

Permitting Docks and “Seawalls”

The Department has been getting numerous inquiries from Indian Lake residents regarding proposed work on docks, “seawalls,” bank protection and boat houses during the drawdown of the lake scheduled for this fall. Such projects are regulated by the Department of Environmental Protection, and some applications received to date have not been consistent with DEP requirements.

When the lake was last drawn down, all work was covered under one all-inclusive permit for all regulated facilities, and residents only had to submit a portion of the information required for approval, the rest having been submitted by the Borough. Permits for current activities will require a site specific application unique to each project. The regulations have been changed to include permitting fees, which must be submitted with the application. If an application is submitted which the department deems incomplete, we are required to return it to the applicant. The application fee will not be refunded. When the application is resubmitted, another fee must be paid. It is therefore to your benefit to submit applications which meet the Departments requirements. We will try and work with you to correct minor deficiencies by phone, mail or e-mail.

The department has two categories of permits that are of interest to Indian Lake residents. The simplest types of permits are general permits, (GP) including GP-2 for small docks and GP-3 for “seawalls” and bank protection. General permits are limited in scope. They cannot be used to authorize new boat houses, boat slips or large commercial docks. Only one dock per property can be authorized under general permit 2.

Replacement or rehabilitation work on most regulated structures (dock, seawall, boat house boat slips and etc.) can be authorized using GP-11. GP-11 may not be used to authorize the construction of a new facility, or to authorize the significant expansion of an existing facility.

For facilities that do not qualify for a general permit, a full permit is required. These are also referred to as “Joint Permits,” “regular permits” “Individual permits” or “105 permits.” These actions require more extensive paperwork and higher fees than are required for general permits, and they have a longer review times. Because of publication and public comment requirements, and longer review times, it is doubtful that one can be issued in time for work to be completed before winter. If a full permit is required, a pre-application meeting is strongly recommended. These meetings are held every second and fourth Thursday in the Pittsburgh regional office. To schedule a pre-application meeting, submit a written request, including a USGS topographic map showing the project location, a brief description of the project, plan and cross section sketches of the proposed facility and your contact information to:

Waterways Engineering and Wetlands Section

Department of Environmental Protection

400 Waterfront Drive

Pittsburgh PA, 15222

General Permit applications must include the following:

1. The signed original application.
2. A completed and signed Cumulative impact project screening form.
3. The signed copy of the PNDI check. These may be available at <http://www.naturalheritage.state.pa.us/> Click on the PNDI environmental review tool box to the lower left of the page. If you can't get this to work, let us know and we will try to run it for you. If a "species of concern" is encountered, follow the directions given. If we run the check and a "species of concern" is encountered, the application may be returned and the fee may be forfeited.
4. The exact latitude and longitude. Your GPS might be able to do this. Look under co-ordinates.
5. A location map based taken from a United States Geological Survey Topographic Map. Maps are available on line, or you may use the one in this handout. Copies must be legible. Be sure to show the location of the project.
6. A plan (bird's eye view) of the proposed facility showing all existing docks, seas walls, boat houses, fences and other facilities in the vicinity of the project area. Include the dimensions of any proposed constructions. Standard Drawings are in the application package, you may use this for an example. (note that the standard drawings don't include dimensions, we need to have these)
7. A cross sectional view of the facility. Please see examples in the application.
8. For GP-3 please include color photographs of the project site.
9. A completed Fee calculation worksheet with a check for the appropriate amount, made out to the Commonwealth of Pennsylvania.

Read and follow all directions in the application. If your project does not meet the provisions/restrictions of the GP, it cannot be authorized by a GP.

A permit from the Department does not satisfy borough requirements, you must still obtain all required local approvals.

We are aware that the submission of these applications can be daunting for someone not familiar with environmental permitting. Some applicants choose to retain an environmental consultant or engineer to complete applications for them. We cannot recommend anyone, but if you decide to have a third party complete your application, we suggest that you seek out someone with experience dealing with Water Obstruction and Encroachment Permits.

If you have any questions, call Chuck Colbert at 412-442-4213.