



Summary of Planned Updates to PHMC Policy

Title: Policy for Pennsylvania Historical and Museum Commission (PHMC) and Department of Environmental Protection (DEP) Coordination During Permit Application Review and Evaluation of Historic Resources (Document Number 012-0700-001)

Purpose: To establish procedures consistent with the Pennsylvania History Code for DEP plan approvals and permit application reviews. The intention is to provide PHMC with the information necessary to determine whether significant archaeological sites or significant aboveground historic resources may be adversely affected by an activity and to meet DEP's obligations to protect historic resources.

This policy outlines a process by which a person applying for a DEP permit or plan approval should first notify PHMC using PHMC's online portal, receive confirmation from PHMC that the information was received, and then include that confirmation with the DEP permit application. To the extent that PHMC may require additional investigation through information requests, surveys, or field investigations, PHMC will work directly with the applicant to resolve PHMC's concerns.

Projects requiring a state permit or approval are required to submit information to PHMC where the activity has not been exempted. Coordination with PHMC may also be required for projects using federal funds or federal permits, based on federal statutes.

The PA History Code prohibits Commonwealth agencies from denying permits solely because of the possible or actual presence of archaeological resources, unless other statutes provide contrary authority.

The History Code establishes time limits for PHMC's review and provides that the failure of the Commission to render a determination within the time limit for its review shall be deemed a determination that a survey or investigation is not necessary.

Highlights of updates to the existing 2002 policy:

- Updated some definitions to provide further explanation and clarification.
- Added a clarification statement that where an applicant submits an application to DEP, with an associated response from PHMC, DEP will proceed with its review of the permit application without delay.
- PHMC has moved to a new online portal, [PA-SHARE](#) for submitting environmental review forms, and they will provide training on the new system.
- Removed exemptions by permit type and acreage and replaced with exemptions by activity.
- The exemptions generally recognize that conducting activities in areas that were previously disturbed may not require reexamination for historic resources.
- Activities not exempted should submit required information to PHMC.
- Clarified that if a project is subject to multiple exemptions, each must be evaluated independently for the project to be exempt.
- DEP does not stipulate specific investigatory activities that may be required as a result of PHMC notification and coordination; follow-up activities are determined by PHMC and the applicant.
- Removed a description of potential responses that PHMC may supply, because those decisions are not made under DEP's authority.