

Understanding Chapter 105 Permits

Municipal Roundtable
Westmoreland Conservation District
February 20, 2026

When do I need a Chapter 105 permit?



When do I need a Chapter 105 permit?



Chapter 105 permits are for work in water

- Waters of the Commonwealth: streams, rivers, ponds, lakes, ditches, wetlands, water bodies, and the floodway of a stream
- All activities that change the
 - Course
 - Cross section
 - Currentof a stream or other body of water

Changing the course, current, or cross section



Chapter 105 permits...

- WATERCOURSE Any channel or conveyance of surface water having defined bed and banks,
- whether natural or artificial, with perennial or intermittent flow

Changing the course, current, or cross section



Changing the course, current, or cross section



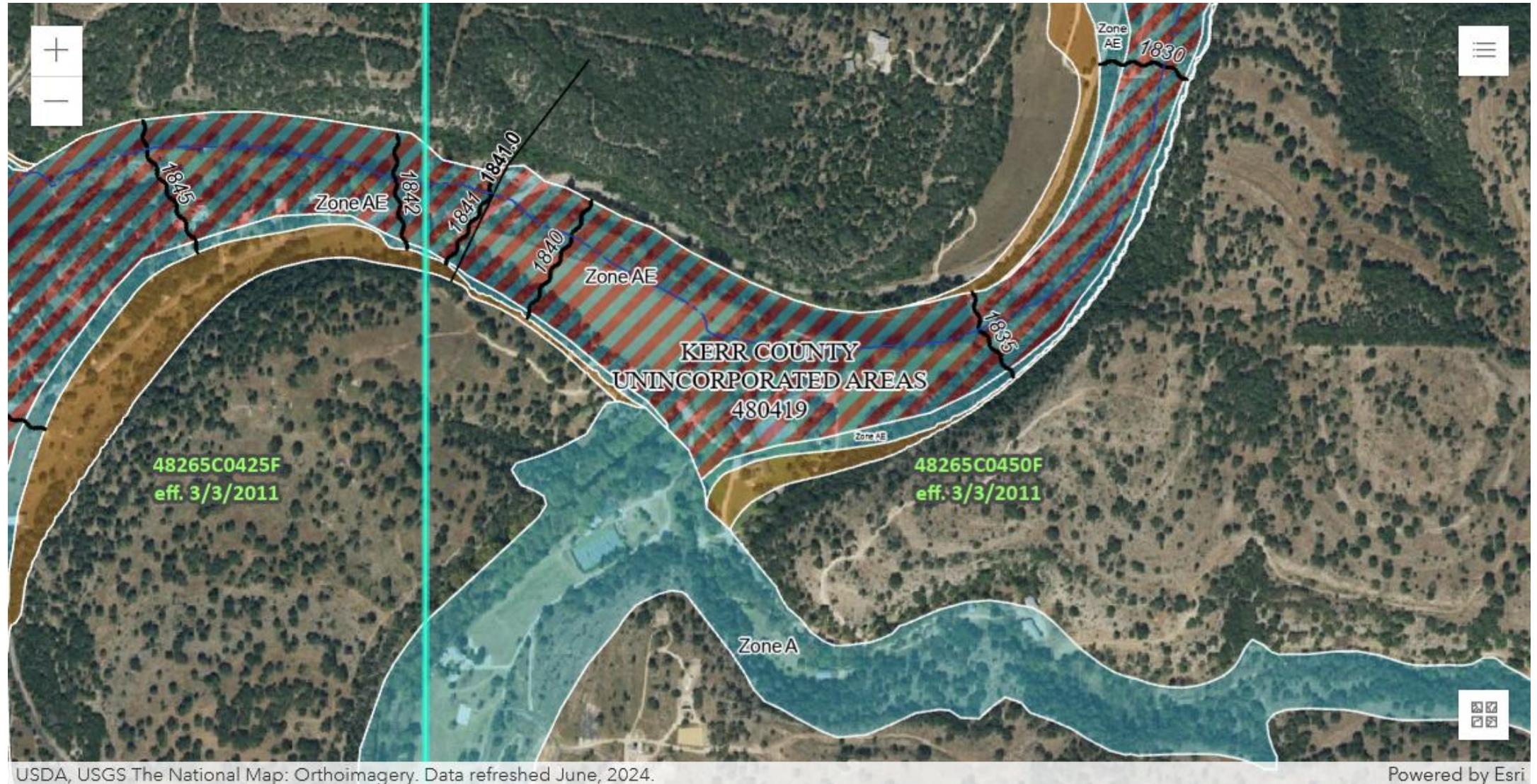
Floodway: where the water is moving fast!



Floodway:

- The channel of a watercourse and the adjacent land areas which are required to carry & discharge the 100 year frequency flood.
- In areas where there are no FEMA maps or studies, it is assumed that the floodway extends 50' from the top of the bank of the stream

FEMA Firmette floodplain/floodway map



Municipalities need a Chapter 105 permit...

- If you are working in the stream
- If you are working in the floodway

Municipalities need a Chapter 106 permit...

- If you construct, modify, remove, destroy, or abandon an obstruction in the floodplain

Municipal work in a floodplain requires a permit



What types of Chapter 105 permits are there?

- Waiver
- General Permit
- Small Projects Permit
- Water Obstruction and Encroachment Permit (Joint Permit)
- Emergency Permit

Waiver of permit requirements

- Obstructions in a stream with a drainage area < 100 acres
- Small ponds
- Maintenance of stormwater management facilities

Some waivers are automatic but others must be in writing.

You still need to follow all approved E&S and 105 conditions.

Contact WCD for advice.

General Permits...

General Permits fit pre-determined categories

- GP-1 Fish enhancement structures
- GP-2 Docks and boat ramps
- GP-3 Streambank stabilization and gravel bar removal
- GP-4 Intakes and Outfalls
- GP-5 Utility line crossings
- GP-6 Agricultural crossings

General Permit 2, Docks and Boat Launching Ramps



...General Permits

- GP-7 Minor Road Crossings
- GP-8 Temporary construction crossings
- GP-9 Agricultural activities
- GP-10 Mine reclamation
- GP-11 Maintenance, repair, rehab, replacement
- GP-15 Residential construction in Wetlands

General Permit 3, Bank Rehabilitation, Bank Protection, and Gravel Bar Removal

- Used to stabilize an eroding streambank
- Used to remove a gravel bar or sandbar
- Not for relocating a stream
- Work with the stream where it is
- Use riprap or other practice to prevent erosion

General Permit 3, Bank Rehabilitation



General Permit 3, Bank Rehabilitation



General Permit 3: Gravel Bar Removal

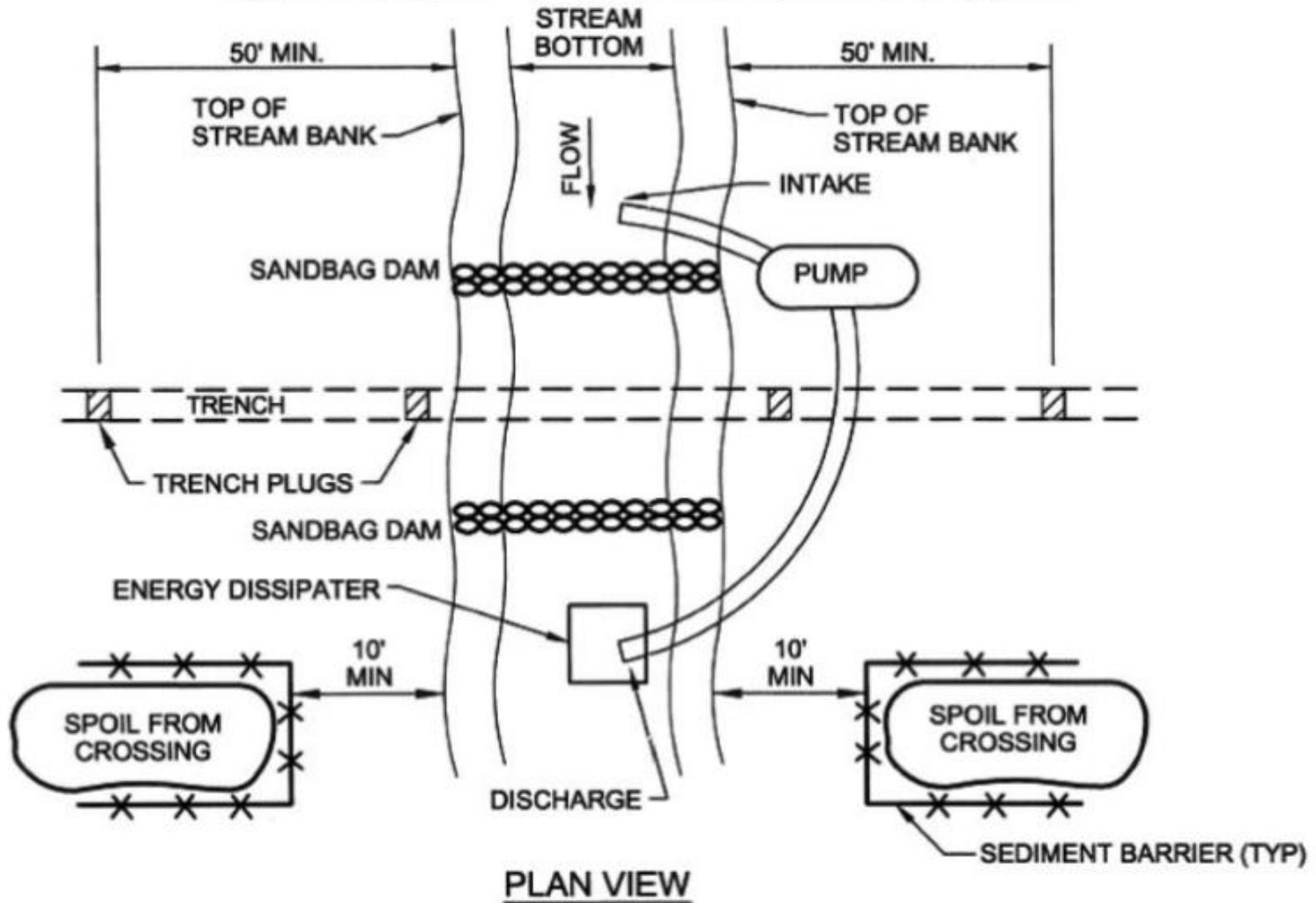


General Permit 5, Utility Line Crossings

- Installation, operation, and maintenance of utility line crossings of waterbodies
- Can be used for a large river, a small wetland, or any other water body
- Necessary whether open trenching, directional drilling, or attaching to a bridge

General Permit 5, Utility Line Crossings

STANDARD CONSTRUCTION DETAIL #13-2
Typical Utility Line Stream Crossing with Pump Bypass



General Permit 7, Minor Road Crossings

- For a bridge or culvert with a watershed area of < 1 square mile
- No more than one foot of fill over top of the pipe
- Pipe must be < 100 feet long
- Pipe must be sized to 'fit' the stream channel & expected flow!



This culvert does not meet GP-7 requirements!!



A permit allows you to do Maintenance on the permitted structure!!



A permit
requires you
to do
Maintenance
on the
permitted
structure!!



General Permit 8, temporary road crossings

- Used to get equipment across a stream or water body
- No limit on watershed size
- Crossing may remain for up to one year
- Be careful of causing flooding!!!

General Permit 8, temporary road crossings



General Permit 11, Maintenance, Repair, Rehabilitation, or Replacement

- Not for new construction where nothing exists now
- For bridges or culverts where the watershed drainage area is greater than one square mile or 640 acres
- For situations where other GP's don't fit.
- WCD does not issue this GP

What's required for a General Permit?

- Measurements and Photos
- Drawings
- USGS location map
- PNDI search
- Notification
- Fill out the permit forms
- Erosion Control Plan



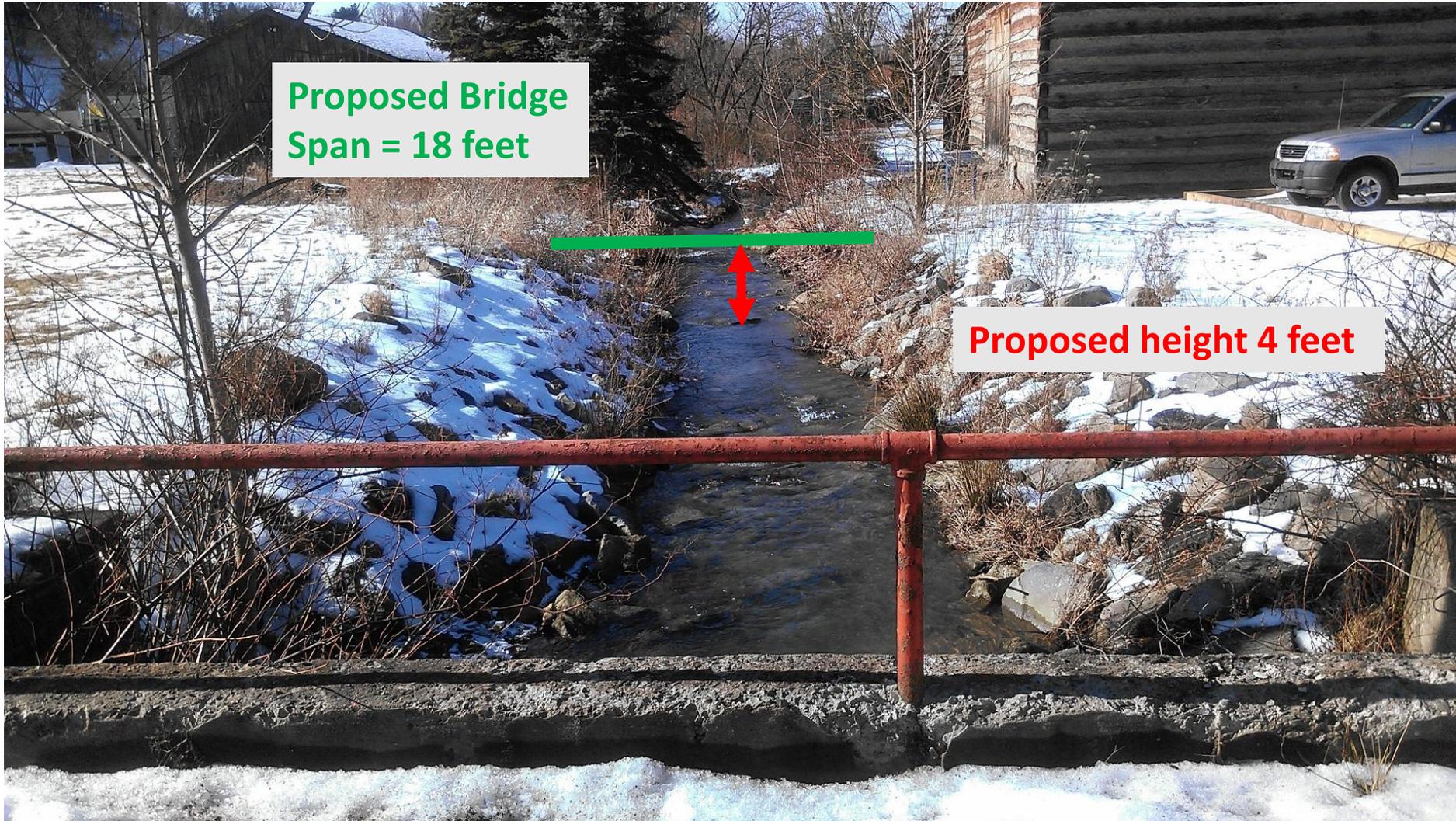
CHAPTER 105 WATER OBSTRUCTIONS AND ENCROACHMENT GENERAL PERMIT REGISTRATION



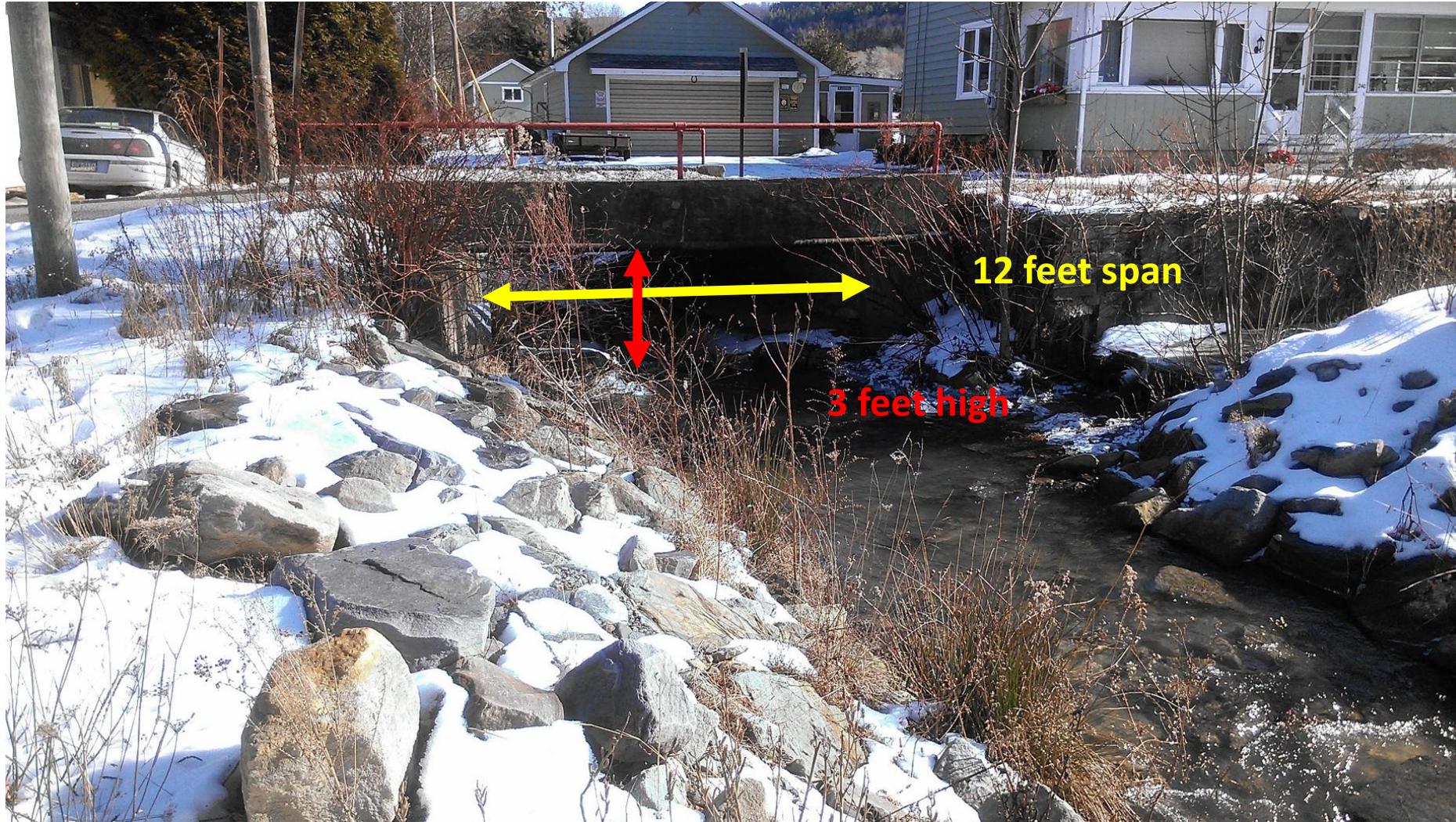
SECTION A. APPLICANT INFORMATION						
<input checked="" type="checkbox"/> FERC Natural Gas Activity Docket Number <input style="width: 100px;" type="text"/> Type of Facility <input style="width: 100px;" type="text"/> Has a Water Quality Certification (WQC) request been sent to DEP? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Activity Subject to FERC approval and/or Oil & Gas Exploration, Production, Storage or Transmission if the activity is regulated by FERC and provide the FERC docket number.						
Applicant's Name / Client <input style="width: 150px;" type="text"/>		DEP Client ID# (if known) <input style="width: 150px;" type="text"/>		Employer ID# (EIN) <input style="width: 100px;" type="text"/>		
Client Information - Please select Client Type / Code from drop down box under the correct entity shown below. (or may be written in) ↓						
Government <input style="width: 150px;" type="text"/>		Non-Government <input style="width: 150px;" type="text"/>		Individual <input style="width: 100px;" type="text"/>		
Mailing Address <input style="width: 150px;" type="text"/>			City <input style="width: 100px;" type="text"/>	State <input style="width: 50px;" type="text"/>	ZIP + 4 <input style="width: 50px;" type="text"/>	
Contact Person – Last Name <input style="width: 100px;" type="text"/>		First <input style="width: 50px;" type="text"/>	MI <input style="width: 20px;" type="text"/>	Suffix <input style="width: 50px;" type="text"/>	Telephone (<input style="width: 30px;" type="text"/>) <input style="width: 60px;" type="text"/>	Email Address <input style="width: 100px;" type="text"/>
SECTION B. CONSULTANT INFORMATION (If applicable) <input type="checkbox"/> N/A						
Contact Person – Last Name <input style="width: 100px;" type="text"/>		First <input style="width: 50px;" type="text"/>	MI <input style="width: 20px;" type="text"/>	Suffix <input style="width: 50px;" type="text"/>	Consultants Title <input style="width: 100px;" type="text"/>	Consulting Firm <input style="width: 100px;" type="text"/>
Mailing Address <input style="width: 150px;" type="text"/>			City <input style="width: 100px;" type="text"/>	State <input style="width: 50px;" type="text"/>	ZIP + 4 <input style="width: 50px;" type="text"/>	
Telephone (<input style="width: 30px;" type="text"/>) <input style="width: 60px;" type="text"/>		Fax (<input style="width: 30px;" type="text"/>) <input style="width: 60px;" type="text"/>		Email <input style="width: 100px;" type="text"/>	Employer ID# (EIN) <input style="width: 100px;" type="text"/>	
SECTION C. PROJECT INFORMATION						
Project / Site Name <input style="width: 150px;" type="text"/>			DEP Site ID# (if known or leave blank) <input style="width: 100px;" type="text"/>			
Client Relationship - Please select Site-to-Client Relationship / Code from drop down box to the right. (or may be written in) →			Double-click on shaded area below to select correct Site-to-Client Relationship / Code ↓ <div style="background-color: #e0e0e0; padding: 2px; border: 1px solid black; width: 100%; height: 20px;"></div>			
County <input style="width: 100px;" type="text"/>		Municipality <input type="checkbox"/> City <input type="checkbox"/> Borough <input type="checkbox"/> Township <input style="width: 100px;" type="text"/>			Note: Municipal & County Notification is Required	
Site Location / Address <input style="width: 150px;" type="text"/>			City <input style="width: 100px;" type="text"/>	State <input style="width: 50px;" type="text"/>	ZIP + 4 <input style="width: 50px;" type="text"/>	
Collection Method: <input type="checkbox"/> EMAP <input type="checkbox"/> HGIS <input type="checkbox"/> GISDR* <input type="checkbox"/> ITPMP <input type="checkbox"/> GPS <input type="checkbox"/> WAAS <input type="checkbox"/> LORAN Check the horizontal reference datum (or projection datum) employed in the collection method.						
EMAP and HGIS (PNDI) have known datum and do not require checking here. <input type="checkbox"/> NAD27 <input type="checkbox"/> NAD83 <input type="checkbox"/> WGS84 (GEO84) LAT.: <input style="width: 100px;" type="text"/> LONG.: <input style="width: 100px;" type="text"/>						

	Applicant Entry	DEP Use Only
2. Location Map (USGS quad map) with project site marked:	<input type="checkbox"/>	<input type="checkbox"/>
3. Color Photographs with dates, locations, and descriptions: <input type="checkbox"/> GP-3 <input type="checkbox"/> GP-11 <input type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>
4. Project Description: (Example: Linear pipeline project using multiple GP-5's and GP-8's; One GP-7 for an access road to my property) _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
5. Site Specific and/or Standard Drawings are (required for all) project's GP activities. For Activities that qualify for GP-7 or GP-11 Plans, specifications, and reports for bridges and culverts across a stream which are to be used by the general public such as an access to an industrial, commercial or residential development, etc., shall be prepared by a registered professional engineer and shall be affixed with their seal and certification which shall read as follows on the drawings: If the project includes a bridge or culvert replacement or the proposed work will change the waterway opening, please complete and provide the <u>Bridge and/or Culvert Replacement Projects or Projects That Change the Waterway Opening (3150-PM-BWEW0552B)</u> worksheet. If the project consists of similar work (replacement or change in waterway opening) on more than one structure, provide the data requested for each structure included in this Registration package. <i>"I (name) do hereby certify pursuant to the penalties of 18 Pa. C.S.A. Sec. 4904 to the best of my knowledge, information and belief, that the information contained in the accompanying plans, specifications, and reports has been prepared in accordance with accepted engineering practice, is true and correct, and is in conformance with Chapter 105 of the rules and regulations of the Department of Environmental Protection."</i>	<input type="checkbox"/>	<input type="checkbox"/>
6. Proposed Project Purpose depicting the site of the projects GP activities and impacts. Briefly discuss the need for the authorization.	<input type="checkbox"/>	<input type="checkbox"/>
7. Erosion & Sediment Control Plan (E&S Plan) (Required for all GP's but specifically required with submission with a registration of GP-11 or GP's for oil and gas related activities submitted to DEP.)	<input type="checkbox"/>	<input type="checkbox"/>
8. Pennsylvania Natural Diversity Inventory (PNDI): PNDI Search Receipt and clearance letters, if available. See additional requirements for submission with Avoidance Measures and/or Potential Impacts.	<input type="checkbox"/>	<input type="checkbox"/>
9. Activities which impact wetlands: (For State Regulated Impacts) Please place an "X" next to the appropriate box indicating the information provided: <ul style="list-style-type: none"> > N/A because no wetland impacts are proposed or no compensatory mitigation is necessary. <input type="checkbox"/> > A wetland delineation with complete data sheets in accordance with the 1987 Corps of Engineers Wetland Delineation Manual AND the appropriate Regional Supplements to the Corps of Engineers Wetland Delineation Manual for use in Pennsylvania..... <input type="checkbox"/> > If direct or indirect wetland impacts are greater than 0.05 acre, a compensatory mitigation plan in accordance with the Department's Replacement criteria which provides compensation for both affected acreage, and functions at a minimum of one to one ratio. <input type="checkbox"/> > If compensatory mitigation onsite is determined not feasible: <input type="checkbox"/> A check, number _____, in the amount of \$ _____ payable to the National Fish and Wildlife Foundation, N.A. 1237, as compensatory mitigation for _____ acres of impact in wetlands, in accordance with the Pennsylvania Wetland Replacement Project..... <input type="checkbox"/> <p style="text-align: center;">(Additional Mitigation May Be Required by U. S. Army Corps)</p>	<input type="checkbox"/>	<input type="checkbox"/>

Compass Inn Footbridge location taken from California Ave. looking downstream.



Existing California Avenue bridge shown upstream of proposed Compass Inn bridge location.



PNDI endangered species search

- Searches databases maintained by PA Fish and Boat, PA Game Comm., PA Bureau of Forestry, and US Fish & Wildlife.
- Effective July 2, 2012 PNDI receipts and clearance letters issued by the jurisdictional agencies will be valid for two years.
- <http://www.naturalheritage.state.pa.us/>

Joint Permit (Water Obstruction and Encroachment Permit)

- For large projects
- For projects with large impacts
- For projects which exceed the parameters of General Permits

Joint Permit requirements

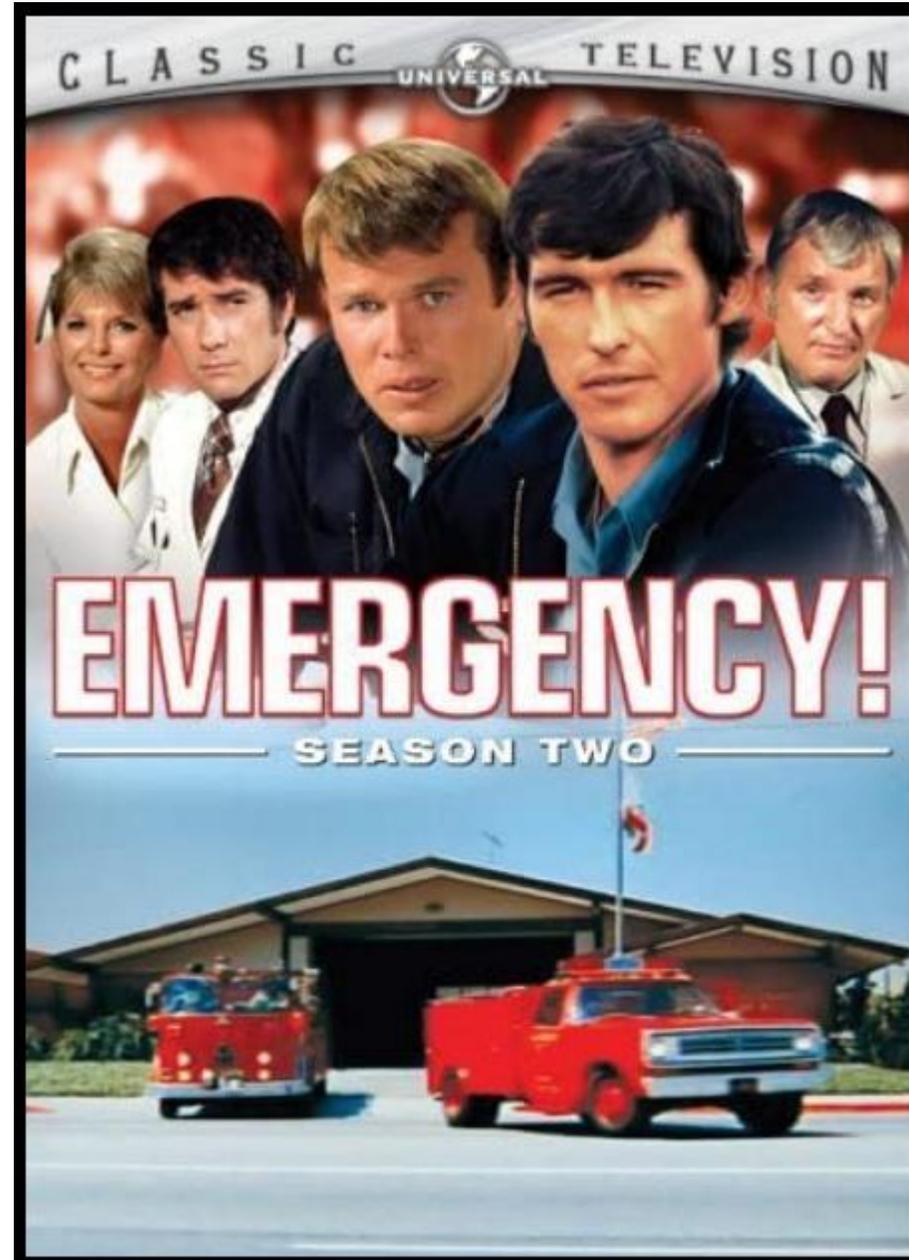
- Engineering study of Hydraulics and Hydrology
- Biologist study of aquatic life, habitat, ecosystem
- Justification and alternatives analysis
- Environmental Assessment
- Public Notice (Act 14)

Placing a building over a stream is not authorized by a General Permit—a Joint Permit is needed



Emergency Permit

- Issued by DEP SWRO
- For an urgent situation
- Contact WCD for advice



Questions:

- Please contact the Westmoreland Conservation District for further assistance!



James W. Pillsbury MS PE

Hydraulic Engineer

jim@wcdpa.com

www.westmorelandconservation.org