

No. 25-17-RE

A RESOLUTION

A Resolution of the County Council of Allegheny County approving the attached document as 2017 Allegheny County Storm Water Management Plan pursuant to 1978, Oct. 4, P.L. 864, No. 167, known as the Stormwater Management Act, 32 P.S. § 680.1 *et. seq.* (“Act 167”).

Whereas, Section 680.5 of Act 167 requires each county in the Commonwealth to prepare and adopt a storm water management plan for each watershed located in the county; and

Whereas, Section 680.6 of Act 167 requires each county in the Commonwealth to establish a watershed plan advisory committee which is “responsible for advising the county throughout the planning process, evaluating policy and project alternatives, coordinating the watershed stormwater plans with other municipal plans and programs, and reviewing the plan prior to adoption;” and;

Whereas, Allegheny County (“the County”) established a watershed plan advisory committee (“the County WPAC”) composed of over 240 members representing not only Allegheny County Government but also representatives from all one hundred thirty units of local government within the County, as well as representatives from Federal and Commonwealth regulatory agencies, adjacent counties, watershed associations, and other interested parties; and

Whereas, the County WPAC held meetings over a course of four years on the development of an updated Stormwater Management Plan for the County (“the proposed County SWM Plan”); and

Whereas, during this period of time, the members of the County WPAC were kept apprised of the progress on the proposed County SWM Plan and were provided with opportunities to review, comment on, and discuss the Phase 2 Report on the proposed County SWM Plan as well as proposed model storm water management ordinance to be used by local units of government within the County to implement the proposed County SWM Plan; and

Whereas, as required by Section 680.8 (a) of Act 167, County Council held a duly advertised public hearing to receive comments on the proposed County SWM Plan; and

Whereas, Section 680.8 (a) of Act 167 Act requires that a stormwater management plan must be adopted by a resolution carried by an affirmative vote of at least a majority of the members of the county governing body; and

Whereas, County Council finds that a comprehensive program of stormwater management which includes reasonable regulation of development and activities that may cause accelerated runoff is fundamental to the public health, safety, and welfare and protection of the citizens of the County, their resources, and the environment; and

Whereas, County Council finds that the proposed County SWM Plan is consistent with the County’s goals of preserving and restoring the flood-carrying capacity of streams; preserving to maximum extent practicable the natural storm water regimes and natural course, current, and cross-sections of the waters of the Commonwealth; and protecting and conserving ground waters and ground water recharge areas.

The Council of the County of Allegheny hereby resolves as follows:

SECTION 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Resolution are incorporated by reference in their entirety herein.

SECTION 2. Adoption of Stormwater Management Plan for Allegheny County.

Allegheny County Council hereby adopts the following six (6) documents, including all volumes containing figures, appendices, maps charts, textual matters, and materials, which are incorporated by reference in their entirety and attached hereto collectively as “Exhibit A,” as the 2017 Allegheny County Stormwater Management Plan (the 2017 County SWMP):

- 1) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Model Stormwater Management Ordinance*; March 20, 2017
- 2) *Allegheny County Stormwater Management Plan Phase 1 Report*; March 2014
- 3) *Allegheny County Stormwater Management Plan Addendum to the Phase 1 Report*; September 2015
- 4) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan*; March 20, 2017
- 5) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Appendix A*; March 20, 2017
- 6) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Appendix B, C, D, E & E*; March 20, 2017

SECTION 3. Submission of the 2017 County SWM Plan to Commonwealth.

As required by Section 680.9 of Act 167, the Director of the Allegheny County Department of Economic Development or his authorized representative is duly authorized to forward a copy of the 2017 County SWM Plan to the Pennsylvania Department of Environmental Protection for approval.

SECTION 4. Cooperative Actions.

The appropriate County officers and officials are hereby further authorized to take such additional actions necessary, including the execution of any documents, to carry out the purposes of this Resolution.

SECTION 5. Severability. *If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.*

SECTION 6. Repealer. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.*


SECTION 7. Effective date. *This Resolution shall enter into effect immediately.*

Enacted in Council, this 5th day of December, 2017

Council Agenda No. 12104-17



John DeFazio
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office December 6, 2017

Approved: 

Rich Fitzgerald
County Executive

Attest: 

Sonya Dietz
Executive's Secretary

EXHIBIT A

The following six (6) separate documents, including all six volumes containing all figures, appendices, maps, charts, textual matters, and other materials constitute the 2017 Allegheny County Storm Water Management Plan (“the 2017 County SWM Plan”):

- 1) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Model Stormwater Management Ordinance*; March 20, 2017
- 2) *Allegheny County Stormwater Management Plan Phase 1 Report*; March 2014
- 3) *Allegheny County Stormwater Management Plan Addendum to the Phase 1 Report*; September 2015
- 4) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan*; March 20, 2017
- 5) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Appendix A*; March 20, 2017
- 6) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Appendix B, C, D, E & E*; March 20, 2017

SUMMARY OF LEGISLATION
THE ALLEGHENY COUNTY STORM WATER MANAGEMENT PLAN
SUBMITTED FOR COUNCIL MEETING ON APRIL 4, 2017

The proposed Allegheny County Storm Water Management Plan (SWM Plan) will bring Allegheny County into compliance with state law, Act of October 4, 1978, P.L. 864 (Act 167) the “Stormwater Management Act,” which requires counties to prepare and adopt a stormwater management plan for all of its watersheds. The SWM Plan will contribute to the health, safety, and welfare of the citizens of Allegheny County by ensuring that all municipalities have the tools they need to manage stormwater runoff from new development and redevelopment.

The SWM Plan is a highly effective tool for addressing stormwater management on a county-wide basis through best management practices that are consistent with the purposes and goals of PA Act 167. The SWM Plan will enable Allegheny County to address stormwater management comprehensively, while providing municipalities with tools and options for managing stormwater runoff locally.

The SWM Plan will incorporate release rates from all existing, approved PA Act 167 SWM plans, which cover approximately 45% of the County. The SWM plan will provide updated standards and methodologies, which those municipalities can use to update their existing stormwater management ordinances, many of which were adopted between 1978 and 1990. The SWM Plan will provide the same protections to the other 56% of the County that is not covered by an approved PA Act 167 SWM plan.

The six separate documents, including all six volumes containing figures, appendices, maps, charts, textual matters, and other materials constitute the 2017 Allegheny County Storm Water Management Plan (“the 2017 County SWM Plan”):

- 1) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Model Stormwater Management Ordinance*; March 20, 2017
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- 5) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Appendix A*; March 20, 2017
- 6) *Allegheny County Act 167 Phase 2 County-Wide Stormwater Management Plan, Appendix B, C, D, E & E*; March 20, 2017