

County-Wide Act 167 Stormwater Management Plan for Chester County, PA

Chester County Water Resources Authority
Chester County Planning Commission
Chester County Conservation District

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chesco.org/water

PA Act 167 – Stormwater Management Planning Act

- 1978
- Reduce flooding and stormwater impacts of future development and redevelopment
- Mandates counties to prepare stormwater management plans and standards
- Mandates municipalities to adopt the stormwater management standards
- Unfunded mandates

Watersheds Plan

- Adopted 2002 as water resources element of *Landscapes*, under PA Act 247
- Recommended by PADEP to be adopted under PA Act 167 as County-wide Act 167 Plan for Chester County
- To complete Act 167 Plan, requires amendment of *Watersheds* to include:
 - PA Act 167 Statutory Basis
 - Municipal Outreach for Act 167
 - MS4 and TMDL Program Coordination
 - Updated Model Ordinance
- *Landscapes* amendment required to incorporate *Watersheds* amendments

County-Wide Act 167 Plan

- *Watersheds Plan*
- Addendum to *Watersheds*
 - Model Ordinance
 - Matrix of Minimum Standards
 - Christina Stormwater TMDL Plan Template
 - Documentation of municipal and public involvement and input
 - Requirements for State Projects (PennDOT, Pa Tpk Comm, etc.)
 - Other minor technical updates
- Applies to all municipalities and all land area within Chester County
- Incorporates components of previously approved 167 Plans

County-wide Act 167 Stormwater Management Plan to be adopted under BOTH Act 167 and Act 247

Target time-frame -

- January 2013 – Commissioners Adopt
- January 2013 – Submit to PADEP for final approval
- March 2013 – PADEP issues final approval
- Sept 2013 – Municipalities complete adoption

Minimum applicability

- Regulated activity = any earth disturbance that alters runoff
- ≥ 1000 sq. ft. “proposed impervious” – full ordinance applies (engineered plan and municipal review required)
- $< 1,000$ sq. ft. – prohibited from causing pollution or altering runoff from property (no plan or municipal review required)
- “Proposed Impervious” = new and replacement

Minimum Required Standards

- **Downgradient Property** (no hydrologic change without notice)
- **Natural Hydrology Site Design**
- **Water Quality and Volume Control** (no net increase in runoff of 2-year storm)
- **Infiltration** (minimum 1” runoff from impervious surfaces must be infiltrated)
- **Stream Channel Protection** (2-year post peak rate reduced to 1-year pre peak rate; attenuate 1-yr 24 hr runoff)
- **Peak Rate Runoff Controls** (10-yr post to 2-yr pre; 5-yr post to 2-yr pre; 100-yr post to 100-yr pre; 100% meadow for new development)
- **Permanent Protection and O&M Agreements** (required to be recorded as part of public record)
- **Long-term Operation, Maintenance and Inspections** (required)

Provisions for Relaxed Controls

- **Exempt Activities** – agriculture, residential in-footprint replacement; municipal road shoulder improvements; etc.
- **Redevelopment** – improvement of runoff control required; less restrictive than new development
- **Small Projects** – option to require “Simplified Method” for projects up to 2,000 sq. ft. of proposed impervious
- **Agricultural Structures** – option for up to 10,000 sq. ft. building plus 5,000 sq. ft. vehicle movement area can be designed through Conservation Plan process and exempt from municipal review/approval
- **Peak Rate Controls** – 5-year and 10-year control standard can be based on either erosion control or flood control

Requirements for State Projects

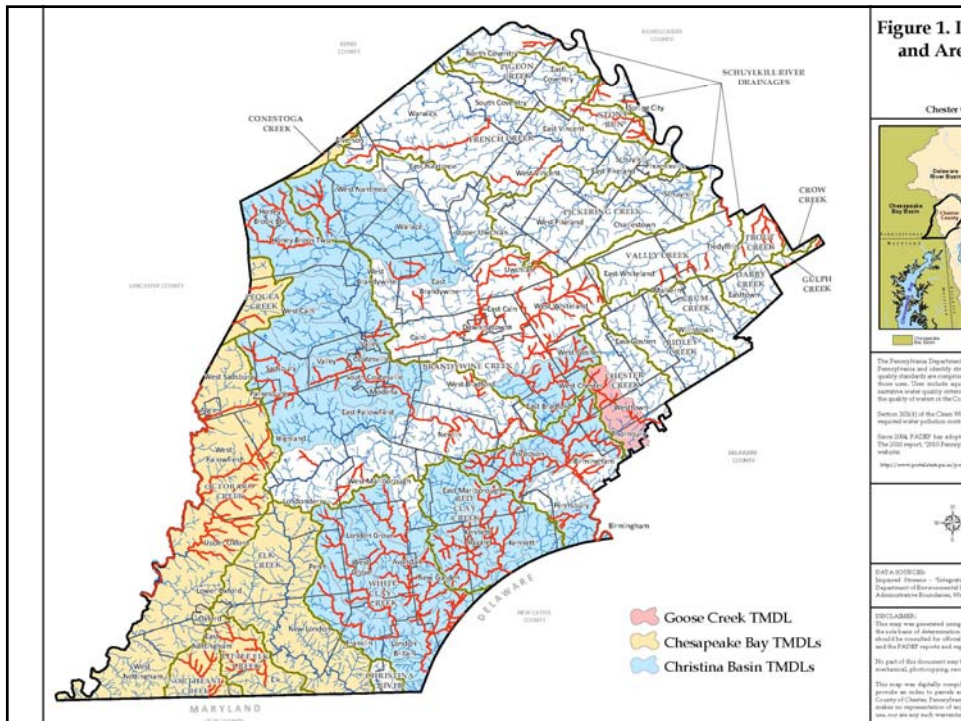
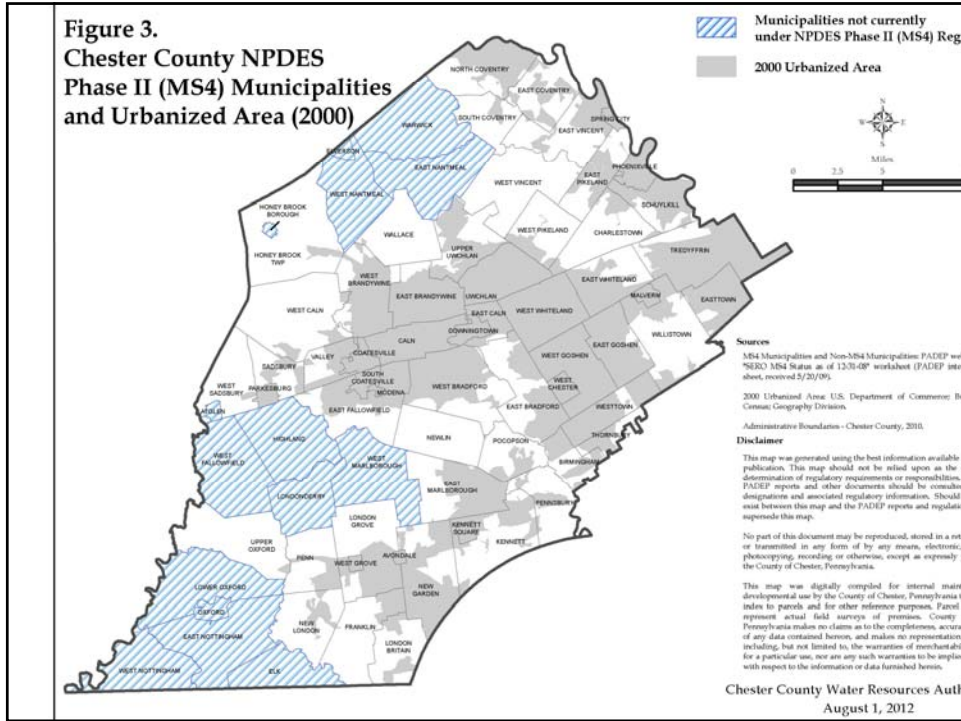
- State financed projects must be consistent with the Act 167 Plan
- Pa Turnpike Commission – must comply with municipal ordinances
- PennDOT –
 - Not required to comply with municipal ordinances
 - Agreed to inclusion of list of “priorities for consideration” - not mandatory, but opportunity for increased coordination with municipalities and attention to local drainage improvements

Who Will Be Affected ?

- **Landowners** - who undertake earth disturbance or creation of new or replacement impervious surface
 - Inclusion of SWM BMPs in all Regulated Activities – effort and costs
 - Project plan preparation/submittal of site plan and O&M agreement for municipal review/approval – effort and engineering/legal costs
- **Municipalities** –
 - Streamlined compliance with NPDES/MS4 and 167 regulations
 - Ordinance preparation/adoption effort and costs
 - Increased project reviews, approvals, inspections and costs
 - Long-term enforcement, inspection and O&M Agreement implementation efforts and costs
- **County** –
 - Compliance with 167 requirements
 - Plan/model ordinance preparation/adoption effort and costs
 - Compliance with municipal 167 ordinance requirements for all future land development on County properties – efforts and costs

Reasons Why County-Wide Plan Needed

- Assist municipalities in streamlining MS4, TMDL and Act 167 stormwater mandates
- 86% of County drains to:
 - A stormwater-impaired stream
 - An Exceptional Value or High Quality water body
 - A stream with stormwater TMDLs established for mandatory implementation
- 84% of County within watersheds that are source waters for public water supply
- 58 of 73 municipalities regulated under MS4 program
- >250 locations of known flooding problems





45-Day Public Review Period

Draft Addendum and Model Ordinance
available for review at

chesco.org/water

[Comments Welcome](#)

Oct 12 to Nov 26 2012

Informational Public Meeting

November 14, 2012 2:00 p.m.

Chester County
Government Services Center
601 Westtown Road, West Chester, **Room 351**

in conjunction with:
Chester County Planning Commission
monthly Board of Directors meeting

Questions ?