



25 Pa. Code Chapter 105: Simplified Water Obstruction and Encroachment General Permit Process

Water Resources Advisory Committee

May 9, 2018

Tom Wolf, Governor

Patrick McDonnell, Secretary

Objective

- Effective March 26th, 2018, the Department of Environmental Protection requires the use of the new General Permit Registration Form for Chapter 105 Water Obstruction and Encroachment Permits
- This information is intended to clarify the process for completing the requirements for a Water Obstruction and Encroachment General Permit registration in accordance with 25 Pa. Code Chapter 105 (Dam Safety and Waterway Management) for all projects that qualify for GP eligibility

Access

- Revised form and instructions can be accessed through the Department's e-Library web site at:
<http://www.depgreenport.state.pa.us/elibrary>
- Select "Permit and Authorization Packages," then "Waterways Engineering and Wetlands," then "Water Obstruction and Encroachment and Wetlands," and "General Permits."

Important Changes to Note

- The Registration Form has been refined and formatted to eliminate redundancies and unnecessary information
- GP Registration Form instructions have been simplified for applicants
- The Aquatic Resource Impact Table (3150-PM-BWEW-0557) has been condensed

Aquatic Resource Impact Table

- Reference to federal Section 404 impact data has been removed
- Request impact information by watercourse, floodway and/or wetland
- Should serve as an expedited method for DEP staff to determine if any impact area triggers an ACOE review for the federal authorization during review

Aquatic Resource Impact Table

AQUATIC RESOURCE IMPACT TABLE

FOR PENNSYLVANIA CHAPTER 105 WATER OBSTRUCTION AND ENCROACHMENT APPLICATION/REGISTRATION APPLICATION

Please begin to complete the Aquatic Resource Impact Table by including the Applicant's Name / Client (upper right of the page) for each page. Also, complete the Project / Site Name (upper left of the page) and the date of application/registration package submission (upper right, under Applicant's Name / Client). Then complete one row of data for each regulated (DEP Chapter 105 and Corps Section 404) structure or activity and type of impact for the proposed project based on the instructions for each column below; add additional worksheets if needed. Provide completed Aquatic Resource Impact Table with Chapter 105 Water Obstruction and Encroachment application/registration; DO NOT submit instructions (page 1) for this table.

DEP Permit Number:	leave blank, it will be completed by DEP upon permit acknowledgement/issuance/verification.
Single Complete Crossing No.:	leave blank, it will be completed by DEP upon permit acknowledgement/issuance/verification.
Crossing Number:	leave blank, it will be completed by DEP upon permit acknowledgement/issuance/verification.
Fees:	Use the Chapter 105 Fee Calculation Worksheet 3150-PM-BWEW0553 to calculate fees, if needed.

Project Information	provide the appropriate information based on the details on each impact for the project
Structure / Activity Identifier:	provide a unique identifier for each regulated structure and/or activity being proposed, typically a name and number; this same unique identifier should be used in all aspect of the permit registration/application package. (i.e. GP-5-1, GP-5-2)
Aquatic Resource Type:	select/provide the type of aquatic resource (based on watercourse, floodway or wetland) being impacted;
Watercourse:	select/provide the type of stream being impacted: perennial or intermittent stream
Floodway:	select/provide the type of floodway being impacted: crossing or paralleling to the stream
Wetland:	select/provide the type of wetland being impacted: PEM, PSS, PFO or POW wetland
Latitude (nad83):	provide the latitude of the aquatic resource impact in decimal degrees
Longitude (nad83):	provide the longitude of the aquatic resource impact in decimal degrees
Waters Name:	provide the name of the stream or other body of water (if available)
PA Code Chapter 93 Designation:	provide the Chapter 93 designation for the aquatic resource (i.e. HQ-CWF, WWF, EV, MF)
Work Proposed / impact type:	select/provide the type of work proposed to impact the resource; aerial utility line, horizontal drill/boring, trench excavation or placement of fill

PADEP Impact Type:	select/provide the type of aquatic resource impact; temporary or permanent.
Watercourse:	AREA provide the length times width of impact.
Floodway Impact:	AREA provide the length times width of direct and indirect/secondary 100-year floodway impact, indicate "n/a" if impact is to a wetland.
Wetland Impact:	AREA provide the length times width of impacts to wetlands; indicate "n/a" if impact is to a stream.

Project / Site Name:			Example Project							Date:			2018		
DEP USE ONLY			Project Information									PADEP / 105			
PADEP Permit Number	Single Complete Crossing No.	Crossing Number	Fees	Structure / Activity unique identifier	Aquatic Resource Type	Latitude dd.nad83	Longitude dd.nad83	Waters Name	PA Code Chapter 93 Designation	Work Proposed	DEP Impact Type temp / perm	Watercourse Impact Top of Bank to top of Bank	Floodway Impact Area Top of Bank Landward	Wetland Impact AREA	
												Length and Width	Length and Width	Length and Width	
			250	GP-5-1	Perennial	417710531	77152930	Dunn Creek	CWF	Excavation	Temp	50 - 30	N/A	N/A	
			N/A	GP-5-1	Perennial	417710531	77152930		CWF	Excavation	Temp	N/A	100 - 30	N/A	
			250	GP-5-2	PEM	417710618	77152945			Excavation	Temp	N/A	N/A	10 - 30	

No Longer Required for Submission

- Fee Calculation Worksheet
(3150-PM-BWEW-0553)
- Reporting Criteria Checklist
(3150-PM-BWEW-0051)
- Bog Turtle Screening Form
(3150-PM-BWEW-0550)

Fee Calculation Worksheet

- No longer required to be submitted for registration completeness
- Planned to be used as a reference available to assist the registrant in determining correct permit fees
- 8 pages long

Reporting Criteria Checklist

- No longer required to be submitted by the permit registrant or reviewed by DEP
- Used only as a reference tool, if needed, by the permit reviewer to determine “reporting actions” to the ACOE under PASPGP-5
- Went from 6 pages of 22 questions to now 1 page with 14 questions

Reporting Criteria Checklist

Applicant / Project Name: <input style="width: 80%;" type="text"/>	County(ies): <input style="width: 80%;" type="text"/>																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	1. Is any of the proposed work located waterward of the ordinary <u>high water</u> mark (OHWM) of any of the ineligible waterbodies identified in the instructions?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	2. Does the proposed work result in the diversion of more than 10,000 gallons per day of surface water or groundwater into or out of the Great Lakes Basin (Lake Erie Watershed)? *****																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	3. Does the application/registration include any Single and Complete Projects that propose the permanent conversion of greater than 0.10 acre of forested and/or shrub-scrub wetlands in association with a regulated activity?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	4. Is the application/registration associated with a Single and Complete Project whereby a previous Department of the Army authorization has been issued through an Individual Permit, a Nationwide Permit, or a PASPGP processed by the Corps as a Category III/Reporting Activity? If YES, please complete the following table.																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Authorization Type</th> <th rowspan="2">Authorization Number</th> <th rowspan="2">Date (mm/dd/yyyy)</th> <th colspan="2">Federal Permitted Impacts</th> </tr> <tr> <th>Wetlands</th> <th>Waters</th> </tr> </thead> <tbody> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> </tbody> </table>		Authorization Type	Authorization Number	Date (mm/dd/yyyy)	Federal Permitted Impacts		Wetlands	Waters																				
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		Wetlands	Waters																									
YES <input type="checkbox"/> NO <input type="checkbox"/>	5. Does the proposed project require the preparation of an Environmental Impact Statement?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	6. Does the proposed regulated activity or area of indirect impact (secondary impact) extend across state boundaries (i.e., the work is not wholly located within the Commonwealth of Pennsylvania)?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	7. Does the Single and Complete Project involve the construction or expansion of a residential, commercial or institutional subdivision or development?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	8. Does greater than 0.25 acre of wetland(s) exist within the property boundary that are not proposed to be directly impacted as part of this application/registration? If YES, provide wetland acreage: <input style="width: 50px;" type="text"/> acres.																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	9. Are you proposing to protect the wetland area(s) through a deed restriction or conservation easement that follows the Corps' Model Protective Covenant?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	10. Does the proposed work temporarily impact waters and/or wetlands that will remain in place for more than 1 year?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	11. Are you proposing to do work in the Delaware River (upstream from the U.S. Route 202 Bridge in New Hope, Pennsylvania.) and/or the Lehigh River (from the mouth to Francis E. Walter Dam, located in Carbon and Luzerne County, Pennsylvania between March 15 and June 30)?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	12. Does the proposed work occur in any of the waters listed in the instructions?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	13. Will you comply with <u>all</u> of the identified conservation measures?																											
YES <input type="checkbox"/> NO <input type="checkbox"/>	14. <u>Is</u> there any other pending applications/registrations with the DEP or Corps that are necessary for this total proposed project to function and meet its intended purpose? If YES, provide following information.																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Application / Registration Number / Type</th> <th>Project Name</th> <th>Date of Submittal to DEP (mm/dd/yyyy)</th> <th>DEP / CCD Reviewing Office</th> <th>Corps Reviewing Office</th> </tr> </thead> <tbody> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> <tr><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td><td style="background-color: #cccccc;"></td></tr> </tbody> </table>		Application / Registration Number / Type	Project Name	Date of Submittal to DEP (mm/dd/yyyy)	DEP / CCD Reviewing Office	Corps Reviewing Office																						
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Bog Turtle Screening Form

- Was required in 15 counties if wetland impacts were proposed that could affect turtle habitat
- Information is now available when conducting PNDI search so this form is no longer required for submission

Submerged Lands License Agreements

SUBMERGED LAND LICENSE AGREEMENT INFORMATION FORM

- Changes to the GP Registration Form and Instructions DO NOT affect the SLLA process or submission requirements

1. GP# or JPA# -
2. Legal Name of Client -
3. Principal place of business -
4. Employer ID# -
5. Client's contact person & contact info -
6. Consultant's name & contact info -
7. Is the project in conjunction with a PennDOT Project -
8. County (Counties) and Municipality (ties) projects, encroachments or crossings are located in.
9. Agreement type – Commercial / Public Service Line / Private recreational dock/ boat launching ramps
10. Locational Mapping of the Facilities
11. Project drawing
12. Project Description -

Regulated Community

The new GP Registration Form and Instructions have eliminated information not required to complete a general permit review thereby improving permit registration submission, which should assist in delivering timely permit decisions by the Department

DEP Regional Staff

The new form and instructions were developed with feedback and input from the DEP regional program as well as legal staff and the Army Corps of Engineers to address the impact data for federal authorization and the PASPGP process.

Contact

Questions regarding this new General Permit registration process should be directed to:

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Wetlands
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