



Policy Office

# **Policy for Pennsylvania Natural Diversity Inventory (PNDI) Coordination During Permit Review and Evaluation**

**Department of Environmental Protection**

December 3, 2012

Dial in Number for Audio: 1-877-668-4493

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# Today's Speakers

- Patricia Allan, *Policy Director*
- Dana Aunkst, *Deputy Secretary for Field Operations*
- Jeffrey Means, *Waterways Engineering and Wetlands Bureau Director*
- Jason Oyler, *Bureau of Regulatory Counsel*

# Agenda

1. Review of Draft PNDI Policy
2. Questions and Comments

# Outreach

- In Development since January 2012
- Collaborative Effort
- DEP Program and Regional Staff
- DCNR, PFBC, PGC, USFWS
- Public Comment Period Opened November 10<sup>th</sup>
- Closes December 31st

# Purpose of Policy

- Guidance to DEP Staff and Permit Applicants
- PNDI is a tool DEP Adopted for Permitting Purposes
- Listing Species or Control of Database not DEP Jurisdiction

# Overall Changes

- Reorganized to improve organization and clarity
- Definitions
  - Critical Habitat
  - Rare & Significant Ecological Features

# Large Project

- DCNR's Definition of Large Project Revised
- Based on limitations of PNDI Tool
- New Size effective September 21, 2012
  - Linear Projects up to 10 Miles Long
  - Maximum Area of Ground Disturbance 1,200 Acres
- Projects beyond this scope will need to submit a PNDI form

# Receipts and Letters

- Effective as of July 2, 2012, Clearance Letters and Receipts Valid for 2 Years

# Species of Special Concern

- Legal Requirement under certain regulations
  - Dams, Obstructions & Encroachments
  - Mining, Oil & Gas
  - Waste, Municipal & Residual
  - Sewage Planning
- Jurisdictional Agency (JA) may request surveys
- DEP may be contacted, if JA and applicant disagree on need or scope of surveys
- DEP will discuss with both parties
- DEP makes final Determination

# Review Options

- Sequential Review
  - Traditional approach for T&E species
  - PNDI search conducted, receipt obtained
  - All clearances resolved, letter obtained
  - Both receipt and letter submitted with application
  - No delays in Permit Review Process & Permit Decision Guarantee (PRP/PDG) timeframes  
*(Provided full application submission is complete)*

# Review Options

- Concurrent Review
  - Non-traditional approach for T&E species
  - PNDI search conducted, receipt obtained
  - Receipt submitted with application while JA consultation is ongoing
- Risks & Consequences to Applicant
  - Possible delays in PRP/PDG timeframes
  - Possible redesign as a result of JA consultation
  - Possible new submission



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# Closing Remarks

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# Questions?