrase:

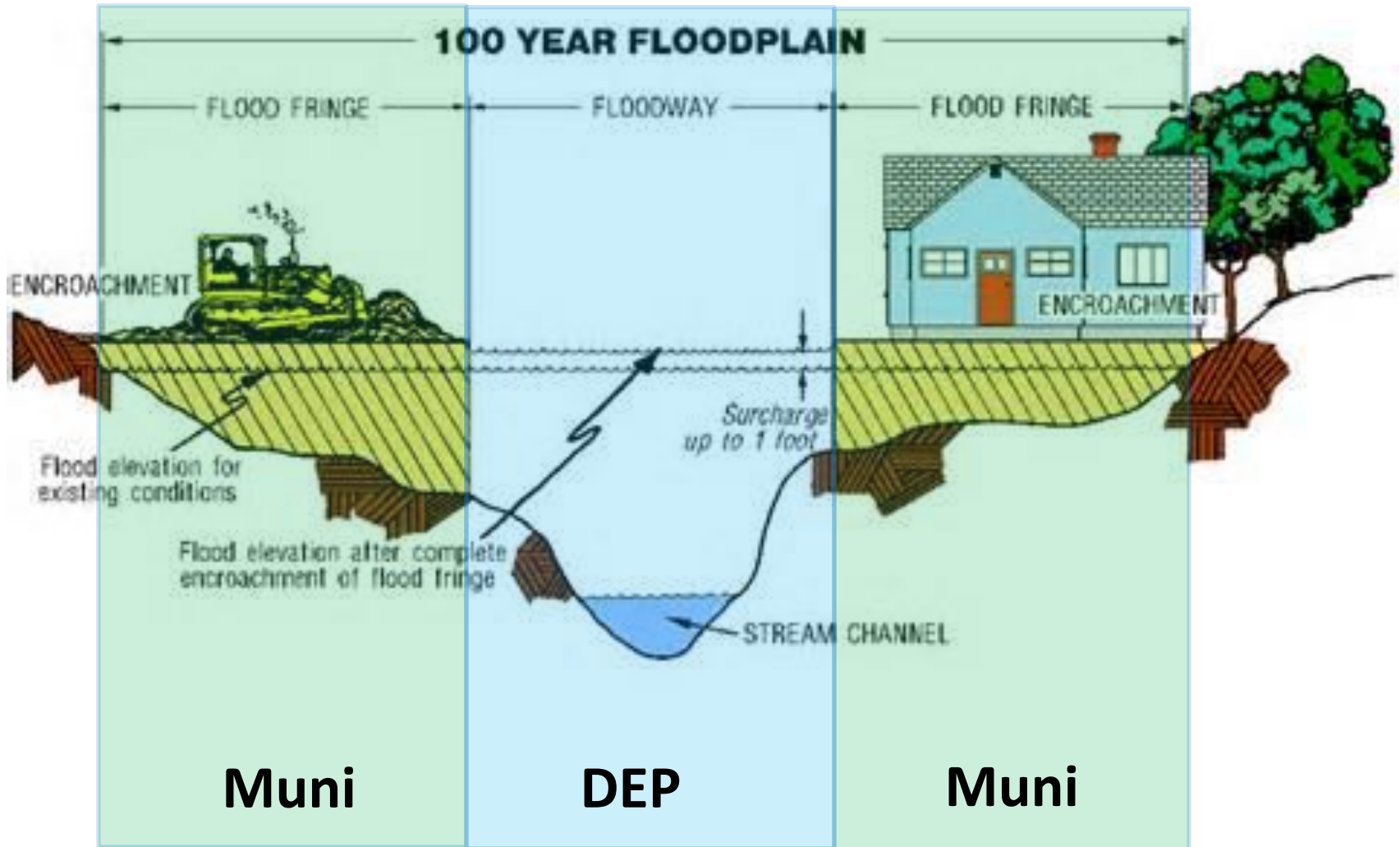
“My municipality said to call you and that you could help!”

➤ About Waterways & Wetlands Program

What Needs a Chapter 105 Permit?

“any structure or activity which changes, expands or diminishes the course, current or cross section of a watercourse, floodway or body of water.” [this includes wetlands]

▶ About Waterways & Wetlands Program



➤ About Waterways & Wetlands Program

What Can I Do Without a Chapter 105 Permit?

- *Clean and maintain your existing structures – Standards*
- *Remove debris from stream/floodway – working from the bank*
- *Remove debris from floodplain*

▶ About Waterways & Wetlands Program

Yes or No?



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Yes or No?



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Yes or No?



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Yes or No?



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Yes or No?



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Terminology

- *Dredging VS Sediment Removal*
- *Channel Cleaning/Debris Removal*
- *Maintenance/Replacement*
- *What is a stream/wetland*
- *Grading*
- *Channel Widening/Deepening*
- *Replace Culvert*

DEP Permitting

Types of Chapter 105 (Water Obstruction and Encroachment) Authorizations:

- Joint Permits (PA and USACE)
- General Permits
- Emergency Permits
- (Waived Activities)

DEP Permitting (Continued)

Types of General Permits:

- **General Permit 11**
(Maintenance, Testing, Repair, Rehabilitation, or Replacement, of Water Obstructions and Encroachments)
- **General Permit 7**
(Minor Road Crossings)
- **General Permit 3**
(Bank Rehabilitation, Bank Protection and Gravel Bar Removal)



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