

DEP Update

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Difficulties at DEP

- DEP Secretary John Quigley recently said the state “can’t cut its way to improving the environment.” Because of “relentless budget cuts,” DEP has lost 14 percent of its staff, but the average state agency lost 6 percent, over the last decade...
- DEP’s authorized complement has shrunk from 3,200 in 2002-03 to its current 2,495, about 705 positions-- 22 percent-- as DEP Secretary John Quigley mentioned in a video report to DEP employees...

Difficulties continue at DEP

- DEP received about \$164.4 million in 1994-95 from the General Fund which increased to a high of \$245.6 million in 2002-03. In the 2014-15 budget, DEP's General Fund total was \$141.4 million, after bottoming out in 2012-13 at \$126.8 million, about half the high water mark in 2002-03.

Difficult days for DEP

- Secretary Quigley said DEP has been written up repeatedly by federal agencies for insufficient staffing in programs for which it has primacy for administering federal programs.
- The Safe Drinking Water Program is down 25 percent in its staff due to the relentless cuts in DEP's budget.
- This information is from PA Environment Digest
<http://www.paenvironmentdigest.com/newsletter>

DEP update...

- New Notice of Intent (NOI) forms available
- Date (as of this Workshop) October 2015
- We will be covering some of the changes on this form in an afternoon break-out session
- Visit WCD's website www.wcdpa.com for links to current permits



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Sustainable Communities



IN THE FIELD



A Mowing Plan for Lower

**Westmoreland
Conservation District**

Helping people use resources wisely.

DEP Update continued...

- New Co-Permittee Liability Release form available—10/2015
(Enables release of someone who is finished working on a site)
- NOT available for sites with pre-Nov. 19, 2010 NPDES permits—
10/2015
- NOT available for sites with post-Nov. 19, 2010 NPDES permits—
9/2015
- Visit WCD's website for more info

DEP updates...

"Recording PCSM BMPs:

All BMPs need to be recorded... not just structural BMPs

Including but not limited to: amended soil, landscape enhancement, protected sensitive areas, minimal disturbance areas

These must also be recorded: O&M Plan, AND access to BMPs for inspection/maintenance/replacement.



DEP Updates, continued

"The District's review of the NPDES should look for these items to be listed as BMPs and recorded.

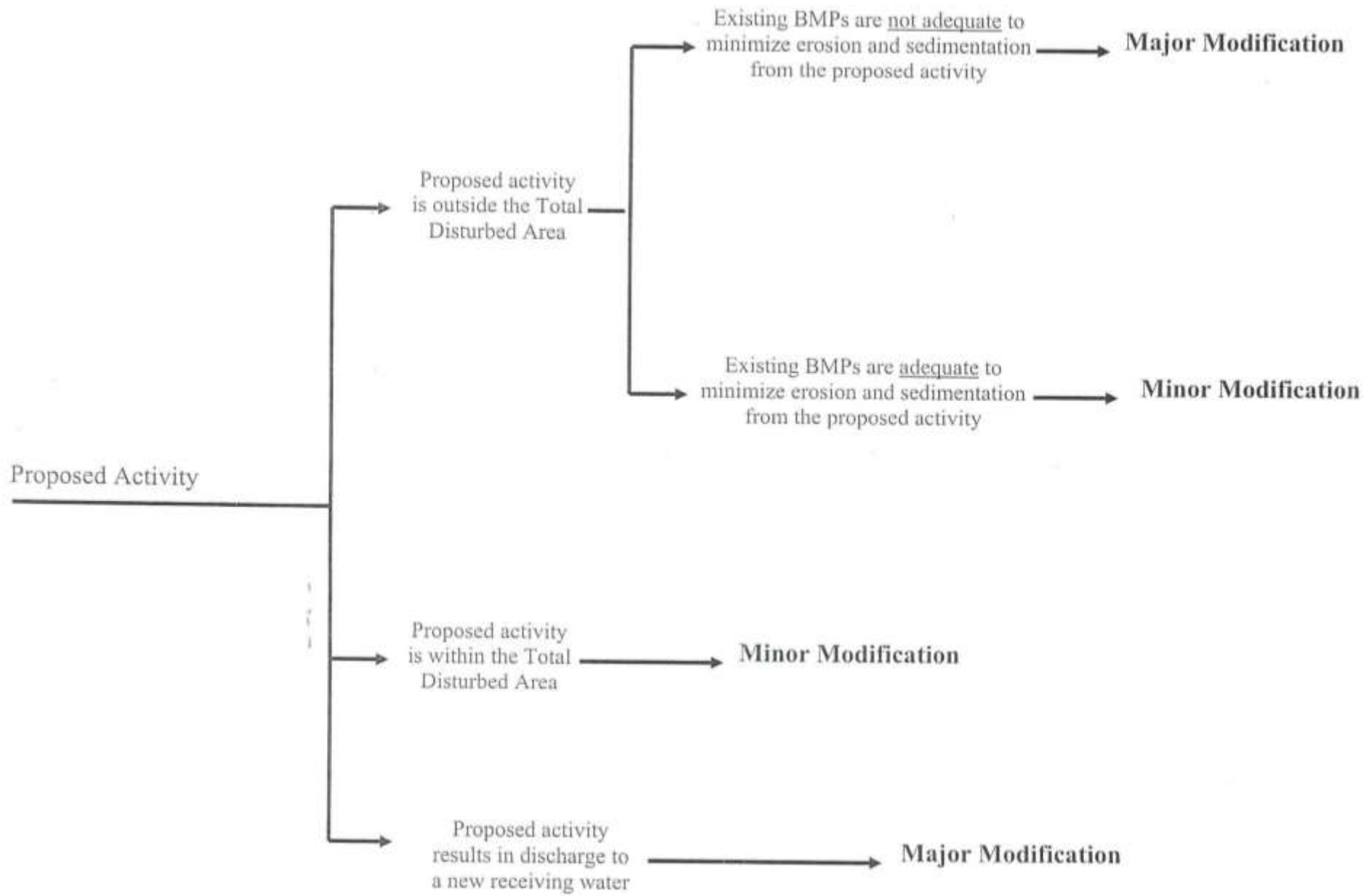
It needs to be written into the PCSM Plan.

Neither the DEP nor CD are to review these legal documents." - SWRO District Roundtable November 6, 2015



DEP updates continue!

- A sample Instrument for the Declaration of Restrictions and Covenants is available on DEP's website...
- <http://files.dep.state.pa.us/Water/BWEW/NCEC/InstrumentDeclarationRestrictionsCovenants.pdf>
- The instrument needs recorded within 45 days of the issuance of the permit. Proof of recording needs presented to the Conservation District within 90 days of the issuance of the permit



2016

More DEP updates: Major or Minor Mod?

Is it a Major or Minor Modification???

- It depends on where you draw the line for Total Disturbed Area or Limit of Disturbance
- It depends on if you are more concerned about saving Time or saving Money
- In either case, make the NPDES Permit Boundary as large as possible—to the property lines, for example

Is it a Major or Minor Modification???

- If you are more concerned about saving Time:
- Make the Limit of Disturbance (Total Disturbed Area) as large as possible
- Pay the extra up-front Disturbed Acreage Fee to DEP
- Subsequent changes are all Minor Mods and can be handled quickly by the Conservation District



Is it a Major or Minor Modification???

- If you are more concerned about saving Money:
- Make the Disturbed Area only as large as you need for the present time
- When developing subsequent phases, submit for a Major Mod at the time when you need it
- A Major Mod extends the expiration date



DEP Chapter 105 Updates

- PA SPGP-4 Expires June 30, 2016.
- PA SPGP-5 Starts July 1, 2016. Conservation Districts will be trained in June
- Revised GP-8, Temporary Road Crossings, is still in the works
- New GP-17, stream restoration after flooding, is not done yet

Pennsylvania Department of Environmental
Protection...

is your friend



<http://www.dep.pa.gov>