



# 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:

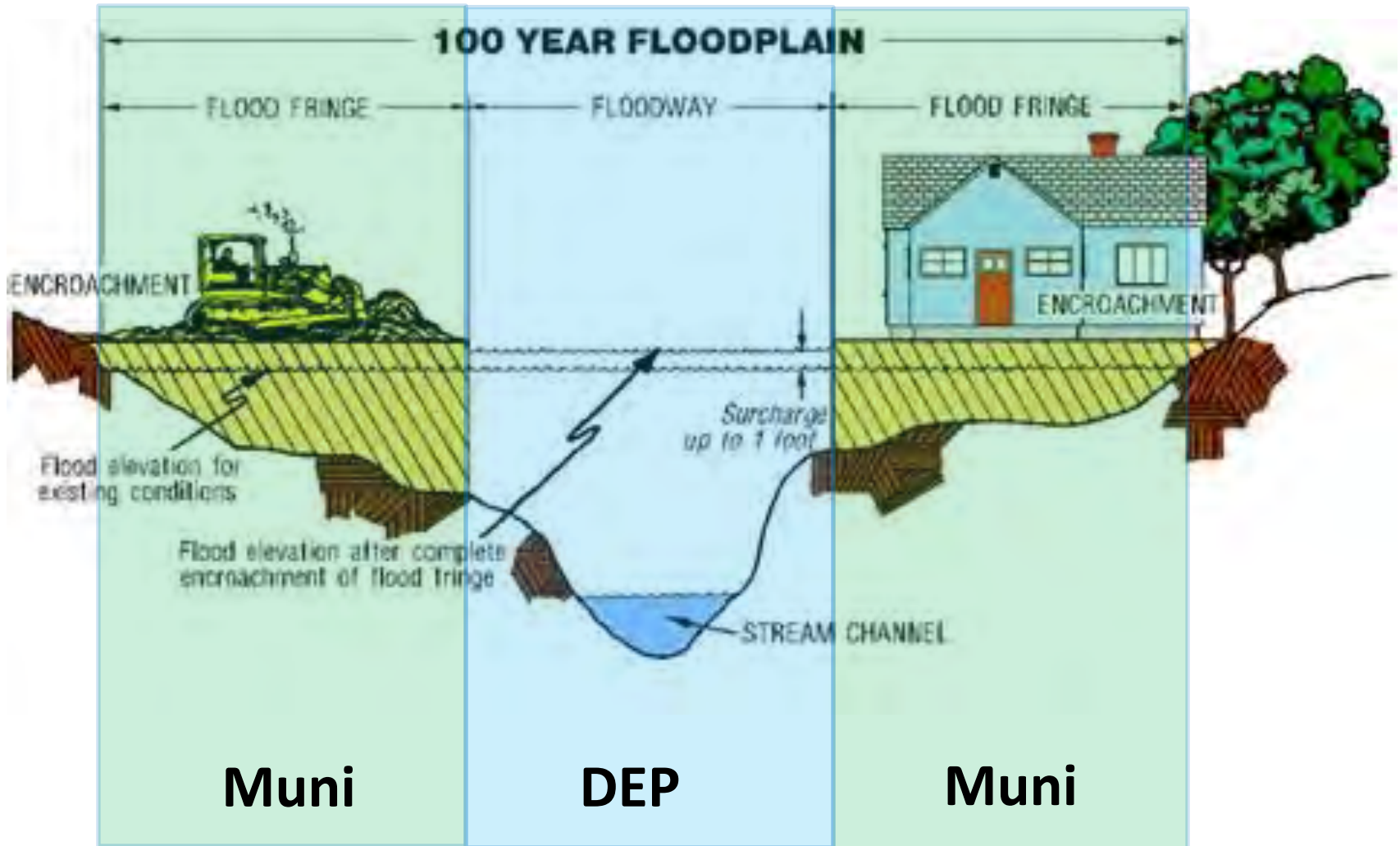
“My municipality said to call you and that you could help!”

## ➤ 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?



# About Waterways & Wetlands Program

## 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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