

ADDENDUM - APPENDIX A

Watershed Plan Advisory Committee (WPAC)

Members, Meetings and Communications

- WPAC Members
- WPAC Meetings
- WPAC Communications

WPAC Members

	Municipality	Municipal Representative Name	Alternate Designee Name
1	Atglen Borough	P. Gail Murphy	
2	Avondale Borough	James W. MacCombie	Albert F. Bryan
3	Birmingham Township	James Hatfield	William J. Kirkpatrick
4	Caln Township	Jeffrey W. McClintock	Greg Prowant
5	Charlestown Township	Linda M. Csete	Jan Bird
6	City Of Coatesville	Kirby Hudson	Don Wilkinson
7	Downingtown Borough	Thomas Yuhas	Jack Law
8	East Bradford Township	Mark Lucas	Mandie Cantlin
9	East Brandywine Township	Matthew Vanlew	Scott Piersol
10	East Caln Township	Barbara Kelly	Daniel Daley
11	East Coventry Township	Bernard A. Rodgers	Brady L. Flaharty
12	East Fallowfield Township	Jill Bukata; Denise Miller	Jamie MacCombie
13	East Goshen Township	Louis F. (Rick) Smith	Mark Miller
14	East Marlborough Township	Jane R. Laslo	Eddie R. Caudill
15	East Nantmeal Township	Linda Cluck	Kathy Brumfield
16	East Nottingham Township	PJ Scheese	Walt Leis
17	East Pikeland Township	Kim Moretti	Mary Anne McCarthy
18	East Vincent Township	Mary E. Flagg	April Barkasi
19	East Whiteland Township	Terry H. Woodman	
20	Easttown Township	Mike Brown	Brady L. Flaharty
21	Elk Township	Andrew Wishart	Terri Kukoda
22	Elverson Borough	Lorrie Stolz	Merle Stoltzfus
23	Franklin Township	Mary Anne McCarthy	
24	Highland Township	William F. Beers	Ron Ragan
25	Honey Brook Borough	John Primus; Libby Nixdorf; Janis Rambo	Chris Falencki
26	Honey Brook Township	Antoinette Anotonini	Michael Reinert & Jennifer McConnell
27	Kennett Square Borough	Joseph C. Scalise	
28	Kennett Township	Lisa Moore	Robert Johnston
29	London Britain Township	Glenn Frederick	
30	London Grove Township	Tony Severino; Ron Ragan	Rhona Klein; Steve Brown
31	Londonderry Township	Janice Hearne	Robert Johnston
32	Lower Oxford Township	W. Ronald Kepler	Ed Fisher
33	Malvern Borough	Sandra Kelley	Daniel Daley
34	Modena Borough	James Corle & Ted Reed	Ramona Pluck
35	New Garden Township	Donald L. Suckstorf	Nate Cline
36	New London Township	Ronald Ragan	Trish Fagan
37	Newlin Township	William Kelsall & Gail Abel	Janie Baird
38	North Coventry Township	Kevin F. Hennessey	Mary Anne McCarthy
39	Oxford Borough	Ron Hershey; Betsy Brandt	Mark Stabolepszy
40	Parkesburg Borough	Jim Thomas	Phillip Brath
41	Penn Township	Karen Busby	W.A. Finnen

	Municipality	Municipal Representative	Alternate Designee
		Name	Name
42	Pennsbury Township	Kathleen Howley	Matt Houtman
43	Phoenixville Borough	Brian Watson	E. Jean Krack
44	Pocopson Township	James W. Hatfield	Susan Simone
45	Sadsbury Township	James W. MacCombie	Stephanie Silvernail
46	Schuylkill Township	Mary Bird	Mary Lou Lowrie
47	South Coatesville Borough	Stephanie Smith-Dowridge	John Washington
48	South Coventry Township	Amanda Shaner	Millie Donnell
49	Spring City Borough	Dennis Rittenhouse	Thomas J. Motley
50	Thornbury Township	Brody Bovero	
51	Tredyffrin Township	Stephen Burgo	Erin McPherson
52	Upper Oxford Township	Ronald Ragan	Jane Daggett
53	Upper Uwchlan Township	Cary B. Vargo	Dave Leh
54	Uwchlan Township	Doug Hanley	Bruce McKenney
55	Valley Township	Mike Ellis	Karen E. Chandler
56	Wallace Township	Barbara D'Angelo	Craig Kologie
57	Warwick Township	Charles Jacob & Joan Grimley	Jim Barker; Eric Sidlosky & Jason Swinehart
58	West Bradford Township	Thomas Ryan	Daniel Daley
59	West Brandywine Township	Ronald A. Rambo, Jr.	James W. MacCombie
60	West Caln Township	Gary Dunlap	Neil Vaughn
61	West Chester Borough	Bob Wilpizeski and O'B Laing	Mary Lou Lowrie
62	West Fallowfield Township	Gina M. Wheeler	
63	West Goshen Township	Richard J. Craig	Raymond Halvorsen
64	West Grove Borough	Sharon B. Nesbitt	Timothy R. Nichols & Jennifer Prunoske
65	West Marlborough Township	Albert J. Giannantonio	William W. Wylie
66	West Nantmeal Township	Susan Ward	April Barkasi
67	West Nottingham Township	Candace Miller	Ron Ragan
68	West Pikeland Township	Vincent Visoskas	Daniel Daley
69	West Sadsbury Township	James Landis	E. Barry Edwards & Cory Rathman
70	West Vincent Township	James Wendelgass	Ken Yerger
71	West Whiteland Township	John Weller	Denise Serino
72	Westtown Township	Elaine L. Adler	Robert Layman
73	Willistown Township	Hugh J. Murray, Sr.; David Burman	Michael Conrad

Non- Municipal WPAC Stakeholder	Representative
Home Builders Association	Gregory Newell, Bo Erixson, Mark Mitman
Brandywine Conservancy	Wes Horner
Brandywine Valley Association	Kathy Bergman, Jane Fava, Bob Struble
Chester-Ridley-Crum Watershed Association	Anne Murphy
Darby-Cobbs Watershed Partnership	
Darby Creek Valey Association	
Delaware Riverkeeper	Maya Van Rossum, Chari Towne
French and Pickering Creeks Conservation Trust	Andrew Pitz
Green Valleys Association	Victoria Laubach
Guardians of the Brandywine	Mark Bowen, Anna Marie Guglielmo
Land Conservancy for Southern Chester County	
Natural Lands Trust	Ann Hutchinson
Octoraro Watershed Association	
Open Lands Conservancy	
Partnership for the Delaware Estuary	Dee Ross
Pennsbury Land Trust	Alma Forseythe
Red Clay Valley Association	Bob Struble
Stroud Water Research Center	
Valley Creek Restoration Partnership	Chuck Marshall
Valley Forge Trout Unlimited	Pete Goodman
West Pikeland Land Trust	
White Clay Watershed Association	Jennifer Egan
Willistown Conservation Trust	Bonnie Van Alen
Chester County Conservation District	
Chester County Planning Commission	
Chester County Water Resources Authority	
PA Department of Environmental Protection – Bureau of Point Source and Non-point Source Management	
PA Department of Environmental Protection – Southeast Regional Office	

WPAC Meetings

DATE	WPAC MEETING/ LOCATION	TOPICS COVERED	NUMBER ATTENDED	NUMBER OF MUNICIPALITIES REPRESENTED (73 in County)
June 3, 2008	Municipal Stormwater Summit, West Chester	Discussed initiating the County-wide PA Act 167 Plan process, how <i>Watersheds</i> would serve as a component of the Act 167 Plan and solicited municipal feedback. The majority of municipalities expressed they were in favor of pursuing the concept of the adoption of <i>Watersheds</i> as a component of a County-wide Act 167 Plan.	77	46
April 6, 2010	Phase I WPAC #1, Wagontown	Introduced Matrix of Draft Stormwater Standards, and requested municipal feedback through an Evaluation Questionnaire and a Stormwater Standards Comparison Checklist.	77	56
June 10, 2010	Phase I WPAC #2, Wagontown	Discussed the feedback received from 63 municipalities. Stormwater standards will be further refined and discussed at future WPAC meetings.	78	64
Aug. 17, 2011	Phase II WPAC #1, West Chester	Discussed that Phase II would be the final phase to complete the County-wide Act 167 Plan. Reviewed outcomes of Phase I, discussed timeline aligned with upcoming MS4 permit application deadline, and redistributed final Phase I stormwater standards.	90	64
Oct. 17, 2011	Phase II WPAC #2, Wagontown	Discussed minor revisions of the near final draft stormwater standards and introduced some draft components of the County-wide Model Ordinance. Introduced the Ordinance/ Standards Committee and the inclusion of the Christina Basin TMDL Implementation Plan (optional) as part of the County-wide Act 167 Plan. Requested written feedback on: the standards (by Nov. 1) and on the Model Ordinance components (by Nov. 23).	61	55
Jan. 27, 2012	Phase II WPAC #3, Wagontown	Discussed the municipal and PADEP written feedback received and highlighted the revisions made to the Final Matrix of Draft Ordinance Standards and the Model Ordinance components. Provided update on the inclusion of the Christina Basin TMDL Implementation Plan (optional). The rest of the Ordinance components and the draft Addendum will be posted on-line. Written feedback requested by February 24, 2012. Municipalities will be emailed future updates.	70	52
Aug. 3, 2012	Phase II WPAC #4, West Chester	Discussed revisions to the draft Model Ordinance and Matrix. Revisions incorporated the feedback received during the spring comment period. Shared an updated timeline of the Act 247 and Act 167 adoption process.	36	42

WPAC Communications

WPAC Review Cycles:

Municipalities were asked to review materials and submit written comments. A compilation of all comments received were posted on the CCWRA website at the end of each review cycle.

1. **October 2011 Review Cycle:** WPAC members submitted comments on:
 1. October 17, 2011 version of the draft Ordinance Standards Matrix
 2. October 17, 2011 version of the draft Model Ordinance components: Articles I, V, VI, VIII and IX.
2. **February 2012 Review Cycle:** WPAC members submitted comments on:
 1. January 20, 2012 version of the draft Ordinance Standards Matrix
 2. February 6, 2012 version of the draft Model Ordinance
3. **August 2012 Review Cycle:** WPAC members submitted comments on:
 1. July 18, 2012 versions of the draft Model Ordinance, Matrix and August 3 version of the Addendum.
4. **45-Day Public Review Cycle:** WPAC members and the public submitted comments on:
 1. 45-Day Review Draft (opened October 12, 2012 with comments due by November 26, 2012)

WPAC Outreach via Email:

- **July 28, 2011:** Announcement that the County is proceeding with the completion of a County-wide Act 167 Plan and that a letter was sent separately to all municipalities. First WPAC scheduled for 8/17/12. The name of the main municipal and alternate contacts was requested.
- **August 11, 2011:** Reminder that the first Phase II WPAC meeting will take place 8/17/12.
- **September 6, 2011:** Announcement that committee of engineering and planning professionals have formed and will begin meeting in September. Request for Municipal Contacts form and the municipal flooding hotspots list.
- **September 20, 2011:** Announcement WPAC Meeting#2 will take place 10/17/12.
- **October 20, 2011:** Request for comments on draft documents distributed at the October 17 WPAC meeting. Comments on matrix are due November 1, 2011 and comments on the draft Model Ordinance components were due November 23, 2011.
- **November 30, 2011:** Next WPAC meeting announcement for 1/27/12. Prior to the next WPAC meeting, Standards/Ordinance committee will be reconvened. Reminder that WPAC should review October 17 versions of the matrix and draft Model Ordinance components with comments due December 9.

- **December 22, 2011:** Update that 44 municipalities submitted comments that were used to revise the Draft Ordinance Standards Matrix. Request for comments on the components of the draft Model Ordinance by January 4, 2012. Matrix (dated December 21, 2011) and compilation of municipal comments were posted. Reminder of next WPAC meeting on 1/27/12.
- **January 17, 2012:** Reminder that WPAC meeting is scheduled for 1/27/12 and posted Final Draft Matrix.
- **January 20, 2012:** Announced posting of compilation of Municipal Comments of the October version of the Matrix. Second review drafts of Article I, V, VI, VIII, IX and first review drafts of Section 103, Article II, Sections 301 -303 and Article IV. Request WPAC submit comments by February 24.
- **February 6, 2012:** Full draft of Model Ordinance posted for review (with some revisions to Articles posted on January 20) and comments by February 24.
- **February 29, 2012:** Reminder that Comments must be received by March 6 (deadline extended).
- **May 4, 2012:** Update to inform that comments were received and revisions are taking place.
- **July 19, 2012:** Update that the Model Ordinance and Matrix of Standards have been revised and are available for review with comments due August 31. Announcement of August 3, 2012 WPAC Meeting.
- **July 31, 2012:** Reminder that the next WPAC meeting will be held on August 3.
- **August 3, 2012:** Update that draft Addendum has been posted for review and comment with comments due no later than August 31, 2012. WPAC meeting materials have been posted.
- **August 14, 2012:** Update that a revised version of the Addendum has been posted that includes Part 6 about state projects.
- **August 17, 2012:** Update announced three resources were posted that contain optional ordinance language for riparian buffers, other conveyances and system design standards and prohibited discharges.
- **August 21, 2012:** Update that PADEP will allow MS4 municipalities in Chester County to adopt an ordinance consistent with the County-wide Act 167 Plan after March 13, 2013. They may state in their PAG-13 that they will adopt an ordinance within six months of the date of the PADEP final approval.
- **August 28, 2012:** Reminder that comments are due on the Addendum, Model Ordinance and Matrix no later than August 31, 2012.
- **September 28, 2012:** Announcement that the 45-Day Public Review period will begin on October 12, 2012 (ending November 26, 2012).

- **October 12, 2012:** Announcement of the start of the 45-Day Public Review period and informing the WPAC representatives that a hard copy letter was sent to each municipality.
- **October 22, 2012:** Update that the Plan Addendum is available as one consolidated file (previously they were posted as individual files, as one large file can overwhelm printers). Update also alerted users that the County website was migrating to a new system and requires everyone to update their links and bookmarks.
- **October 24, 2012:** Provided information about how comment submissions are reviewed and how the decision is made as to which comments are incorporated into the final draft.
- **November 21, 2012:** Reminder that all comments must be submitted by November 26, 2012 (last day of the 45-Day Public Review Period).
- **January 10, 2013:** Update that comments were received and will be incorporated into a comment response log. Update informed them that all the CCPC, CCCD and CCWRA Boards of Directors voted to recommend the County-wide Act 167 Plan to the Chester County Board of Commissioners for adoption.
- **March 5, 2013:** Update that the final Plan has been completed and the Public Hearing will take place on March 27, 2013.
- **March 13, 2013:** Provided a copy of the Public Hearing Notice as published in the local newspaper and on-line.
- **March 28, 2013:** Update that the Chester County Commissioners adopted the County-wide Act 167 Plan and that the Plan will be submitted to PADEP for their approval.

County-wide Act 167 Stormwater Management Plan 45 Day Review Draft Comment Response Document

No.	Document & Section	Page	Comment Provided By	Comment	Response
1	General		East Pikeland Twp Planning Commission	There are no comments to offer and no objections to adoption of the Plan.	Comment acknowledged.
2	General		Berks County Planning Commission	1. The County-wide Act 167 Stormwater Management Plan for Chester County does not conflict with Act 167 Stormwater Planning in Berks County.	Comment acknowledged.
3	General		Berks County Planning Commission	2. The Berks County Planning Commission commends the Chester County Water Resources Authority on producing a plan which will implement the requirements of the Stormwater Management Act 167.	Comment acknowledged.
4	General		Caln Township	The Chester County Board of Commissioners is to be commended for its efforts to provide leadership in the stormwater management program. Activities by county staff have been important in providing assistance to municipalities in regard to understanding this mandate coming down from state and federal regulatory agencies.	Comment acknowledged.
5	General		Caln Township	In recent discussions, the Caln Township Board of Commissioners expressed its concerns with the practical administration and enforcement of the Model Ordinance as written. We are concerned that the real impacts of this ordinance are at best uncertain at this time and may prove to be difficult and costly to fully comply.	Comment acknowledged.
6	General		Caln Township	<p>We are very concerned for the" little guy". The resident or modest business owner who is being hit by another costly process to complete what was envisioned to be a simple, low cost improvement.</p> <p>For example the following improvements are all covered under the new Act 167 ordinance for improvements of greater than 999 sq. ft:</p> <ul style="list-style-type: none"> • A single family home installing a new pool and patio • A single family home adding a driveway of 10 ft of width and 100 ft of length • A small business adding five parking spaces • A non-profit installing one tennis court • A set of wooden bleachers at the little league field • A small church paving over a modest gravel lot • A new play lot at a small school 	Comment acknowledged; the minimum threshold for compliance of 1,000sq. ft. was established based on PADEP; the threshold can be increased by the municipality to 2,000 sq. ft. if so desired by incorporating the Simplified Approach. No changes made.
7	General		Caln Township	<p>As building permits these examples may have very simple planning and documentation requirements under the building code. Under the new ordinance a whole new level of plan preparation, review, approval and recording will be required with added costs of \$5,000, \$10,000 or more for the property owner.</p> <p>The above property owners will be required to do the following:</p> <ul style="list-style-type: none"> • Complete a project plan sealed by a professional (not a contractor's sketch) • Record the final improvement plan at the court house • Pay the applicable review fees to the municipality (we will have more staff demands) • Complete a carbonate evaluation and other studies where necessary • Participate in a lengthy and involved review process which may involve the municipality, the county and PaDEP • Negotiate, survey, and record permanent easements and deed restrictions for the future • Install required BMP's which may prove costly or unfeasible on the lot • Agree to and record O & M plans for the BMP's • Pay additional fees for future inspections of the BMP's <p>In a time of economic recession, this will impact many "little guys". They may face a financial hardship from these activities and or they may avoid an improvement altogether.</p>	Comment acknowledged; many of the listed items are required by PADEP for projects for which the entire ordinance applies; if it chooses to do so, the Township can incorporate the Simplified Approach which does not require all of these items and for those required provides significantly simplified requirements. No changes made.

County-wide Act 167 Stormwater Management Plan 45 Day Review Draft Comment Response Document

No.	Document & Section	Page	Comment Provided By	Comment	Response
8	General		Caln Township	We suggest that prior to the approval of a final model ordinance, County staff confers further with municipalities to assure that the ultimate ordinance is a constructive tool and not a costly and unwieldy regulation that adds unreasonable cost to property owners and municipalities.	CCWRA met with representatives of the Chester County Township Managers Consortium on December 5, 2012 to discuss the model ordinance and explain the source and purpose of various components of concern. No changes made.
9	General		Caln Township	Allow for more flexibility in the process within the ordinance. Presently there are over 350 times the word shall is used in the ordinance. This word ties all parties into what may be burdensome requirements with little opportunity to adjust the requirements based on the circumstances involved with an activity. <ul style="list-style-type: none"> The county could indicate which of the 350 "shalls" could be revised to be should or may 	The language and provisions of this version of the model ordinance reflect the net result of over 1,000 comments received, as well as minimum requirements needed to achieve PADEP approval. The model ordinance includes several provisions that provide the municipality with flexibility for selecting less restrictive standards. No changes made.
10	General		Caln Township	<ul style="list-style-type: none"> Multi-parcel cooperation and projects with municipal involvement should be encouraged. Presently each project stands on its own plan 	The model ordinance includes provisions that address stormwater management schemes to be accomplished on a single parcel as well as schemes that may involve features placed on multiple parcels. The model ordinance does not preclude municipal involvement. No changes made.
11	General		Caln Township	<ul style="list-style-type: none"> The county should assist with the preparation of educational material that municipalities can hand out to affected property owners so that they understand better what they can and should do 	A public education flier regarding the new requirements is an excellent idea; the municipality is encouraged to consider this as an activity of their NPDES MS4 MCM #1 or #2 activity or work with their watershed association to prepare. CCWRA will also consider this if resources allow. No changes made.
12	General		Caln Township	As local officials we are concerned about the proposed ordinance because it will be our job to inform the local taxpayer and business owner about this process and then enforce it. Not EPA...Not DEP...Local officials and municipal boards will be on the hot seat to implement the adopted ordinance. We will see firsthand the affects of the ordinance on small businesses and property owners.	Comment acknowledged.
13	General		Lancaster County Planning Commission	<p>Recommendation: The Lancaster County Planning Commission has reviewed the above-referenced County-wide Act 167 Stormwater Management Plan for Chester County, PA and finds that the plan is generally consistent with Envision, The Comprehensive Plan for Lancaster County, including Blueprints, the recently adopted Water Resources Element. Plan Summary: The County-wide Act 167 Stormwater Management Plan for Chester County was prepared to comply with the state requirements of PA Act 167, the Pennsylvania Stormwater Management Act. The Plan was prepared as an addendum to Watersheds: An Integrated Water Resources Plan for Chester County, PA and Its Watersheds. It includes a Model Ordinance with standards for stormwater management systems and facilities. These standards apply to only to Chester County municipalities since this is a County-wide Plan rather than a watershed based plan. Consistency with Comprehensive Plans: The Lancaster County Comprehensive Plan – The County-wide Act 167 Stormwater Management Plan for Chester County, PA is generally consistent with the County's Comprehensive Plan, including the newly adopted Water Resources Element titled Blueprints: An Integrated Water Resources Plan for Lancaster County.</p>	Comment acknowledged.
14	General		East Nottingham Township	East Nottingham Township does not feel we've had enough time to thoroughly review this document. There is much concern regarding the 1000 SF threshold for impervious surface, and the cost of requirements associated with it. We believe this will put a significant financial hardship on the farmers in our township, and would like more time to review the ordinance. Therefore, East Nottingham Township is requesting a 3 month delay to give us an opportunity to fully examine the proposed model ordinance.	CCWRA met with representatives of East Nottingham Township (12/4/12) to discuss Township concerns and explain how their concerns were addressed within the draft model ordinance. No changes made.

County-wide Act 167 Stormwater Management Plan 45 Day Review Draft Comment Response Document

No.	Document & Section	Page	Comment Provided By	Comment	Response
15	General		Chester County Consortium of Managers	<p>The Final Draft of the "County-wide Act 167 Stormwater Management Plan for Chester County, PA" has been released for 45-day public review and comment and for review for consistency with other plans and programs affecting the County's watersheds. The Draft County-wide Act 167 Plan includes a draft stormwater management ordinance for adoption by municipalities.</p> <p>The Chester County Board of Commissioners is to be commended for its efforts to provide leadership in the stormwater management program. Activities by county staff have been important in providing assistance to municipalities in regard to understanding this mandate coming down from state and federal regulatory agencies.</p> <p>The Chester County Consortium of Managers would like to express concerns with the practical administration and enforcement of the Model Ordinance as written. We are concerned that the real impacts of this ordinance are at best uncertain at this time and may prove to be difficult and costly to fully comply.</p> <p>We suggest that prior to the approval of a final model ordinance; County staff confers further with municipalities to assure that the ultimate ordinance is a constructive tool and not a costly and unwieldy regulation that adds unreasonable cost to property owners and municipalities.</p>	Comments acknowledged. See response to comment #8. No changes made.
16	General		Spring-Ford Area School District	Bruce has no comments. (Bruce W. Cooper, Director of Planning, Operations & Facilities)	Comment acknowledged.
17	General		Birmingham Township	This still seems like overkill for the expected results. We do not see the need for such a level of detailed orders to the municipalities.	Content of model ordinance reflects PADEP requirements resulting from Federal Clean Water Act, PA Act 167, etc. No changes made.
18	General		Birmingham Township	As we review Birmingham's Comprehensive Plan, we are removing previous growth projections and see essentially flat population and no significant development as in the past 10 years (ref. U.S.Census). This is a major change from previous plans.	Comment acknowledged.
19	General		Birmingham Township	Our land use and water management is focusing on minor infill and maintenance. While there are always opportunities for increased awareness, information and suggested landowner best practices, we do not see the cost benefit of major investments as envisioned so far by the EPA and others.	Comment acknowledged.
20	General		Birmingham Township	Given the Township dwelling density of 0.36 units per acre, water use and recharge are not problems.	Comment acknowledged.
21	General		Birmingham Township	Riparian protection and stream quality monitoring are ongoing practices including a volunteer Stream Team.	Comment acknowledged. The Township is commended for its proactive measures for protection of streams and natural resources.
22	General		Birmingham Township	Several of our HOA's and landowners have improved and continue to plant significant riparian buffers and other best practices.	Comment acknowledged. The Township is commended for encouraging these proactive measures of its residents for protection of streams and natural resources.
23	General		Birmingham Township	Township ordinances regarding stormwater management, impervious cover and stream protection are in place and have served the Township well.	Comment acknowledged.
24	General		Birmingham Township	We do think the link between recreational use of County water and stormwater management is weak and may be misplaced.	Excessive stormwater runoff and pollutants in runoff negatively impact the recreational uses of streams, such as increased bacteria and pathogens increasing public health risks for contact water sports, and excessive nutrients and sediment reducing habitat for aquatic species, especially trout and other sport fish. No changes made.

County-wide Act 167 Stormwater Management Plan 45 Day Review Draft Comment Response Document

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25	General		Birmingham Township	Please advise us of the basis for EPA and PA DEP "requirement" that Birmingham be required to qualify under NPDES II?	The official listing of PA municipalities that have been designated by USEPA and PADEP as required to comply with NPDES MS4 permit requirements can be found on PADEP's website (search for "NPDES MS4 Information" page, then scroll to last document link listed on that page "Municipal Separate Storm Sewer Systems (MS4s) within Urbanized Areas in Pennsylvania"). No changes made.
26	General		Chester County Conservation District Board of Directors	There is a perception to accept the Act 167 Plan based upon the aggressive timeline.	The County-wide Act 167 Plan was initiated in 2009; the process for completion has been extended several times to allow for additional input and consideration of municipal and agricultural community input. No changes made.
27	General		Chester County Conservation District Board of Directors	There is a concern that plan restrictions would limit if not prohibit any new agriculture operations and construction and deny any future expansion of existing agricultural operations. In other words, would this Act 167 plan become a tool to eliminate agriculture in some municipalities.	Extensive effort was made to develop te model ordinance to specifically provide greater flexibility for agricultural related activities; provisions related to agricultural activities included in the model ordinance are significantly more flexible and less restrictive than provisions applied to agricultural operations in other counties' Act 167 plans. No changes made.
28	General		Chester County Conservation District Board of Directors	It seems drastic in measure and timeliness that permits for activities currently at 45,560 sq.ft be dropped to 1000 sq.ft. immediately. Could a more phased approach be considered?	The thresholds included in the model ordinance are those required for PADEP approval. Further, stream impairments and flooding conditions are the cumulative result of runoff from all land disturbance and impervious surfaces regardless of size; thus runoff from future features or disturbances less than 45,560 sq. ft. must be properly managed to avoid increased flooding of downstream properties and increased stream impairments and their resulting increased regulatory TMDL manadates for restoration. No changes made
29	General		Chester County Conservation District Board of Directors	The cost of engineering is obstructive to small improvements or projects.	Municipalities may choose to set the minimum threshold for engineered projects to 2,000 sq. ft. if they incorporate the Simplified Approach. No changes made.
30	General		Chester County Conservation District Board of Directors	There is a lack of clear, sufficient guidance from PADEP and a lack of knowledgeable oversight from PADEP at this critical time. This is unacceptable to the Board.	CCWRA fully concurs with this comment; this has been a long-standing concern of CCWRA and other counties. No changes made.
31	General		Chester County Conservation District Board of Directors	There is a concern that municipal engineering requirements becomes a tool to limit development with no checks and balances.	The provisions included in the Model Ordinance were specifically written to package the requirements mandated by PADEP in a manner that best supports growth and development (and redevelopment), consistent with Landscapes2. No changes made.
32	General		Chester County Conservation District Board of Directors	Are the costs of implementation to the applicant relative to the value of the project (cost analysis that includes engineering, recording, etc)?	There is no cost analysis available regarding the items in this question. It is our understanding that recordation costs are scaled based on the documents to be recorded, however on a lot per lot basis it would be expected to be similar. Engineering costs will be incurred for projects over 1,000 sq. ft. (if Simplified Approach is not used) or over 2,000 sq. ft. (if Simplified Approach is used). Projects greater than the applicable threshold would be expected to have engineering costs increase relative to the increased size or complexity of the project. No changes made.
33	General		Chester County Conservation District Board of Directors	Can templates be agreed to or added over time ?	Template designs that may be developed by others for BMPs for smaller projects could be a useful tool for some situations for some municipalities if they meet all applicable ordinance standards. No changes made.
34	General		Chester County Conservation District Board of Directors	Is there the opportunity to amend and approve over time (phases)?	PA Act 167 requires Act 167 plans to be reviewed and revised as needed on a 5-year basis; further improvements and amendments can be considered at that time. The thresholds included within this version of the draft Model Ordinance are required by PADEP to be included at this time and cannot be phased in. No changes made.
35	General		Chester County Conservation District Board	DEP <ul style="list-style-type: none"> • Who is the decision maker now that Barry Newman is no longer there? • Is there a copy of the guidance/regulation for the Act 167? <ul style="list-style-type: none"> - If so, where can this information be found? 	<ul style="list-style-type: none"> • The Act 167 Program is under the oversight of Mr. Ron Furlon (Central office - Harrisburg). It is unclear at this time what staff will be assigned to the program. • There is no current guidance document available for the Act 167 program; PA Act 167 can be found on the PADEP website at www.elibrary.dep.state.pa.us ("Storm water management Act - Act 167 of 1978"). No changes made.

County-wide Act 167 Stormwater Management Plan 45 Day Review Draft Comment Response Document

No.	Document & Section	Page	Comment Provided By	Comment	Response
36	General		Elverson Borough Council	1) The County is to be commended in your compilation of this plan. It represents an incredible volume of work merging former plans and the desires of multiple stakeholders in various levels of government and private organizations.	Comment acknowledged.
37	General		Elverson Borough Council	2) The square mile of the Borough of Elverson is located approximately half in the Delaware River Basin (French Creek) and half in the Susquehanna River Basin (Conestoga Creek). In our small municipality, we are required by this Plan to enact a new Elverson Stormwater Management Plan that considers the unique requirements of both water sheds and stormwater basins within 6 months (by the middle of 2013). This is impossible unless we simply adopt the County's model ordinance (171 page document) which becomes a rubber stamp kind of process discouraging growth.	The model ordinance has been developed to apply to all watersheds or portions thereof within Chester County and to incorporate other current watershed-specific PA Act 167 plans, such as the Conestoga River Act 167 Plan, and for watersheds of the County located in both the Chesapeake Bay and Delaware Bay Basins. The model ordinance is to be adopted by all municipalities in Chester County thereby setting similar standards in all municipalities; the model ordinance includes less restrictive provisions for redevelopment to encourage redevelopment in urbanized areas. No changes made.
38	General		Elverson Borough Council	Elverson objects to the 6 month time table for a local municipality's compliance with this Plan and requests instead, a time period of 30 months to enact an ordinance.	The requirement for municipalities to adopt the Act 167 plan provisions is established by PA Act 167. No changes made.
39	General		Elverson Borough Council	3) The requirements of this draft plan are an "unfunded mandate" for the Borough of Elverson. The Borough currently has sufficient stormwater control measures in our Land Development Ordinance to meet our interpretation of the health, safety and welfare of our citizens and our current storm water does not negatively affect neighboring municipalities. The requirements of this Plan are projected to cost at least \$50,000 (not budgeted) in order for the Borough to consider the various needs of our municipality in a responsible manner. If the State and County government places this requirement on our citizens, then the State and County Government should fund the costs to comply with the requirements. Elverson therefore requests 100% funding for meeting the requirements of this Plan.	PA Act 167 mandates that the County prepare Act 167 plan(s) for the watersheds within the County, and further mandates that municipalities adopt the Act 167 standards. PA Act 167 authorizes the legislature to reimburse counties and municipalities for 75% of the eligible costs for those activities; however, the legislature eliminated funding for the program in 2010. Municipalities are encouraged to maintain records documenting their implementation costs so that they can request reimbursement if/when funding is restored in the future. The County has no role in mandating municipal adoption; only in preparing the plan. No changes made.
40	General		Elverson Borough Council	4) The requirements of this plan appear to ignore a major premise of Landscapes; that being to encourage development in the "Urban Centers". The stormwater requirements for areas of desired growth should be reduced to encourage that growth. This could be offset by allowing for increased stormwater control outside the growth areas. At a minimum, this concept should be mentioned in this plan. If the "no growth" municipalities desire to push their population to the Urban Centers (good idea), then a trade may be to consider how storm water can be controlled in those open spaces instead of requiring infiltration and zero tolerance volume run-off in the urban landscapes. Elverson therefore requests a further consideration of differentiation and cooperation between the various landscapes in Chester County that will further encourage development in the Urban Centers. In this way, the Plan is contrary and in contradiction to Landscapes.	Because the Model Ordinance or equivalent standards are required to be adopted in all municipalities of Chester County, there will be less likelihood of preferential location of new development as a result of the new standards as they will be equally stringent in all municipalities. In addition, the municipalities of Lancaster County have recently been required to adopt stormwater ordinance standards from the Lancaster County county-wide Act 167 Plan ("Blueprints"); it is our understanding that the Lancaster County standards are more restrictive and less flexible for the municipalities than those in the Chester County Model Ordinance. The Model Ordinance specifically provides less restrictive standards to encourage redevelopment in urbanized area. The Model Ordinance was developed in close collaboration with the Chester County Planning Commission and is consistent with Landscapes2. No changes made.
41	General		Elverson Borough Council	5) Elverson objects to the extra requirements placed upon MS4 municipalities. This is counter productive to the larger (than stormwater) benefit of encouraging growth in the Urban Areas. With the new census, Elverson will now be considered an urbanized cluster. We have not seen any definite description of what this designation will require and are concerned that this will designate Elverson as a MS4 municipality. Elverson objects to this apparent lack of information and its possible ramifications.	CCWRA acknowledges and concurs with the lack of available information from PADEP regarding when and how it intends to implement the expanded "Urbanized Area" based on the 2010 census. No changes made.
42	General		Lower Oxford Township	On Behalf of the Board of Supervisors at Lower Oxford Township, Chester County, Pennsylvania, we are requesting that this Board has additional time to review and consider the new PA Act 167 Stormwater Management Plan due to the size of the minimal coverage and the effect it will have on our agricultural community.	CCWRA met with representatives of Lower Oxford Township (12/4/12) to discuss Township concerns and explain how their concerns were addressed within the draft Model Ordinance. No changes made.

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43	General		Penn Township	<p>The proposed Act 167 plan represents a major step forward for Chester County's stewardship of its water resources. It provides, in a single deftly integrated package, both a blueprint for protecting the County's water resources and a toolkit that allows municipalities to respond efficiently to the multiple regulatory demands that they face. The blueprint for water resource protection is embodied in the planning document entitled Watersheds, which was adopted by the County in 2002 as part of its comprehensive plan, Landscapes. As a water resources plan, Watersheds, broke new ground in recognizing that human use and disposal of water could be fully understood only in the context of the natural hydrologic processes and aquatic ecosystems on which the human uses depend. Thus, Watersheds thoroughly documented the groundwater and surface water hydrology of the county, inventoried present and future water demands, and characterized the chemical and biological quality of the County's streams and rivers. Moreover, Watersheds synthesized these findings in the form of extensive planning guidance applicable to municipalities as well to the County, and to the County's citizens and businesses.</p>	Comment acknowledged.
44	General		Penn Township	<p>Recently, the Commonwealth, facing the long overdue task of producing comprehensive watershed-based flood management plans, as charged by Act 167, recognized that Watersheds had, in effect, already accomplished most of that task for Chester County's watersheds and invited the County to update, augment, and submit Watersheds as the County's formal Act 167 plan. At the same time, the county's municipalities were being required to upgrade their stormwater standards, to obtain permits for their own stormwater systems ("MS4"s), and to provide plans for reducing pollutant runoff to meet standards for Total Maximum Daily Loads (TMDL's) established by the U. S. Environmental Protection Agency. In preparing this Act 167 Plan, the County has provided, in the form of a model ordinance and supporting materials, a toolkit that can resolve the municipalities' regulatory challenges in a single integrated package.</p>	Comment acknowledged.
45	General		Penn Township	<p>This proposed Act 167 deserves commendation not only for regulatory efficiency but, more importantly, for what it will accomplish in actual environmental preservation and improvement. The Plan, together with its model ordinance and supporting tools, are technically sound and state-of-the art. The model ordinance finds a reasonable balance between 2 environmental protection and the needs of a growing population and economy. Carrying out the holistic vision of Watersheds, the Plan integrates all phases of site design and manages simultaneously for flood control, stream channel stability, groundwater recharge, and surface water quality.</p>	Comment acknowledged.

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46	General		Delaware Valley Regional Planning Commission (DVRPC)	<p>This plan and model ordinance have been reviewed by DVRPC staff for consistency with DVRPC's long-range plan Connections – The Regional Plan for a Sustainable Future.</p> <p>The Connections plan outlines a strategy for recentralization based on the land use, transportation, environmental, and economic competitiveness benefits that such a development pattern would bestow. The Chester County Stormwater Management Plan directly supports the following goals of Connections:</p> <ul style="list-style-type: none"> • Manage growth and preserve open space • Manage stormwater and improve water quality • Reduce and minimize the impacts of flooding on life and property • Protect and restore riparian buffers and naturally-functioning floodplains • Promote community-scale green infrastructure and low-impact design <p>The research and analysis included in the plan will help governments ensure that new development does not exacerbate stormwater runoff and flooding, an especially important concern given the recent spate of, and expected increase in, extreme weather events in southeastern Pennsylvania. At the local level, DVRPC supports the implementation of green infrastructure, by, for example, seeking funding through PENNVEST for tree plantings in the region, including South Coatesville.</p> <p>DVRPC staff finds the Chester County Stormwater Management Plan and Model Ordinance consistent with DVRPC's planning objectives, and applauds the county for developing a well-executed, thorough and forward-looking plan that recognizes the value of maintaining and protecting natural systems.</p>	Comment acknowledged.
47	General		Robeson Township, Berks County	<p>Early in the development of the Chester County Act 167 Plan, Robeson Township was contacted regarding drainage information within the French Creek watershed to assist in the development of the Act 167 Plan. At the time, we were under the impression that the plan being developed for Chester County would extend to include the entirety of the French Creek watershed; however that does not appear to be the case based upon review of the draft plan. Can you provide any info as to whether the headwater fringe of French Creek will be included at some time in an approved Act 167 Plan?</p>	There is no Chester County Act 167 Plan anticipated that would include the Berks Co. portion of French Creek. No changes made.

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48	Addendum Cover Page		Honey Brook Township	Cover Page: the word "Prepared" in two locations should be capitalized	Preferred editorial style used here. No changes made.
49	Addendum Resolutions			The common language amongst the resolutions should be consistent	Language of each resolution must be tailored to the requirements of the individual laws addressed by each, resulting in certain variations between resolutions; final language will be determined by County solicitor.
50	Addendum Resolutions			On the combined resolution: Make the 3rd paragraph "Whereas the Stormwater Management..." match the text in the 167 resolution	Language of each resolution must be tailored to the requirements of the individual laws addressed by each, resulting in certain variations between resolutions; final language will be determined by County solicitor.
51	Addendum Resolutions			On the 247 resolution: Change 1st paragraph language to match 167 & combined resolution	Language of each resolution must be tailored to the requirements of the individual laws addressed by each, resulting in certain variations between resolutions; final language will be determined by County solicitor.

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52	Model Ordinance Section 102	9	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	102.G - Add "Municipal" to "Separate Storm Sewer System"	The statement presented relies on the use of the capitalized term as it relates to its definition presented in Article 2. Definitions. No changes made.
53	Model Ordinance Section 102	9	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	102.H - Delete "by the Municipality" from end of sentence.	Deleted per comment.
54	Model Ordinance Section 103	10	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	103.F - Revise to "Reduce and minimize the volume of additional stormwater generated by Land Development Sites, and manage and release this stormwater as close to the source of runoff as possible."	The Model Ordinance and this statement apply to all regulated earth disturbance activities and are not limited to land development. No changes made.
55	Model Ordinance Section 103	10	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	103.I - Revise to "Reduce scour, erosion and sedimentation of stream channels" OR "Reduce further or additional scour, erosion and sedimentation of stream channels."	Changed per comment.
56	Model Ordinance Section 103	11	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	103.T - Add "on Land Development Sites" to end.	The Model Ordinance and this statement apply to all regulated earth disturbance activities and are not limited to land development. No changes made.
57	Model Ordinance Table 106.1	16	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	Revise last column to ">999 SF" Proposed Impervious and ">4,999 SF" Earth Disturbance	Changed all text and numeric uses of " \leq 4,999" to "< 5,000", and all text and numeric uses of " \leq 999" to "< 1,000".
58	Model Ordinance Section 106	14	Chester County Conservation District Board	<u>Section 106.B. Exemptions and Modified Requirements</u> "106.B.1. – General Exemptions 1. Involve less than or equal to nine hundred ninety-nine (999) square feet of Proposed Impervious Surfaces AND less than or equal to four thousand nine hundred ninety nine (4,999) square feet of Earth Disturbance;" <input type="checkbox"/> Example: 1200 sf of impervious surface, but only 4000 sf earth disturbance. Is this example exempt since it is an "or" and not an "and"?	Language used includes "and" not "or" between the two criteria, therefore both criteria must be met for the proposed activity to be exempt. No changes made.
59	Model Ordinance Section 106	14	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	106.B.2 - Revise to "Are listed in Subsection 106.C, and are exempt from those..."	Phrase "and are exempt from those..." must apply to both bullets 1. and 2. No changes made.
60	Model Ordinance Section 106	19	Caln Township	• Further soften the Simplified Approach to stormwater management for small projects. The county could help municipalities to develop a decision matrix to better determine when a small project is eligible for a Simplified Approach	As currently presented, the Simplified Approach allows for the greatest flexibility considered to be approved by PADEP. A decision matrix may not add value as the only criteria required for proposed activities to be eligible for using the Simplified Approach is that the total Proposed Impervious Surface be less than 2,000 sq. ft. No changes made.
61	Model Ordinance Section 106	19	Caln Township	• Allow municipalities to increase the maximum square footage for exemptions above 999 square feet.	Municipalities may choose to set the minimum threshold for engineered projects to 2,000 sq. ft. if they incorporate the Simplified Approach. No changes made.
62	Model Ordinance Section 106	18	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	106.C.7 - Delete "listed above" from first sentence ("...requirements of this Ordinance listed above.")	This provides an important cross-reference to the list of exempt provisions. Inserted "in Subsection 106.C" prior to "above" to clarify.

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63	Model Ordinance Section 106	19	Chester County Conservation District Board of Directors	Subsect Sect 106.D. Simplified approach options be expanded to include projects up to 10,000 ft/5000 adjoining, to be consistent with agricultural requirements.	This would significantly exceed the minimum threshold required by PADEP for requiring engineered stormwater controls and review. Further, the Simplified Approach engineering methodology is not applicable to larger size activities. No changes made.
64	Model Ordinance Section 106	23	Chester County Conservation District Board of Directors	Section 106.E. Modified Requirements for Agricultural Structures • 106.E.2. – Threshold discussion concerning cumulative disturbed/acreage o Can there be a combination of proportions? Example: A farmer builds a machine shed that is 8000 sf and is exempt. Later he builds a second shed of 8000 sf and will not be exempt since he now cumulatively has 16,000 sf of impervious surface. Can the farmer build individual impervious projects under the current threshold until he exceeds the NPDES permit parameter of one acre of earth disturbance?	Subsection 105.C.2 requires that installation of impervious surfaces is cumulative from the date of the applicable ordinance; once the threshold for exemption has been exceeded, all added/replaced impervious surfaces must meet all provisions of the ordinance. No changes made.
65	Model Ordinance Section 111	26	Penn Township	Section 111, regarding waivers, should require that the waiver grant only the minimum feasible relief. The current wording requires that a "modification" observe the "purpose and intent of the Ordinance" but does not explicitly limit the scope of a "waiver." Without explicit limitation the Municipality loses regulatory control of the site. It is also suggested that all waivers require compensating mitigation. Such mitigation might occur off site if necessary. The requirement of mitigation limits the incentive to seek a waiver.	As written, the ordinance language includes "equal or better" and "minimum modifications necessary"; individual municipalities may choose to strengthen the wording if desired. No changes made.
66	Model Ordinance Section 112	26	Honey Brook Township	1. Sections required for MS4 Ordinance requirements – should be noted as such through notes and/or Matrix a. Section 112 – Erroneous Permit – this is required for MS4 ordinance requirements and should be noted as such	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
67	Model Ordinance Article II	27	East Whiteland Township	Most of the language in the submission, review, plan requirements, as-built submission, and fee sections are fairly standard. Some of the definitions are quite stringent, but are marked "Mandatory Definitions," so I presume they will remain as defined.	Correct, as a result of other comments received (see below), only clarifying editorial changes have been made to certain definitions in Article II.
68	Model Ordinance Article II	27	Borough of Parkesburg	Most of the requirement language (Submission, review, plan requirements, as-built submission, fees, etc.) are fairly standard. Some of the definitions are really stringent, but those definitions are marked as "mandatory definitions," so there is little point in commenting on those.	Comment acknowledged.
69	Model Ordinance Section 202	28	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	Applicant - Revise to "...any Regulated Activity as defined herein." - OR delete "defined in Section 105 of this Ordinance." Note that Regulated Activity is not defined in Section 105, it's defined in definitions.	Change made per comment.
70	Model Ordinance Section 202	29	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	Detention Basin - Delete "and are dry until the next rainfall event."	Change made per comment.
71	Model Ordinance Section 202	30	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	Diameter at Breast Height - Revise "above the forest floor" to "above existing grade".	Language as presented describes standard approach. No changes made.
72	Model Ordinance Section 202	30	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	Drainage Area - Delete "and that is enclosed by a ridge line." A ridge line does not always define a drainage area - a swale could, or a curbed road, existing grade, etc. There may not be a ridge line; this definition seems to require that a DA includes one.	Changed to clarify "ridge line" and "single point".

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73	Model Ordinance Section 202	30	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	Floodway - Delete the last sentence, or make its inclusion optional. This can cause conflicts with Zoning Ordinances and is a Zoning issue. The Flood District(s) are typically defined and regulated in Zoning Ordinances.	Language as written reflects the state's definition. No changes made.
74	Model Ordinance Section 202	33	W. Jeffrey Miller, Evans Mill Environmental	Definitions - Licensed Professional The definition does not specifically recognize the soil evaluation skills of individuals who are certified as Sewage Enforcement Officers (SEO) or Qualified Professional Soil Scientist (QPSS) by the Department of Environmental Protection. That class of people arguably has the largest body of knowledge and experience when it comes to the evaluations of soils. Is an SEO or QPSS considered "qualified by law to perform the work required by the Ordinance within the Commonwealth of Pennsylvania"? If the answer is yes, then the ordinance should specifically list the SEO's and QPSS category as qualified professionals for this work?	Definition as presented is correct for all uses of the term throughout the Model Ordinance. However, Subsection 306.I. has been amended: first sentence "Licensed Professional" deleted and replaced with "professional"; second sentence "conducted by a qualified Licensed Professional and shall be" has been inserted after "...infiltration BMP shall be".
75	Model Ordinance Section 202	33	W. Jeffrey Miller, Evans Mill Environmental	Limiting Zone --- The defining of a "perched water table" as a limiting zone is counter to the intent of this ordinance and the regulations of the Pennsylvania Department of Environmental Protection (DEP) to the utilization of stormwater infiltration to recharge the aquifer. "Punching" through a fragile horizon to reach well drained permeable material, which would otherwise be considered suitable soil material, in order to construct a stormwater recharge facility will only go to increase the recharge the true aquifer and to augment stream baseflow. Further, the sole reliance of the presence of redoximorphic features as a determination of the existence of a water table is not consistent with current research. Redox features can form in approximately five (5) days and they never disappear. They cannot be "aged" and they may not represent current conditions. Finally redox features can form as a result of capillarity meaning that they can form as a result of very fine textured material being located over coarse material where the boundary between the two textures is an abrupt boundary. That condition should not be considered a water table. Likewise redox features can form in soils located beneath spent compost storage areas. Again redox features found in those locations should not be considered a watertable. This is the same definition as used in the on lot sewage disposal regulations. The quality of water discharged from a septic tank is poorer than the quality of water discharged from most stormwater facilities. Indeed the research from the Delaware Valley College conducted under a contract to DEP indicates that as it relates to septic system discharges, there is no benefit to having more than two feet of well drained material between the bottom of the proposed drain field and open rock or a true water table. Certainly the maintenance of this two foot separation is of less concern for stormwater infiltration unless the discharge results from stormwater coming from a "hot spot".	Limiting Zone - comment is correct however all the specific details involved cannot realistically be regulated in the Model Ordinance; the professional needs to consider all site data in determining the design limits. Definition of "Limiting Zone" was revised: A. "by soil mottling." deleted and replaced with "by other subsurface or soil conditions." Redoximorphic features - the final site interpretation must rely on the full set of data from all site sample points. No change made. Onlot sewage definitions - there is not sufficient evidence to change this standard of practice; this is undergoing greater scrutiny by others and must rely on qualified and licensed professionals to use their best judgement in design decisions. No changes made.
76	Model Ordinance Section 202	30	Honey Brook Township	Governing Body – capitalize Council, etc	The use of capitalization in the Model Ordinance is reserved for identifying terms that have definitions associated with them that are unique or critical to the effective implementation of the ordinance. Municipalities may capitalize additional terms if they so choose. No changes made.
77	Model Ordinance Section 202	32	Honey Brook Township	Maintenance – should this read "...any Stormwater Management Facility or system"	To serve all uses of the term within the Model Ordinance, the definition must remain generic and as is. No changes made.

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78	Model Ordinance Section 202	34	Honey Brook Township	Retention Basin – again, definition isn't accurate – how about "A reservoir, formed from soil or other material, which is designed to detain temporarily a certain amount of stormwater from a catchment area and which also may be designed to permanently retain additional stormwater runoff from the catchment area. Unlike detention basins, retention basins always contain water, and thus may be considered man-made lakes or ponds."	Definition of "Retention Basin" edited to read: "An impoundment that is designed to temporarily detain a certain amount of stormwater from a catchment area and which may be designed to permanently retain stormwater runoff from the catchment area; retention basins always contain water."
79	Model Ordinance Section 202	33	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	Post Construction - Revise to "approved land development plan or building permit plan are completed", as not all construction is permitted only by LD.	Definition edited to delete "in the approved land development plan" and replace it with "approved by the Municipality".
80	Model Ordinance Section 301	39	Charlestown Township	IN REFERENCE TO MATRIX: For M-22: Section 301.G, which is required to be adopted exactly as written, requires written permission from a downstream property owner if drainage patterns are altered in any manner for projects that disturb 1 acre or more. This was discussed at length during the Valley Creek Act 167 meetings and had been revised to indicate written approval from the downstream property owner OR the affected downstream property owner had to be provided written notice regarding the proposed development. We believe this section should be revised to match the wording from the Valley Creek Act 167 Ordinance since if written approval from a downstream property owner cannot be acquired; it could put a stop to important Municipal projects (i.e. school expansion, recreational or maintenance facility). If the downstream property owners are notified early on in the design process, their input can be incorporated into the project during the Township approval process and the NPDES permitting process.	Language as presented reflects consistency with the requirements for NPDES construction permits; municipalities may, at their discretion, make this requirement more restrictive, such as was included in the Valley Creek Act 167 ordinance requirements. It should be noted that all land areas within the Valley Creek watershed must continue to be regulated with municipal ordinance standards equivalent or more restrictive than those standards included in the Valley Creek Act 167 Plan because the Valley Creek Act 167 Plan has been incorporated in its entirety within the County-wide Act 167 Plan. No changes made.
81	Model Ordinance Section 301	40	Penn Township	The ordinance might be more explicit about how it regulates tracts that have previously been developed. As development in the county matures, expansion of existing sites, especially commercial, institutional, and industrial, is becoming more common. Section 301.H (and the subsequent sections referenced therein) make clear that only the stormwater generated by the "Site" (the area of active development or redevelopment) is subject to the water quality, volume, infiltration, and peak requirements. If the tract on which the site is situated has previously been developed, it seems possible that various ambiguities or pitfalls might arise, as per the following examples:	Note that Subsection 309.D.3 establishes the criteria to be applied to determine whether a proposed project must comply with standards for new development, redevelopment or a combination of both. No changes made.
82	Model Ordinance Section 301	39	Penn Township	(1) If the current expansion will modify and use existing stormwater management facilities, such as detention basins, should these facilities be modified to meet a pro-rated mix of old and new standards? Is this relatively straightforward from an engineering standpoint?	Establishing regulations for "mixing" old and new requirements would be very difficult to achieve and enforce. No changes made.
83	Model Ordinance Section 301	39	Penn Township	(2) If the current expansion occupies or obliterates the footprint of an existing stormwater management facility, does the current ordinance properly require that its function be restored? This may be of particular concern for tracts with aging facilities that no longer function as designed or where the original design or design standards are no longer available. It may be advisable to require that the pre-existing stormwater system be fully surveyed and evaluated for function, and that its original design and design standards be recovered or reconstituted. *The issues raised in example (2) above might be adequately addressed by requiring that all pre-existing stormwater management designs and facilities be identified and that their function must be preserved or restored.	If existing stormwater control facilities are disturbed, by definition they become a part of the Regulated Activity and must be designed to meet the requirements of the ordinance. Under other provisions of this Model Ordinance and other regulations related to NPDES MS4 (where applicable) require that existing facility be maintained to function as designed regardless of whether or not they are related to a proposed land disturbance activity. No changes made.

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84	Model Ordinance Section 301	42	Penn Township	Section 301. P. (Additional Water Quality Requirements). This section would apparently allow case-by-case modifications of requirements at the discretion of the municipality. It provides no guidance as to what additional control measures might be required. This much discretionary latitude could provide the basis for legal challenge. The section should perhaps be replaced by a menu of explicit requirements that could be adopted at the option of the municipality.	This provision is intended to provide municipalities with flexibility to address local water quality issues, such as protection of EV streams or NPDES TMDL implementation. Because these situations vary significantly by location, municipalities that choose to pursue this provision will need to exercise care in how it is applied and if desired, modify their ordinance language as needed. The Note to Editor in Subsection 301.P has been edited to alert municipalities to this situation.
85	Model Ordinance Section 303	44	Chester County Conservation District Board	Section 303.A. Erosion and Sediment Control <ul style="list-style-type: none"> • "A. No Regulated Activity within the Municipality shall commence until: <ol style="list-style-type: none"> 1. The Municipality receives documentation that the Applicant has received: <ol style="list-style-type: none"> a. An approval from the Conservation District or PADEP in compliance with Title 25 Chapter 102 of the Pennsylvania Code of an Erosion and Sediment Control Plan for construction activities, if applicable;" <ul style="list-style-type: none"> □ The CCCD would consider reviewing if: • It is an E & S review only. (The delegation agreement with the DEP would need to be reevaluated for PCSW reviews under 1 acre as staffing changes may be necessary.) • CCCD has an MOU with that municipality • Municipality adopts this model ordinance as it stands without modification 	The Model Ordinance language is referring to the current CCCD NPDES Construction permit review role and the CCCD "letter of adequacy"; it is commonly required by many municipalities that the CCCD letter of adequacy must be obtained by the applicant prior to the applicant initiating the proposed activity. The Model Ordinance does not envision any additional review role by CCCD. Should a municipality desire to have CCCD conduct the reviews for compliance with individual municipal E&S requirements, that would be dealt with directly between the municipality and CCCD, and would not be influenced by the Model Ordinance nor would it affect the requirements of the Model Ordinance. Subsection 303.A.1.a. was changed to read "A "letter of adequacy" from the Conservation District or other approval from PADEP....".
86	Model Ordinance Section 304	45	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	304 - Delete "(as required in Subsection 402.C)" as this Site Plan, and its requirements, are listed/repeated in several sections.	Some cross-references are included within certain provisions where deemed important or helpful to ensure consistency in how the multiple related provisions are applied and enforced. No changes made.
87	Model Ordinance Section 305	48	Parkesburg Borough	<p>"Section 305 (Water Quality and Runoff Volume Requirements) Sub-section A. The Post-construction total runoff volume shall not exceed the Predevelopment total runoff volume for all storms equal to or less than the two(2)-year, twenty-four (24)-hour duration precipitation (design storm). The water quality and runoff volume to be managed shall consist of any runoff volume generated by the proposed Regulated Activity over and above the Predevelopment total runoff volume and shall be captured and permanently retained or infiltrated on the Site ." (emphasis added by commenter)</p> <p>"Section 306 (Infiltration Requirements) Sub-section A. Whenever possible, infiltration should be designed to accommodate the entire water quality and runoff volume required in Section 305." (emphasis added by commenter)</p> <p><u>Comment:</u> After reading the above, my impression is that Section 305 requires the post development 2 year increase to be permanently retained onsite, while Section 306 states that this increase must be infiltrated whenever possible. If you can't infiltrate onsite and you are required to permanently retain runoff, we are concerned with what we are supposed to do with the runoff. It appears that we may only allow it to evaporate or be reused. A criteria/option for waiver should be added for this section.</p>	The comment correctly interprets the various provisions. If the provision for infiltration or runoff volume cannot be "removed" (i.e., infiltration, evapo-transpiration, re-use), then the applicant must pursue a waiver from the municipality, and PADEP (if over 1 acre of land disturbance). No changes made.

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88	Model Ordinance Section 305	48	East Whiteland Township	Section 305 (Water Quality and Runoff Volume Requirements) Sub-section A. The Postconstruction total runoff volume shall not exceed the Predevelopment total runoff volume for all storms equal to or less than the two (2)-year, twenty-four (24)-hour duration precipitation (design storm). The water quality and runoff volume to be managed shall consist of any runoff volume generated by the proposed Regulated Activity over and above the Predevelopment total runoff volume and shall be captured and permanently retained or infiltrated on the Site. Section 306 (Infiltration Requirements) Sub-section A states, wherever possible, infiltration should be designed to accommodate the entire water quality and runoff volume required in Section 305. If infiltration is not an option because of Karst geology, then Section 305 requires permanent retention, which means a pond. The only method of discharge is evaporation. Pipe discharge should be permitted if infiltration is not possible. (emphasis added by commenter)	The comment correctly interprets the various provisions. If the provision for infiltration or runoff volume cannot be "removed" (i.e., infiltration, evapo-transpiration, re-use), then the applicant must pursue a waiver from the municipality and PADEP (if over 1 acre of land disturbance). No changes made.
89	Model Ordinance Section 305	48	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	305.A, 306.B and 306.C - Infiltration requirements conflict and need to be revised to be consistent.	These three provisions are correct as written. No changes made.
90	Model Ordinance Section 305	48	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	<i>"Water quality improvement shall be achieved in conjunction with achieving the infiltration requirements of Section 306."</i> However, infiltration requirement was stated to be the difference in volume of post 2-year and smaller storm(s) from predevelopment 2-year and smaller storms, in Section 305.A.	The comment incorrectly states the ordinance provision for Subsection 305.A. This provision is not an infiltration requirement, it is a water quality volume control requirement. The language referenced from Section 306 is intended to allow the applicant to address all or a portion of the required water quality volume control through infiltration. No changes made.
91	Model Ordinance Section 306	49	Parkesburg Borough	<p>"Section 306 (Infiltration Requirements) Sub-section C. For Regulated Activities involving Redevelopment, whichever is less of the following volume options shall be infiltrated:</p> <ul style="list-style-type: none"> • The volume of a minimum of one (1)- inch of runoff from all Proposed Impervious Surfaces; OR • The total water quality and runoff volume required in Section 305 of this Ordinance." <p>(emphasis added by commenter)</p> <p>Comment: We are concerned about the effect on redevelopment in urbanized areas (the Borough). We would prefer to add the word "new" before "proposed impervious surface." Suppose I buy an existing building. remove that building and replace it with another structure that consists of the same amount of impervious (same footprint or different footprint). It appears that my new building would be considered an impervious surface and I'd be required to create a SWM plan. How would this work for an older industrial or commercial site? There are many older sites that are difficult to redevelop. This includes older strip developments that may stay unused/underutilized, rather than be redeveloped.</p>	By definition (Section 202) "Proposed Impervious Surface" includes new, additional and replacement. The cited provision provides less restrictive standards for redevelopment than for new development, but recognized the need to improve stormwater controls from aging developed areas where insufficient controls currently exist. Where difficult older industrial /commercial sites exist, 306.D and 306.E offers additional flexibility, and the waiver provision is included in Section 111. No changes made.
92	Model Ordinance Section 306	49	East Whiteland Township	<p>Section 306 (Infiltration Requirements) Sub-section C. For Regulated Activities involving Redevelopment, whichever is less of the following volume options shall be infiltrated:</p> <ol style="list-style-type: none"> 1. The volume of a minimum of one (1)-inch of runoff from all Proposed Impervious Surfaces; OR 2. The total water quality and runoff volume required in Section 305 of this Ordinance. <p>I suggest using "additional," rather than "proposed" for Item 1. With this change, a Stormwater Plan will not be required if an existing site is redeveloped and the new site has the same impervious surface.</p> <p>(emphasis added by commenter)</p>	The cited provision provides less restrictive standards for redevelopment than for new development, but recognized the need to improve stormwater controls from aging commercial/industrial developed areas where insufficient controls may currently exist. For residential properties, Subsection 106.C. 9 and 10 provide exemptions for in-place replacement No changes made.

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93	Model Ordinance Section 306	50	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	States that redevelopment can go down to 1/2-inch with proof; this seems inconsistent with other requirements. Suggest replace "infiltrated" (last word, last sentence) with "retained onsite."	The language as written correctly reflects the requirement and is intended to provide flexibility for site constraints while still providing the maximum amount of infiltration achievable on the site. Infiltration is to be maximized based on site conditions and not be abandoned entirely when the volume of 1" runoff cannot be achieved. No changes made.
94	Model Ordinance Section 306	50	Parkesburg Borough	Section 306 (Infiltration Requirements) Sub-section F allows for an exemption of Section 306 if just cause is presented but there is waiver of retaining water onsite (Section 305). Comment: Section 305 should require a water quality feature that is capable of cleaning "x" amount of water, but it should not require a volume to be permanently retained if testing shows it's not possible to infiltrate it onsite. Again, what are you supposed to do with this runoff?	As stated in the current language, if the provision cannot be met, the applicant must pursue a waiver per Section 111. No changes made.
95	Model Ordinance Section 306	50	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	306.F - Add "In same watershed", as Section 306.G seems to require.	This additional requirement can be added by the municipality if desired. No changes made.
96	Model Ordinance Section 306	50	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	306.G - Revise to "... , the infiltration volume shall be addressed separately for each drainage area."	Change made per comment, but with reference to "watershed".
97	Model Ordinance Section 306	50	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	306.H - "Existing impervious surfaces located in areas outside of the Site (i.e., outside of the Regulated Activity) may be excluded from the calculation of the required infiltration volume." However, the "Site" is not the same thing as the area of the Regulated Activity. Clarify whether this section is to exclude off-site impervious, or to exclude existing on-site impervious that is outside the area of disturbance.	Based on the definitions for each term in Section 202, the "Site" is all of the land area included in the "Regulated Activity" and thus they are both referring to the identical land area and this provision correctly excludes runoff from off of the "Site" and from areas not involved in the "Regulated Activity". No changes made.
98	Model Ordinance Section 306	50	W. Jeffrey Miller, Evans Mill Environmental	306.I Soil evaluations are not the expertise of these Licensed Professionals (engineers, surveyors, landscape architects, or geologists). Consideration should be given to inclusion of experienced certified Sewage Enforcement Officers and Qualified Professional Soil Scientist (as defined in the Act 537 program) to the list of specified qualified professionals.	Definition as presented is correct for all uses of the term throughout the Model Ordinance. However, Subsection 306.I. has been amended: first sentence "Licensed Professional" deleted and replaced with "professional"; second sentence "conducted by a qualified Licensed Professional and shall be" has been inserted after "...infiltration BMP shall be".
99	Model Ordinance Section 306	50	W. Jeffrey Miller, Evans Mill Environmental	306.I.2. Why are percolation tests, which have been used to size on lot sewage disposal systems for the past 50 years, now not suitable for sizing smaller stormwater infiltration facilities? They are identified as an acceptable method in the DEP BMP manual is used with an appropriate reduction factor. Consideration should be given to sizing smaller stormwater infiltration facilities based on the results of a percolation test and the drain field sizing chart found in 25 Pa. Code Ch. 73. Those sizing charts were developed to meet the long term acceptance rate of various soils for septic tank effluent. Septic tank effluent has a much higher BOD5. The higher levels of BOD5 can over time develop bacterial mats in the soil thus reducing the effective infiltration rate. Those higher BOD5 concentrations are not present in stormwater, thus minimizing the concern of bacterial mat development hence the long term acceptance rates of the soil are not adversely impacted as they would be with septic effluent. Hence, using the sizing charts provided in Chapter 73 should provide a suitable solution at least for the smaller infiltration (i.e. systems serving one to a few homes or comparable commercial properties) facilities.	Current practice of infiltration design is moving away from percolation testing and now requires more sophisticated methods. No changes made.

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100	Model Ordinance Section 306	51	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	306.K - Add a setback requirement from property lines and ultimate right-of-way lines.	The easement requirements in Article 7 will likely account for this desired setback; however, a Note to Editor has been included after Subsection 306.K.2 noting that municipalities may add additional setback limits for property and right-of-way boundaries if desired.
101	Model Ordinance Section 306	51	W. Jeffrey Miller, Evans Mill Environmental	<p>306 K 2. The setback distance should be uniform across the county and there should not be a local municipal option. Inconsistent regulations from municipality to municipality is part of the over regulation issue that many in the development business must deal and which is not justified in this ordinance. Further, many of the separation distances between a sewage disposal drain field and buildings, property lines etc. are addressed in 25 Pa Code Ch. 73. There is not justifiable reason to utilize isolation distances for storm water infiltration facilities which are different than those specified in Chapter 73 for sewage drain fields.</p> <p>In addition, many municipalities are beginning to define both on lot sewage disposal system drain fields and stormwater infiltration facilities as structures. These structures often are prohibited in front yards. Often the front yard is the downhill side of the house. Should these facilities be defined as a structure the applicant would either need a zoning variance or need to pump the stormwater to the back yard. Neither option should be forced on the applicant. This ordinance should overtly define these facilities as not being structures.</p>	<p>Uniform setback distances will not allow for flexibility needed for varying site conditions and constraints. No changes made.</p> <p>Stormwater systems, because of the greater flow volumes and types of pollutants it is required to handle among other reasons, does differ in design and setback requirement from that of a sewage drain system. No changes made. The Model Ordinance intends to not refer to stormwater facilities as "structures" as defined in SALDOs, etc.; however as a result of this comment several inadvertent uses of the term "structure" were found and corrected: Section 202. Definition of "Stormwater Management Facility" the words "Any structure" and "infiltration structure" are deleted and replaced with "Any feature" and "Infiltration Facility"; Section 202. the term "Infiltration Structures" is changed to "Infiltration Facility" and in its definition the word "structure" is deleted following "BMP" ; throughout the Model Ordinance the term "infiltration structure" will be deleted and replaced with "Infiltration Facility". A Note to Editor has been added to the list of notes preceding the Model Ordinance alerting municipalities to the need to avoid classifying stormwater facilities as "structures" in the stormwater or SALDO ordinances.</p>
102	Model Ordinance Section 306	52	W. Jeffrey Miller	306.M. The term "heavy equipment" should be defined in terms of ground pressure of the equipment not to exceed 5 psi ground pressure.	The details required would be difficult to ascertain and include in the Model Ordinance; the soil professional can advise the project engineer of any restrictions needed for the site. No changes made.
103	Model Ordinance Section 307	53	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	307.A - Sections 307.A and 308.A (Table 308.1) seem to conflict: Section 307.A requires 2-year post to 1-year pre; however, Table 308.1 requires 2-year post to 2-year pre. This should be revised to eliminate the conflict.	Section 307 has been revised to restore the phrase "New Development of" between "involving" and "one acre"; Table 308.1 is correct as presented.
104	Model Ordinance Section 307	53	Valley Township	<p>Section 307.A – The verbage "For all Regulated Activities involving New Development" has been deleted from this section. The requirement to decrease the peak rate of a 2-year storm to a 1-year storm now would be applicable for all activities, both New Development and Redevelopment. This is inconsistent with Table 308.1 which allows for Redevelopment activities to have the post 2-yr storm equal the pre 2-yr storm. Valley strongly suggests the deleted verbage be added back into the ordinance so that this standard will only apply to New Development activities, thereby encouraging Redevelopment activities through less stringent requirements.</p> <p>(The Township's Planning Commission discussed the revised Model Ordinance this week, and this is their only comment. They were satisfied with the response to all their previous comments or prior draft versions of the Ordinance.)</p>	Section 307 has been revised to restore the phrase "New Development of" between "involving" and "one acre"; Table 308.1 is correct as presented.
105	Model Ordinance Section 307	53	London Grove, New London, W Nottingham and Upper Oxford Townships	<p>Townships recommend that the Chester County Commissioners direct their staff to modified Section 308 of the County-wide Act 167 Model Ordinance to have the requirement to control the 2-year post-construction peak runoff to 1-year preconstruction peak runoff modified to a simple 2-year post-construction to 2-year preconstruction level of control. If the County does not believe that this is an appropriate change then at least make this requirement only applicable to larger projects that disturb more than one acre.</p> <p>Thank you in advance for your consideration of this recommendation. The Township believes that the 2-year post-construction to 1-year pre-construction control level will put an undue burden on its residents.</p>	As written, Section 307 applies this requirement only to projects involving one or more acres of disturbance; the phrase "New Development of" has been re-inserted between "involving" and "one acre".

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106	Model Ordinance Section 307	53	London Grove Township	Our engineer, Ragan Engineering Associates, previously commented to you on behalf of London Grove Township. However, I wanted to make sure that you received (sorry, I know it's the end of the day) the one important comment we wanted to make. It is this, in layman's terms: we suggest eliminating the requirement for the 2-year post to 1-year pre runoff reduction as we believe it is "overkill".	This provision is required to reduce instream erosion that is the source of much of the sediment impairments in many streams throughout the County. In response to Mr. Ragan's previous comments, the Model Ordinance was previously revised for this provision to apply only to activities involving one or more acres of disturbance. Section 307 has now also been revised to apply only to New Development projects meeting that size criteria.
107	Model Ordinance Section 308	55	East Whiteland Township	Section 308 (Stormwater Peak Rate Control Requirements) Sub-Section C and Section 309 (Calculation Methodology D) include a requirement to change at least 20% of the existing impervious area to grass for redevelopment sites. Developers may consider 20% to be excessive and it may deter redevelopment of commercial and industrial sites.	The 20% value applied to redevelopment sites is significantly reduced from the 100% value otherwise applied to new development sites; the reduced requirement was included in effort to provide less restrictive standards for redevelopment of urban areas while ensuring that some amount of improved runoff control is provided from older sites where insufficient controls are common. The provision does not require conversion to grass but rather allows either conversion to pervious cover or additional runoff controls. No changes made.
108	Model Ordinance Section 308	56	Parkesburg Borough	<p>"Section 308. Stormwater Peak Rate Control Requirements Sub-section C. <i>For Regulated Activities involving only Redevelopment, no peak flow rate controls are required (emphasis added by commenter) when and only if the total Proposed Impervious Surface area is at least twenty percent (20%) less than the total existing Impervious Surface area to be disturbed by the Regulated Activity. In all cases where this requirement is not met, the Redevelopment Regulated Activity shall achieve the peak flow rate controls presented in Table 308.1, using the Redevelopment Ground Cover Assumptions presented in Subsection 309.D.</i>"</p> <p>Comment: For redevelopment, 20% less seems excessive, and how would this work for an older industrial or commercial site? We are concerned about the effect on redevelopment in urbanized areas (the Borough).</p>	The 20% value applied to redevelopment sites is significantly reduced from the 100% value otherwise applied to new development sites; the reduced requirement was included in effort to provide less restrictive standards for redevelopment of urban areas while ensuring that some amount of improved runoff control is provided from older sites where insufficient controls are common. This provision provides alternative approaches for the designer to consider that are not otherwise provided for New Development. It does not require 20% less impervious cover but rather allows either conversion to pervious cover or additional runoff controls. No changes made.
109	Model Ordinance Table 308.1	55	Charlestown Township	We would like the portion of M-34 which requires Table 308.1 to be adopted exactly as written be revised to allow equivalent text since we have previously incorporated these requirements in paragraph form, and revised these paragraphs during the Valley Creek Act 167 process. The required data is provided, just not in a table that matches Table 308.1	Municipalities are required to adopt ordinance provisions that are at least as restrictive as those included in the applicable Act 167 Plan; it is acceptable if those provisions are presented in text rather than table form, or vice versa. The Matrix instructions are intended to imply that the exact standards must be used. No changes made.

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110	Model Ordinance Section 309	58	Parkesburg Borough	<p>"Section 309. Calculation Methodology D. - <i>The Applicant shall utilize the following ground cover assumptions for all Predevelopment water quality and runoff volume, infiltration volume and peak flow rate calculations:</i></p> <p>2. <i>For Regulated Activities involving Redevelopment, the following ground cover assumptions shall be used:</i></p> <p>a. <i>For areas that are Woods (as defined in Article II of this Ordinance), Predevelopment calculations shall assume ground cover of "Woods in good condition".</i></p> <p>b. <i>For areas that are not Woods or not Impervious Surfaces, Predevelopment calculations shall assume ground cover of "meadow".</i></p> <p>c. <i>For areas that are Impervious Surfaces, Predevelopment calculations shall assume at least twenty percent (20%) of the existing Impervious Surface area to be disturbed as "meadow" ground cover.</i> (emphasis added by commenter)</p> <p>Comment: We dislike the "assume 20% meadow" requirement for urbanized areas. The NPDES permitting requires this already, so it may be redundant in the ordinance. How will this work for an older industrial or commercial site or a park? This can be a real problem. If you are upgrading a Township/Borough/City park and not increasing impervious coverage and you disturb grass and replace it with grass, the calculation will show an increase in runoff from the project This problem became evident in a park redevelopment project we worked on that had BMP's planned to be installed in the park to improve the water quality and reduce water quantity in the general area (more than just the park), but ended up short in quantity held (stored) because of this requirement. The BMP's were specifically planned to accomodate off -park stormwater (offset/TMDL planning, etc.) and were placed in the park , park paths , and play areas replaced in kind (no new impervious).</p>	<p>The 20% value applied to redevelopment sites is significantly reduced from the 100% value otherwise applied to new development sites; the reduced requirement was included in effort to provide less restrictive standards for redevelopment of urban areas while ensuring that some amount of improved runoff control is provided from older sites where insufficient controls are common. This provision provides alternative approaches for the designer to consider that are not otherwise provided for new development. No changes made.</p> <p>Although similar to the NPDES requirement, inclusion of this provision in the Model Ordinance is essential to avoid redevelopment being regulated at the same standards as new development. No changes made.</p>
111	Model Ordinance Section 309	58	Charlestown Township	<p>IN REFERENCE TO MATRIX: Item #4 under Notes to Municipality in Appendix E indicates the Municipality may set more restrictive or stringent standards, but several of the items in the Matrix of Minimum Mandatory Ordinance Standards indicate sections must be adopted exactly as written. Does the Municipality have the option to make changes to the sections indicated to be adopted exactly as written? For instance, if the Township would like to increase the amount of impervious cover considered meadow during a redevelopment, can they revise Section 309.D which is required to be adopted exactly as written by M-38?</p>	<p>Yes, the Notes to Editor in the front of both the Model Ordinance and Matrix state that municipalities may set more restrictive or stringent standards and requirements than those included in the Model Ordinance or Matrix, but they cannot be reduced or diminished. No changes made.</p>

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112	Model Ordinance Section 309	58	Penn Township	<p>(3) Section 309.D.2.c provides that for the pre-development conditions on Redeveloped land, 20% of the existing impervious should be considered meadow, implying that the remaining 80% may be considered impervious and therefore not subject to volume and peak flow control. This provision can be expected to encourage (or at least not discourage) land redevelopment and is therefore commendable. However, it seems possible that the provision could be exploited or misinterpreted in cases where the site proposed for redevelopment is served by an existing stormwater management system. Under this scenario, the quantity of stormwater subject to regulation might be considerably lower than under the original design, thus freeing the existing stormwater management facility to accommodate any proposed expansion. This scenario might be averted by tying the "20% rule" to the stormwater regulations that were in effect at the time the area became impervious. That is, 20% of the impervious area would be subject to the new ordinance standards, while 80% would be subject to the standards that were in effect at the time of the original development.</p> <p>* The issues raised in examples (3) above might be adequately addressed by requiring that all pre-existing stormwater management designs and facilities be identified and that their function must be preserved or restored.</p>	<p>The concept points up an interesting situation of redevelopment of a relatively recent developed site that may have contemporary stormwater controls. However, attempting to regulate the use of calculations that include both current and superseded standards would be very difficult to incorporate into ordinances standards and enforce. The municipal engineer will need to consider how best to ensure that appropriate runoff controls are either maintained or improved by the project. The entire Regulated Activity (not just the 20% considered meadow) is required to meet all applicable standards of the Model Ordinance. No changes made.</p>
113	Model Ordinance Section 309	59	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	<p>309.D.3.c - Delete "At the discretion of the Municipal Engineer," and revise to: "Regulated Activities that involve a combination of both New Development and Redevelopment activities, as defined in the Ordinance, shall apply the stormwater standards (New Development or Redevelopment) that are associated with the activity that involves the greatest amount of land area." (309.D.3.c.i becomes part of this section).</p>	<p>As written, the language provides the necessary flexibility for the municipal engineer to decide what combination or selection is the most appropriate, given the widely varying site circumstances expected to arise. No changes made.</p>
114	Model Ordinance Section 309	59	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	<p>309.D.3.c.ii - Delete this section.</p>	<p>As written, the language provides the necessary flexibility for the municipal engineer to decide what combination or selection is the most appropriate, given the widely varying site circumstances expected to arise. No changes made.</p>
115	Model Ordinance Section 309.E	59 (& App. C Table C.2)	Warwick Township	<p>Rational Coefficients - There is an inherent flaw in the use of the proposed Rational Coefficient Table in Appendix C. The rate control principles upon which the Ordinance is based, anticipate the assumption of "meadow" as the predevelopment cover condition for non-wooded sites. Thru development and with the creation of lawn area, the NRCS Curve Numbers anticipate an increase in runoff with the change from meadow to lawn (which is consistent with the base assumptions of the ordinance). If the designer uses the Rational Method to analyze runoff, however, based upon the options provided, the coefficients for "meadow" and "open space" would be the closest classifications listed. The problem is that by using the "C" values listed, there would be a net decrease in runoff with the ground cover change from meadow to lawn (open space). I suggest either amending the Open Space "C" value or adding a more appropriate "lawn" C value to provide consistency and eliminate the loophole!</p>	<p>Table C.2 of Appendix C was reviewed and found to be not applicable for stormwater runoff calculations because it addresses only land uses and not land covers. The Table C.2 has been replaced with the table of coefficients from the Crum Creek Act 167 Model Ordinance.</p>
116	Model Ordinance Section 401	62	Honey Brook Township	<p>Section 401.B – should also reference other outside permits (Section 302)</p>	<p>Requirements for other permits are addressed in Section 302. No changes made.</p>
117	Model Ordinance Section 402	62	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	<p>Delete second and third sentences from first paragraph.</p>	<p>These sentences require important cross-referencing needed between documents particularly for more complex and larger proposed activities. No changes made.</p>

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118	Model Ordinance Section 402	63	W. Jeffrey Miller, Evans Mill Environmental	402 A 4. The statement is overly onerous. The phrase "to the best of my knowledge" should be inserted after the word certify. The designer cannot be held responsible for the interpretation of the municipal reviewing engineer.	Change made per comment.
119	Model Ordinance Section 402	64	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	402.B - Delete "Unless otherwise approved by the Municipal Engineer". Anything not provided that is required in an Ordinance requires a waiver from the Municipality; a Municipal Engineer cannot grant this.	Language as presented provides the flexibility necessary for municipal engineer to provide appropriate guidance for a wide range of varying circumstances that would otherwise create an unreasonable number of waiver requests. No changes made.
120	Model Ordinance Section 402	64	Honey Brook Township	Section 402.B.5 – recommend allowing overall plan at 1" = 100' but detailed view at 1" = 50' for disturbed area (difficult to construct off 100' scale plan)	Subsection 402.B.5 has been edited to end the sentence immediately after "... Fifty (50) feet." and all subsequent text was deleted.
121	Model Ordinance Section 402	66	W. Jeffrey Miller, Evans Mill Environmental	402 B 8 n iii. It is unrealistic to expect that private wells that are located within ¼ mile of the project be located. The standard for sewage facilities planning where on lot sewage disposal is proposed is 100' of the perimeter of the parent tract. Certainly the infiltration of stormwater will have less of an impact on groundwater quality than the installation of on lot sewage disposal facilities, so the "within 100' of the perimeter of the parent tract" standard is appropriate. How would the locating of these wells impact the review of the stormwater proposal? What are the standards by which this evaluation will be conducted?	Subsection 402.B.n.iii. has been deleted.
122	Model Ordinance Section 402	70	Honey Brook Township	Section 402.G & H – what about NPDES, General Permits, - should reference Section 302	Other permits have been addressed in Section 302. No changes made.
123	Model Ordinance Section 404	72	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	404.B - Delete "for the SWM Site Plan".	In Subsection 404.B. "SWM Site Plan" has been deleted and replaced with "proposed Regulated Activity"; the phrase "or other PADEP approval" has been inserted after "Conservation District".
124	Model Ordinance Section 404	72	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	404.C - Delete "with a copy to the Building Permit Officer".	Change made per comment.
125	Model Ordinance Section 404	72	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	404.D - Delete this. Why is the applicant required to forward a copy of Municipal review to CCCD?	Subsection 404.D has been deleted.
126	Model Ordinance Section 404	72	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	404.E - Delete, or verify consistency with MPC. If this section will remain, delete references to Preliminary Plan approval restrictions and delete "by the Municipal Engineer".	In Subsection 404.E. the words "preliminary or" and "by the Municipal Engineer" have been deleted.
127	Model Ordinance Section 404	73	Honey Brook Township	Section 404.H – should read "inserting e.g., five (5)" and it calls for municipal signature, but signature block is not required in plan specifications. There are no procedures for municipal signatures if it is not a Subdivision/Land Development Plan	Punctuation corrected to follow "e.g.". The phrase "signs the" has been deleted and "the" has been inserted between "approved" and "SWM" in the first sentence.
128	Model Ordinance Section 405	73	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	405.B - Delete "and inspection" from "... municipal review and inspection fee."	Change made per comment. Same change made to Section 406.

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129	Model Ordinance Section 405	73	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	405.C - Delete.	Change made per comment.
130	Model Ordinance Section 406	73	Schuylkill Township, Upper Uwchlan Township, and West Chester Borough	406 - Revise first sentence to "...deemed inconsistent or noncompliant and denied by the Municipality may be revised...", and delete "and inspection" from last sentence.	Language as presented allows for certain inconsistencies to not result in denial. No changes made.
131	Model Ordinance Section 502	77	Honey Brook Township	Sections 502.F.2 and 502.G now match, however as-builts are not usually completed for larger subdivisions, phased projects, etc before the first permits are issued or U&Os are issued (ie major subdivisions). There can also be issues with stabilization due to seeding seasons, required minor revisions to as-builts, etc.	Subsection 502.F.2 has been deleted.
132	Model Ordinance Article 7	80	Caln Township	In addition to the immediate cost impacts of fees and consultants and the construction of new improvements, this process inserts a reliance on easements and/or recorded deed restrictions. Easements do not come free. There are attorneys, surveyors, appraisal costs and other time and financial impacts. These may very well make some projects too costly and impractical. Further, if one is able to implement an easement, there are possible negative impacts of an easement which may have a negative impact on refinancing and or resale of a property. The proposed ordinance does provide a "Simplified Planning Approach" for small projects. This will reduce but not eliminate the extra costs and hardships of the new process. Implementing the simplified approach will also provide additional challenges for a municipal governing body to be fair and manage stormwater goals.	Most easement requirements addressed by the Model Ordinance will be put in place by the property owner and therefore will not require purchase of land rights. Easements are required to ensure that the municipality and/or facility owner (if other than the property owner) have the right to access the facility for O&M. All easements or equivalent restrictions included in the Model Ordinance are required by PADEP. No changes made.
133	Model Ordinance Article 7	83	Caln Township	• Allow municipalities to eliminate the need for sealed plans, recorded at the court house	This provision is required by PADEP. No changes made.
134	Model Ordinance Article 7	83	Caln Township	• Allow municipalities to eliminate the need for recorded easements and agreements for BMP's. Plans and agreements can be kept within municipal records overseen by building officials without needing them to be recorded.	These provisions are required by PADEP. No changes made.
135	Model Ordinance Article 7	83	Chester County Conservation District Board	No recordation of storm water BMP at Recorder of Deeds or minimal note recorded on deed that a BMP is present (consistent with permitted activities such as septic systems, wells and driveways).	The requirement for recordation reflects the only viable process by which to meet the PADEP requirements for long-term responsibilities for each BMP to survive and run with the land (please see response to previous comment above). If a municipality can devise an alternate process that achieves the same survival and enforceability of long-term BMP responsibilities other than through recorded documents, they can institute that process so long as the requirements for these long-term responsibilities are achieved. Recordation is required by PADEP. No changes made.
136	Model Ordinance Article 7 or 9	88	Honey Brook Township	**In Article 7 or 9, the Ordinance and Matrix should clearly address that the municipality has the right but is not required to perform maintenance/repairs, etc to BMPs if the owner fails to do so at owner's expense and the municipality can impose liens, etc.; I believe this is outlined in the O&M agreement but the plans should contain specific notes regarding this	This is stated in Subsections 704.A.5 and 903.G. A cross-reference to Subsection 903.G has been added to Subsection 701.E.2.

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137	Model Ordinance Section 702	84	W. Jeffrey Miller, Evans Mill Environmental	702 A 10. a. First, as commented with respect to § 306 K2, the "easement" perimeter should be specified in this ordinance and not be left to a local municipal option. Twenty feet is excessive and again referencing the requirement under Act 537, ten (10') is sufficient. Second, I question the need for an easement with meets and bounds. The municipality has, under its general powers, the ability to check on these infiltration facilities thus negating the need for a specific easement. Third, if the infiltration facility is located in the rear yard, what provisions are made for this easement to extend to the public right of way? Will this easement that surrounds an on lot infiltration facility and extends to the public right of way be deducted from the net area of the lot? This ordinance should prohibit the deduction of the area of this easement from the next lot area in every case.	<ul style="list-style-type: none"> • Easement perimeter - cannot be established on a county-wide basis as it must allow flexibility for local conditions; no changes made. • Twenty (20) ft is the appropriate width needed for O&M of stormwater facilities; 10 ft is insufficient; no changes made. • Metes and bounds are essential for legally implementing the ordinance requirements and to protect the property owners' rights by specifically defining the area in which the municipality (or others) may enter the property; no changes made. • Model Ordinance requires that access must be provided to/from public right of way, regardless of location of feature on the property. The option is provided for a blanket easement, at the discretion of the municipality (see Section 702); no changes made. • Deduction from net area is a matter addressed by SALDO or zoning ordinances and not the stormwater ordinance; no changes made.
138	Model Ordinance Section 702	84	Honey Brook Township	Add notes that Section 702.A.10.a must match Sections 402.B.17.c.v and 704.A.2	Added Note to Editor after 702.10.a, 402.B.17.c.v and 704.A.2.
139	Model Ordinance Appendix A	A7-A9	Honey Brook Township	1. Simplified Approach can be used for areas of 1000-2000 SF – therefore tables 1-3 should be updated to include these areas	Note has been added to Simplified Approach instructions that municipality will need to adjust tables accordingly or note that an equation should be used to calculate larger sizes.
140	Model Ordinance Appendix A	A10	Honey Brook Township	2. Simplified Approach – add TPN to worksheet for reference	Municipality may add this or other enhancements if desired. No changes made.
141	Model Ordinance Appendix A	A19	Honey Brook Township	3. Figure 5 – make the picture on left larger to read the text	Due to the various iterations of reproduction, the image shown is the best available. No changes made.
142	Model Ordinance Appendix A	A23	Honey Brook Township	4. In Figure 6, site plan, the trench size (length, depth, etc) varies between plan and data sheet/calculations (ie Cistern 166 gal vs 332 gal and Trench 30' x 3' x 3.5' versus 20' x 3' x 3')	Errata notes added on title page for Appendix A.2 with corrections noted.
143	Model Ordinance Appendix A	A25	Honey Brook Township	5. In Table 7, the stream is greater than 50' away but marked on sheet as 50' or less	Worksheet corrected.
144	Model Ordinance Appendix A	A.3	Honey Brook Township	6. On O&M for bioretention in the agreement – note removal of invasive species	Change made per comment.
145	Model Ordinance Appendix A	23	Honey Brook Township	7. Better construction details (larger scale) with blanks to fill in dimensions, materials, specify cleanouts/inspections ports, etc should be provided	Additional details may be added or required by municipality if desired. No changes made.
146	Model Ordinance Appendix A	A.3	Chester County Conservation District	"Simplified Approach, Stormwater Best Management Practices Operation, Maintenance and Inspections Plan and Agreement". On page 5, bullets 6-9. Is this legal? If not in compliance, the township has the right to come onto your property, fix the BMP at your expense and completely absolve themselves from any liability of damage, etc. Do these minor projects pose a threat to health and safety where the municipality has those rights? In reading through the NPDES agreement, that level of government isn't included. They simply state that they have the right to enter your property for inspection and level fines if not in compliance.	Yes this is within legal authority of the municipality and is commonly used in existing stormwater ordinances. Additional text added in Note to Editor box on pg.5 of the Simplified Sample Agreement that the municipality may, if desired, delete language requiring landowner to reimburse municipality for costs of repair.

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No.	Document & Section	Page	Comment Provided By	Comment	Response
147	Model Ordinance Appendix A	A.1, A.2	Maurice P. (PJ) Close, P.E.	<p>Appendix A (Simplified Approach...).</p> <p>In A.1, under "Submittal and Approval Requirements", 2nd bullet at the bottom of the page, it states in part:"must be captured and infiltrated"....</p> <p>In A.2 under "The Simplified Approach requires", 2nd bullet at the bottom of the page, it states in part:....."must be captured and removed"....</p> <p>I believe the term "removed" should be used in both places, since the Simplified approach allows BMP's such as cisterns and rain barrels, which are not infiltration BMP's.</p> <p>I was trying to review the Simplified Approach as if I was a homeowner. It's a pretty neat and straight forward approach. The interchanging of the terms "infiltrated" and "removed" was the only thing that confused me a little.</p>	Change made per comment.
148	Model Ordinance Appendix A	A.2	Chester County Conservation District Board of Directors	<p>Appendix A.2. Simplified Approach to Stormwater Management for Small Projects – Handbook</p> <ul style="list-style-type: none"> • Will the adoption of this model ordinance guarantee that municipalities will honor this simplified approach? <ul style="list-style-type: none"> - Will a municipality be able to customize and/or add more stringent requirements? Example: Will the municipality be able to require that a professional engineer approve/review this method? Will the municipality be able to require that BMPs, such as as-builts, be surveyed? Will the municipality be able to require meets and bounds to be recorded at the County's Recorder of Deeds? • Can the required BMP information be simplified as a statement on the recorded deed? <ul style="list-style-type: none"> Example: A Stormwater BMP is included within the deed.....see the Declaration of Restrictions and Covenants below. 	The purpose of the Simplified Approach to is allow municipalities to soften their standards by including the Simplified Approach; if they have chosen to include it for projects <2,000 sq. ft it is anticipated that they will then implement it. Municipalities may choose to make the Simplified Approach more restrictive. The option is provided for blanket easements, should the municipality choose to do so. Other legal processes for accomplishing the required recordation must be determined and reviewed by the applicant's legal council and approved by the municipality to ensure that all appropriate information and the O&M Agreement have been recorded such that they will survive with the land. No changes made.

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149	MATRIX	3	Honey Brook Township	Additional Items that what is noted area required for MS4 municipalities; A general note shall be added that MS4 municipalities may want to compare this Ordinance to the Checklist if you aren't adding the specific sections as mandatory	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
150	MATRIX	3	Honey Brook Township	1. Page 3, Under M-1, for MS4s must include 102.A-D as well as maintenance of SWM facilities	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
151	MATRIX	3	Honey Brook Township	2. Under M-3, 103.M and 103.I are also required for MS4 permittees	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
152	MATRIX	4	Honey Brook Township	3. Under M-7, for MS4 permittees applicability should also mention operation and maintenance of installed facilities	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
153	MATRIX	7,8	Honey Brook Township	4. INFO-4, 5, 6 and 8– these sections are required for MS4 permittees	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
154	MATRIX	9	Honey Brook Township	5. There are additional mandatory definitions identified for MS4 permittees in the O&M checklist	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
155	MATRIX	22	Honey Brook Township	6. OPT-20 – this is a requirement for MS4s per the O&M checklist	Adoption of the County-wide Act 167 ordinance by MS4 municipalities satisfies the MS4 permit requirement and the checklist no longer applies; not all provisions included in the MS4 checklist are required in the Act 167 ordinance, and vice versa. No changes to be made.
156	MATRIX	23	Honey Brook Township	7. M-51 – there should also be a mandatory section that states for MS4s this must apply to the entire Township, and also be an Optional or Info item for others to make this apply to entire township	The County-wide Act 167 ordinance standards must be applied throughout the entire municipality of all municipalities located in Chester County; therefore the geographic coverage will also satisfy MS4 requirements. No changes made.
157	MATRIX	1	Honey Brook Township	1. Page 1, Notes to Municipality, Item 7 – should include 308.H	Note 7 refers to provisions where the municipality may choose the level and extent of standards included; Subsection 308.H is not optional and must be included for municipalities to which it applies. No changes made.
158	MATRIX	14	Honey Brook Township	2. M-32, should also include 306.O	Change made per comment.
159	MATRIX	14	Honey Brook Township	3. M-33 and Info-14, Section 307.G may be required (per/correlated with 308.G)	Subsection 307.G is included in the informational list for optional use by the municipality that is modifying an existing ordinance; Subsection 308.F is required to be included because of the larger range of flows involved. No changes made.
160	MATRIX	18	Honey Brook Township	4. M-43, As-built plans should also reference OPT-14 and 15; O&M plans should also reference Opt-17; Reference could be added for Permanent protection – M-46?; Reference for E&S should be M-28. In the cross-references delete “. ” After 402 in third bullet; For Permanent protection a better cross-reference could be 701.E or 702.B.4	M-43 changed where not already consistent with comment.
161	MATRIX	18	Honey Brook Township	5. INFO-19, Section 403 is mandatory per M-42 so remove this as a “guidance” section	Current draft is consistent with comment. No change made.
162	MATRIX	19	Honey Brook Township	6. OPT-15 should also reference 502.D in two locations	Subsection 502.D is covered in INFO-20. No changes made.