



## On-line tool helps with PNDI searches

The Pennsylvania Natural Diversity Index (PNDI) searches required for NPDES Permit applications are now available online. With the changes in the PNDI environmental review process, it is now more accurate in determining impacts. The Montgomery County Conservation District is changing its policy to require that any PNDI conflicts be resolved, either with a clearance letter from the agency concerned or adherence to the Avoidance / Conservation measures outlined in the receipt prior to acceptance as an administratively complete submission. This change will go into effect on April 15, 2006. Following is a synopsis of the new PNDI environmental review.

On the PNDI website, <http://www.dcnr.state.pa.us/hgis/>: "The PNDI Environmental Review Tool" is now open for use by the general public. This system should be used for all PNDI Environmental Reviews, including those in conjunction with DEP Permits. The PNDI tool satisfies environmental review coordination with the U.S. Fish and Wildlife Service, the PA Fish and Boat Commission, the PA Game Commission and the Department of Conservation and Natural Resources. Projects no longer should be sent directly to the four jurisdictional agencies in PA for initial environmental review—the PNDI ER Tool should be used instead. The only exceptions to this are Large Projects that are too large to draw within the PNDI ER Tool (projects which exceed the 1:24000 scale map – this will vary depending upon screen resolution: 1024x768 browsers 2625 acres; 15000 feet East/West x 7600 feet North/South or for 800x600 browsers 1050 acres; 1000 feet East/West x 4000 feet North/South) or if you do not have Internet Access to complete the Review. Once you complete the initial project review, you will receive a Search Receipt which may include instructions to contact one or more State or Federal agencies with jurisdiction for species protection. Additional consultation with these agencies may be necessary when Receipts contain "potential impacts."

When you receive your receipt from the web search, there are several responses that may be present on the first page. They are: No Impact, Potential Impact, Avoidance Measures, and Conservation Measures.

(continued on p.4)

## Avoid being "trapped" by design criteria

Let's start with a test. **How many specific design criteria are listed in the State's Erosion and Sediment Pollution Control Program Manual?** To improve your odds of getting the correct answer, consider this an open book test. Opening the manual to page 64 you will find a sub-heading in capital letters and under lined which reads DESIGN CRITERIA. Under this sub-heading you see 11 numbered items. So it's logical to assume that the answer to the question is 11. The first trap is sprung. You need to read this manual like you're playing the game "Where's Waldo," or like you once searched for hidden items in a picture in *Highlights Magazine*.

Eleven is only the beginning number of sediment trap design requirements. A little detective work will reveal additional design criteria. For example #12 – Sediment Traps must have a length to width ratio of at least 2:1. This requirement can be found before the manual even mentions the term design criteria. The next few criteria were found in the paragraph following the design criteria list. The paragraph contains several design issues for embankment sediment traps: #13 – Embankment Spillways will be a minimum width of 2 times the number of acres; #14 – Minimum rock size for construction of the spillway is R-3; #15 – The maximum size for the filter stone for the spillway is AASHTO #57; and #16 – Requires that filter fabric be securely staked to the face of the stone filter from the bottom invert up to the clean out elevation.

We are not done yet. A quick turn of the page reveals #17 – Clean out stakes are required in the center of the sediment trap; #18 – Riser type sediment traps require you to design the riser and barrel to discharge a minimum of 1.5 c.f.s. per acre; and #19 – Perforations to dewater the trap should be limited to one 1" diameter hole per vertical foot of riser.

There's still more! Flipping further back in the manual you will find on page 152 Standard Worksheet #8 – Sediment Trap Data. Hidden in the worksheet are two additional design criteria #20 – Riser Diameter shall be a minimum of 8 inches, and #21 – Barrels shall be a minimum of 6 inches. Well it took a little deductive reasoning to find #22, or to actually double the number of clearly listed design criteria. On page 153 the manual notes the following: "Increase the top width to 6 times the number of acres of contributing drainage area when traps do not outlet to a channel."

(continued on p.3)

## Helping to speed up the NPDES process

Working together to help eliminate some of the frustration that many applicants have with the process of getting an NPDES Permit could be very beneficial. It does seem to be more and more of a paper trail required in order to get the permit. The Conservation Districts would also like to simplify the process and believe with little effort it could go much smoother for all concerned. As complicated as it seems to those submitting the NOI, it is sometimes just as difficult on the side of the Conservation District staff.

The best aid for those submitting an NOI is the instructions. The instructions will help with the calculation table in Section E and with answering all of the questions. 'General Information' is very educational, and the detailed break down of each section on the NOI clearly defines what is needed in order to have every item completed correctly.

The Application Checklist is another way to help make sure all required information is submitted. Reviewing the Checklist is the first process conducted when the NOI comes in to the District Office. We check it administratively to be sure all the paperwork (and the appropriate amount of copies) has been submitted; one set with the original and one set for each *copy* of the NOI. Be sure all the questions on the NOI are complete and that it is signed and notarized. "Fully completed, properly signed and notarized Notice of Intent Form (1 original and 2 copies)" is item number one on both the General and Individual Application Checklists.

Because we get a large number of NPDES Applications it would help the 'checking process' move along more efficiently if the person submitting the NOI would attach one copy of each required item in section numbers four, five, six and seven on the *General* NPDES Application Checklist and sections two, five, six, seven, eight and nine on the *Individual* NPDES Application Checklist to the back of each NOI respectively, (i.e. the original NOI should have a set of the required items attached to it, as should each *copy* of the NOI, and should be in the order they are requested on the checklist) rather than group them as separate piles of information that then have to be collated and attached accordingly by District staff.

The PA Natural Heritage Search should be done, and initialed where required. If there were any species of concern noted on the search they must be resolved by the agency mentioned and a copy of that letter from each of the agencies involved needs to be attached before we can accept the submission as complete.

Complete sections two and eight on the General NPDES Application Checklist and sections three and ten on the Individual NPDES Application Checklist. Be sure that the proper location (D=drawing, N=narrative) along with the proper page number appears for each item and is actually the same on the plans and in the narratives. Many times these are not numbered the same as on the drawings or in narratives, and sometimes the drawings and narratives do not have numbers at all. Thumbing through the pages while counting does not help the process and could be considered an incomplete submission. DEP has instructed the districts to return the submissions when they are considered to be *incomplete*; making calls requesting more information that was not

submitted is not an option we should be using, and returning submissions will only further slow down the process for the applicant.

The Instructions and Application Checklists are the best tools to use to complete the NOI, and if needed we are only a telephone call away. We all would like to see the process move along better and with everyone working together the goal could be accomplished.

Sandy Tucker,  
102/NPDES Permit Administrator  
Bucks County Conservation District

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# "Trapped" *(continued from front page)*

I went back and read the entire section on Sediment Traps one more time and never found a requirement that traps should outlet to a channel. We do however have a criterion for trap outlet widths: Design Criteria #13 – Embankment Spillways will be a minimum width of 2 times the number of acres. So, by deductive reasoning, traps must discharge to a channel if their outlet widths are only 2 times the number of drainage acres. Another trap to this criterion is that few conservation districts will accept the non-channel discharge of traps due to NPDES Phase II regulations.

Can you believe that sediment basins only have ten design criteria? The answer that everyone now knows is *NO*.

*Ed Magargee, Delaware County C.D.*

# Dirt and Gravel Road Program

Pennsylvania's Dirt and Gravel Road Program, enacted in 1997, was created in response to concerns from Trout Unlimited because of problems caused by sediment pollution from unpaved roads in the state's premier trout streams.

Subsequent follow-up efforts were undertaken by the Task Force on Dirt and Gravel Roads (a cooperative working group consisting of state departments, sportsmen, environmental resource agencies, local government agencies, etc.). The task force recommended a locally-based, locally-controlled, cooperative approach to eliminate nonpoint source pollution from these rural roadways.

Each year under the new law \$5 million in non-lapsing, non-transferable monies are directed from the state motor license fund to prevent dust and sediment pollution by employing "environmentally sound" maintenance of dirt and gravel roads. From this fund, \$1 million is distributed to the Department of Conservation and Natural Resources for the maintenance of forestry roads. The remaining \$4 million is appropriated to the State Conservation Commission, which in turn appropriates funds to the County Conservation Districts, based on each county's number and condition of gravel roads.

In order to be eligible for these funds, municipalities and county agencies need to complete a two-day training program offered by Penn State's Center for Dirt and Gravel Roads.

Bucks County Conservation District is currently working on a Dirt and Gravel Road project in Nockamixon Township. A portion of Tabor Road will be resurfaced with a Driving Surface Aggregate (DSA) in the spring of 2006. DSA is a mixture of crushed stone developed specifically as a surface-wearing course for unpaved roads. DSA has a unique particle size gradation designed to maximize packing density and produce a durable road surface that performs better than conventional aggregates.

More information can be obtained by calling the Bucks County Conservation District or by visiting [www.dirtandgravelroads.org](http://www.dirtandgravelroads.org).

*Lisa Ishimuro  
Bucks County CD*

Joseph Toth	Michael Toth
	
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## On-line tool *(continued from front page)*

### No Impact

If no special concern species or resource occurrences or concerns are identified during PNDI search/coordination, then the requirements of this policy are satisfied. To document that the PNDI consultation requirements have been completed, copies of the PNDI Receipt must be submitted along with permit applications or requests for permit registrations. No further action is necessary regarding PNDI coordination.

### Potential Impacts

A "Potential Impact" Receipt means the project is located in the vicinity of a special concern species or resource and needs to be reviewed in more detail by the jurisdictional agency/ies indicated on the Receipt. Where potential impacts are identified, the Receipt will provide appropriate jurisdictional agency contact information to facilitate further review and coordination. The PNDI Receipt lists a specific agency contact as well as the types of information that the jurisdictional agency will request to further research the area and resolve any issues. A clearance or recommendation letter from the jurisdictional agency/ies indicated on the Potential Impact Receipt is required as proof that the applicant consulted with the jurisdictional agency/ies regarding the potential impact/s. The clearance or recommendation letters must be submitted along with the PNDI Receipt to the Conservation District or DEP with the permit application.



### Avoidance Measures

The online PNDI system sometimes generates Avoidance Measures based on the project type, the project location and the species or resources present in the area. Avoidance Measures are intended to reduce the need for further coordination with jurisdictional agencies on projects that could be "No Impacts" if the Avoidance Measure is carried out. If the Receipt contains Avoidance Measures, the PNDI review is not complete or satisfied unless the applicant has initialed indicating they can and will fulfill the Avoidance Measure for that project. If the applicant cannot or chooses not to meet the Avoidance Measure, the project must be sent into the jurisdictional agency for further review and coordination. A clearance or recommendation letter is then required from the agency involved. In order to proceed with the processing of the permit application when Avoidance Measures are contained in the PNDI research results, the applicant must initial the PNDI Receipt, and the plan must demonstrate the avoidance measures as stated in the receipt.

### Conservation Measures

The online PNDI system sometimes generates Conservation Measures based on the project type, project location, and species or resources present in the area. These Conservation Measures are suggestions meant to reduce further impact to the special concern species or resource in the vicinity of the project or to protect special concern species or resources that currently lack legal protection. A Conservation Measure may be pursued at the discretion of the DEP program based on their best professional knowledge as applied to the project and site.

Jeffrey McKenna  
Montgomery County CD



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<u>Site Name</u>	<u>Developer</u>	<u>\$ Amount</u>
<b>Bucks County</b>		
Silver Lake Road	Pitcairn Properties	7,000
Commercial Development	Commerce Bank	2,500
Towering Oaks	Merrick Wilson	11,500
Retail & Restaurant	Easton Road Retail	4,500
Buckingham Forest	Toll Brothers	34,000
GVC Capital	Selvaggio Enterprises	11,500
Warwick Business Campus	Cornell	3,500
Woods @ Northampton	K. Hovnanian	27,000
Foxfield/Parkside Estates	Heritage Building Group	20,000
Estates @ Timberly Farms	Cutler Group	3,500
Upper Mountain Est.	Toll Brothers	25,000
D&V Associates	D & V Associates	1,000
Victoria Park	DeLuca	2,000
Auto Zone	Muchnick & Seigler	4,000.
Atlantic Precast Industries	Scott Ditcher	3,000
Richland Marketplace	Richland Marketplace	1,250
Deer Valley	Sal Paone	1,500
Smith Subdivision	Smith Minor Subdivision	4,000
The Flynn Company	The Flynn Company	3,500
Hilltown Ridge/Hiltown Reserve	Cutler & Alan Myers	9,000
Plowman & Frederick Construction	John Plowman	1,500
Hollyberry Square	Cornell	750
Cornwells Heights Senior Housing	Conifer Constriction	14,000
Glen Enterprises	Glen Enterprises	750
Bensalem Condos	Cinkaj/Miller	7000
I-95 Ramp	PA Dept of Transportation	*25,000
Clover Nook	Robert Reilly	4,000
Marriot Residence Inn	C. Schwartz	3,500
Green SFH	Richard Green	6,500
Damon's Restaurant	General Growth Partners	2,400
Braccia Day Care	Bracia Construction	6,000
D'Allessia & McGahan Tract	D'Allessia & McGahan	1,500
Bedminster Hunt	Piper Group& NV Homes	3000
Silver Lake Road Improvements	Pitcairn Properties	7,000
* Penalty in abeyance pending no further enforcement actions		
<b>Chester County</b>		
Daniel's Way	Schaffer Group	5,000
Mercer's Mill	Pulte Homes	13,500
French Creek	S&S Townhouses	10,000
Wood Property	Jonathan Wood	4,600
Greenridge Subdivision	Greenridge Development LP	1,500
Woods at Rock	Janiec Builders	15,000
Timberlane Subdivision	Milestone Land Development	9,000
Shadyside Park	West Bradford	12,000
Charlestown Meadows	Toll Bros	13,750
Design Data	Monaco	3,000
Cox Property	O'Neill Homes	5,000
Waterloo Farms	Waterloo Partners	7,000
Hill Brook Farm	Mark Herr	6,500
Coventry Lakes	David Erb	30,000
<b>Delaware County</b>		
Overlook Estates	Bar-Con Builders	3,500
Danbro	Danbro LP	7,000
<b>Montgomery County</b>		
School Spur	Montgomery Municipal Sewer Auth.	10,000
Indian run Interceptor	Franconia Sewer Authority	16,000
Montgomery Meadows	Quaker Homes	6,000
Sandy Hill Complex	Dewey Commercial	8,500
Providence Corp	Poall and Poall Center	3,000
BlueBell Meadows	Latham Reality	14,000
Blue Route Industrial	LFT Inc.	12,000
Eckerd Drug	Strategic Retail	12,000
Jones Brothers	Mark Jones Warehouse	6,000
Baver Tract	George Baver	10,000

## Skeptical about State Pilot Program

The Department of Environmental Protection has concocted a procedure for processing NPDES Construction permits. It is being referred to as the Pilot Program. Berks County Conservation District has been active in the development of this process, and has conducted one test run to date. What the Pilot Program offers is the opportunity for the Project Owner, Plan Designer and Contractor to review the Post Construction Stormwater Management Plan and Erosion & Sediment Control Plan in two separate meetings.

The Pilot Program is being promoted intensely across the state. A consultant from Connecticut, John W. Deering, has been contracted by the D.E.P. to facilitate the development of this effort, which he refers to as *Earth Management: The Team Concept*. The program is being sold much like the old joke about several blind men trying to describe an elephant. The man holding the trunk has an entirely different understanding than the man holding the tail. One pitch is that the local conservation district can require additional information of the applicant to enter into this process, such as a requiring a color cut/fill plan, or a certain format for submission of calculations. Developers are hit with the pitch that permits can be issued in as short as 10 days from application to permit out the door.

The Southeast PA Conservation Districts have offered numerous suggestions, recommendations and revisions to the Pilot Program over the past few months. However, to our knowledge, the program remains virtually unchanged. DEP is attempting to recruit additional Conservation Districts to experiment with this process. Berks County C.D. remains the only Conservation District to participate. Two or three others have expressed some degree of interest. Label me as a skeptic, but I am not ready to join the team, nor am I ready to be on the cutting edge of a major change in the way of doing our business.

*Ed Magargee  
Delaware County C.D.*

## Environmental concerns spurs public hearing in Delaware County

On December 20<sup>th</sup> 2005 the Department of Environmental Protection held a public hearing for the proposed Sentinel Ridge development by Pulte Homes of PA, LP in Marple Township, Delaware County, due to substantial public interest. The two and half hour meeting was held at the Delaware County Community College. There were about 50 people in attendance and 10 speakers that ranged from scientists to residents, who voiced their concerns and comments over the development.

The proposed development is on a 34.8-acre tract of land in Marple Township above the Crum Creek water in-take operated by Aqua PA, and it also sits on steep slopes. These two issues were prime factors of public concern. The proposed development consists of 200+ town homes, condominiums and a community center.

One main concern that DEP is now stressing in their NPDES permits is post-construction stormwater management. Pulte Homes is proposing to use a detention/infiltration basin, rain gardens, vegetated filter swales and water quality inserts to control the 2 year/24 hour storm runoff.

DEP, in conjunction with the conservation district, will consider this public input as part of the permitting process and continue to review this plan to make sure that it promotes infiltration and meets all Chapter 102 erosion and sedimentation regulations.

*Kevin Boyle  
Delaware County CD*

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## Annual Christina Basin Tour

Over 50 members of the Christina Basin Clean Water Partnership participate in the 10th annual Christina Basin Bus tour in September 2005. Sites visited included restoration projects in both Pennsylvania and Delaware. The purpose of the tour is to see first hand examples of watershed management strategies put in place to protect important resources in the Basin. Sites in Chester County included:

### Phillip's Mushroom Farms:

Located in the Red Clay Creek watershed, this farm is known for its exotic mushroom varieties. The farm has a 500,000 gallon tank for collecting water used in production. They recently added a 1.5 million gallon HDPE-lined pond to collect waste water. Aerators churn up solids. The nutrient rich water can then be sprayed onto a hay field, and the harvested hay used as mushroom compost.



**Floodplain Forest Restoration:** A parcel of land along the West Branch of Red Clay Creek was being used for horse pasture. The streambanks were being browsed and compacted by the animals. Restoration included re-delineation of livestock fences and planting

of native trees and shrubs along the bank, with control of invasive species.

### Norwood Road-Ludwig's Creek:

This project involves private property of seven landowners in the Brandywine Christina River Basin. The stream was eroded by inadequate stormwater controls and large amounts of impervious surfaces from new developments up stream. The repairs included moving the stream channel and regrading the floodplain to restore the stream to a safer course. A rock weir to divert the water channel and steep slopes were reconstructed. Stabilization was done using erosion control blankets, staples and live stakes.



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# News from the conservation district offices



The Montgomery County Conservation District welcomes **Kevin Smith** as a new Erosion and Sediment Control Technician.

Kevin began working for the conservation district in November 2005. The majority of his work will be in erosion and sediment control plan review. Kevin's previous experience includes two internships at Stroud Water Research Center assisting in watershed studies and a position with an environmental engineering company working on Superfund site remediation. He graduated in 2003 from the University of Pittsburgh at Johnstown with a B.S. in Geology. Kevin is looking forward to continuing to work with the wonderful staff at the MCCD.

Kevin is looking forward to continuing to work with the wonderful staff at the MCCD.

**Maggie Allio** is the newest addition to the Montgomery County Conservation District staff. She is a recent graduate of Dickinson College, where she double-majored in Environmental Science and Policy Studies. At MCCD Maggie will perform the administrative/technical completeness checks for the Chapter 102/NPDES program and will serve as the Coastal Non-point Pollution Program Specialist.



Before joining the district, Maggie worked during the summers in the wetlands of Western Pennsylvania, and provided technical assistance to watershed organizations in Central PA during the academic year through the Alliance for Aquatic Resource Monitoring (ALLARM). Maggie is excited to be involved with the Conservation District and to help develop the Coastal Zone project in Montgomery County.



The Bucks County Conservation District recently added **Courtney O'Neill** to their staff. Courtney is the BCCD's new Coastal Non Point Pollution Specialist. She is undergoing Chapter 102 training with the Pa DEP and will be reviewing Erosion and Sedimentation Control Plans as well as completing tasks for the Coastal Zone Management Program. Courtney's territory will include Chalfont, New Britain, and Doylestown Boroughs.

Courtney graduated from Bloomsburg University in August of 2005. After receiving her BA in Geography/Environmental Science, Courtney worked as an intern for the Bucks County Planning Commission. Her projects included updating a countywide matrix of environmental regulations such as riparian or wetland buffers.

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