

The background of the slide is a photograph of a blue sky with light, wispy clouds above a body of blue water with gentle ripples. The text is centered over this background.

Conservation District's Current Role in Stormwater Management



County Conservation District

Creation of the Conservation District Law authorizes under a delegation agreement executed with the Department to administer and enforce all or a portion of the erosion and sediment control program in this Commonwealth.





Why as a Municipal Official do I need to know about Chapter 102!

- State regulations
- Municipal Regulations
- Land use Permits
- Chapter 105 GP-s'



WHAT IS AN EROSION AND SEDIMENT CONTROL PLAN (E&S)



- A site-specific plan identifying BMPs to minimize accelerated erosion & sedimentation...



When is an Erosion and Sediment Control (E&S) Plan needed?

- development of a written erosion and sedimentation control plan is required by the State for all earth disturbances of 5,000 square feet or greater or if the Earth disturbance is in a High Quality or Exceptional Value watersheds, or if other DEP permits require it. This would cover timber harvesting and silviculture activities that must also include a timber harvest plan.





- **Projects having less than 5,000 square feet of earth disturbance are still required to develop, implement and maintain erosion and sedimentation control best management practices (BMPs).**
- **Municipal ordinances may decrease the area that requires a written plan.**





- **The E & SC Plan must be available at the project site at all times during the earth disturbance activity**
- **Upon complaint or site inspection, the DEP or CD may require the E&SC Plan to be submitted for review & approval to ensure compliance with Chapter 102**
- **The DEP or CD may require additional information or additional BMPs**



- **County or Municipal ordinances may require all E&S Plans to be approved before land use or building permits are issued.**
- **E&S plans associated other Chapter 102 or Chapter 105 permit must be approved.**



WHAT IS NPDES?

*N-National P-Pollutant D-Discharge
E-Elimination S-System*

The National system for the issuance of permits for stormwater discharges from construction activity under section 402 of the Federal Clean Water Act.

Phase I was adopted in Pa in 1992, was for large construction activities.

Phase II was adopted in PA in 2002, includes small construction activities.



WHAT NEEDS A NPDES PHASE I PERMIT?

Earth disturbance of 5 acres or more (over the life of the project) must be covered by an NPDES Permit

Exceptions:

Agricultural Plowing & Tilling

Timber Harvesting

Roadway Maintenance

Activities requiring other Departmental Permits that require

E & SC Plans (e.g. mining, oil & gas, landfills)

Timber Harvesting & Roadway Maintenance disturbing 25 acres or more must be covered by an Erosion & Sediment Control Permit.

Non-permitted sites must comply with the other provisions of Chapter 102



WHAT NEEDS AN INDIVIDUAL NPDES PHASE II PERMIT?

**earth disturbance activities
other than agricultural plowing or tilling,
timber harvesting or road maintenance
activities affecting:**

**greater than 1 acre and less than 5
acres**

**over the life of the project
with a point source discharge
to surface waters of the
Commonwealth.**





General vs. Individual NPDES Permit

General – can be used for most activities under Phase I or Phase II not in special protection watersheds. 30-60 days to process.

Individual – activities that do not qualify for the general permit. Must show that they will protect and maintain water quality designated and existing uses in accordance with the antidegradation requirements of Chapter 93.

90 – 120 days to process.





Requirements of and NPDES Permit

- Approved Erosion and Sedimentation Control Plan
- Post Construction Stormwater Plan (PCSM)
- Preparedness, Prevention, and Contingency Plan (PPC)
- Historical Review
- Endangered Species Review





NOTIFICATION OF APPLICATION FOR PERMITS

- **A municipality, county or organization which issues building, land use or other permits, shall notify the D.E.P. or Conservation District, within 5 days of receipt of an application for a permit involving an earth disturbance activity consisting of 1 acre or more.**



WITHHOLDING PERMITS

- A municipality or county may not issue a land use/building permit or final approval to those proposing or conducting earth disturbance activities requiring a DEP permit until the DEP or CD has issued ... the NPDES Permit ...

Contacts

- Sullivan County Conservation District
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