

Bill No. 3593-07

No. 57-07-RE

## A RESOLUTION

Approving the Stormwater Management Plan Update to the County's 1985 Stormwater Management Plan for Girtys Run, Pine Creek, Squaw Run and Deer Creek Watersheds pursuant to P.L. 864, No. 167 known as the Stormwater Management Act 32 P.S. § 680.1 et.seq. ("Act 167")

**Whereas**, Allegheny County in 1985 prepared and adopted the Act 167 Stormwater Management Plan for Girty's Run, Pine Creek, Squaw Run and Deer Creek Watersheds; and

**Whereas**, Act 167 requires Counties to prepare, revise and adopt watershed plans; and

**Whereas**, Section 5(a) of Act 167 requires that each existing watershed plan be reviewed and necessary updates be made at least every five years; and

**Whereas**, the Municipalities that make up the watersheds of Pine Creek, Girtys Run, Squaw Run and Deer Creek petitioned the County in 2003 to undertake a plan update ("SWM Plan Update"); and

**Whereas**, Allegheny County entered into an Agreement with the Pennsylvania Department of Environmental Protection ("PADEP") to undertake the SWM Plan Update; and

**Whereas**, this phase of the SWM Plan Update which started in March 2005 is now complete and the requirements of the County Contract with PADEP have been fulfilled; and

**Whereas**, the purpose of the SWM Plan Update is to protect public health and safety and to prevent or mitigate the adverse impacts related to the conveyance of excessive rates and volumes of stormwater runoff by providing for the management of stormwater runoff, water quality protection and control of erosion and sedimentation; and

**Whereas**, the SWM Plan Update includes maps, charts, textual matter and other materials; and

**Whereas**, the SWM Plan Update can be found electronically at:  
<http://www.ross.pa.us/engineer/Act%20167/Act%20167%20Update.htm> and is attached hereto and marked as Attachment A; and

**Whereas**, pursuant to Act 167 the County held a public hearing on October 9, 2007 after giving prior public notice of at least two weeks; and

Whereas, Act 167 requires that the SWM Plan Update be adopted by resolution by an affirmative vote of at least a majority of the members of the county governing body.

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

***Section 1.    Authorization***

Authorization to adopt the Stormwater Management Plan Update to the County's 1985 Stormwater Management Plan for Girtys Run, Pine Creek, Squaw Run and Deer Creek Watersheds pursuant to Act 167.

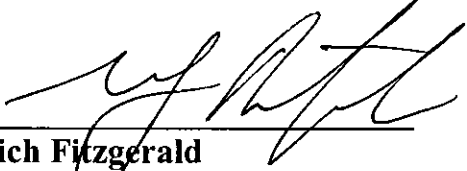
- (a)    The Council of Allegheny County hereby adopts the Stormwater Management Plan Update for Girtys Run, Pine Creek, Squaw Run and Deer Creek Watersheds Stormwater, including all volumes, figures, appendices, maps, charts, textual matter and other material that are included in the SWM Plan Update; and
- (b)    County Council does hereby further authorize the County's Director of Economic Development or his authorized representative or delegate to forward the SWM Plan Update to the Stormwater Management Section of the Pennsylvania Department of Environmental Protection for approval; and
- (c)    County Council does hereby further authorize the County's Director of Economic Development or his authorized representative or delegate, in conjunction with the County Solicitor, to take any and all additional actions necessary, including the execution of any documents, to carry out the authorization granted herein, subject to the approval of the County Manager.

***Section 3.    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 4.    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.***

Enacted in Council, this 18<sup>th</sup> day of December, 2007,

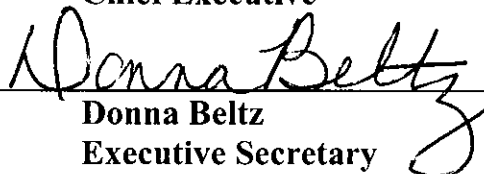
Council Agenda No. 3593-07

  
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Rich Fitzgerald  
President of Council

Attest:   
John Mascio  
Chief Clerk of Council

Chief Executive Office  December 20, 2007

Approved:   
Dan Onorato  
Chief Executive

Attest:   
Donna Beltz  
Executive Secretary

**SUMMARY OF LEGISLATION**  
**ADOPTION OF UPDATE TO ACT 167 STORMWATER MANAGEMENT PLAN**  
**NORTH HILLS WATERSHEDS**  
**SUBMITTED FOR COUNCIL MEETING DECEMBER 4, 2007**

**BACKGROUND**

Allegheny County in 1985 prepared and adopted an Act 167 Stormwater Management Plan for Girtys Run, Pine Creek, Squaw Run and Deer Creek Watersheds.

Act 167 Stormwater Plans are designed to encourage planning and management of stormwater runoff in each watershed. These plans provide an effective approach to managing stormwater by emphasizing the control of stormwater runoff by local governments through adoption and enforcement of ordinances, codes and regulations. The intent of stormwater planning is not to prohibit new development, but to recommend sound management measures which should be undertaken to avoid any detrimental effects on the existing drainage conditions associated with new development. Act 167 plans primarily regulate new development and although they identify existing problems or obstructions there are no requirements to fix existing problems.

Act 167 requires Counties to prepare, revise and adopt watershed plans. Section 5 (a) of Act 167 requires that each existing watershed plan be reviewed and necessary updates be made at least every five years.

Why should Stormwater Management Plans be updated? Updates are important to maintain effective management of stormwater runoff. Often, significant changes in zoning are undertaken over time. Also new watershed management techniques should be taken into consideration. A Plan's standards may have to be reevaluated to manage the runoff from additional impervious surfaces if, for instance, large tracts of land are rezoned from agricultural to industrial. Other reasons for updating a plan could include new flooding problems, and new obstructions in a stream or tributary impacting area drainage.

**CURRENT STATUS**

The Municipalities that make up the watersheds of Pine Creek, Girtys Run, Squaw Run, and Deer Creek petitioned the County in 2003 to undertake a Plan Update which was long overdue (plan was adopted in 1985). Allegheny County did not have the funding to undertake this endeavor. [Plan Costs are paid for by County (25%) and State DEP (75%)]. However, in-house engineer, Art Gazdik of Ross Township, volunteered his engineering services and agreed to coordinate the plan update effort thus relieving the County of the 25% match.

This first phase of the Plan Update which started in March of 2005 is now complete and the requirements of the County Contract with DEP have been fulfilled.

The Plan Update is made up of the following sections:

- Stormwater Management Plan Update Report
- Stormwater Ordinance
- The Ordinance Appendices
- The Report Appendices

These documents were prepared by Art Gazdik, P.E. under the guidance of the multi-municipal Watershed Plan Advisory Committee. The Plan Update can be found electronically at:  
<http://www.ross.pa.us/engineer/Act%20167/Act%20167%20Update.htm>

### **NEXT STEPS**

Section 8 of Act 167 provides that the County take the following actions to adopt the Act 167 Stormwater Management Plan Update:

- (a) Prior to adoption of the plan, the County shall hold a public hearing pursuant to public notice of not less than two weeks. The notice shall contain a brief summary of the principle provisions of the plan and a reference to the places within each affected Municipality where copies may be examined or purchased at cost. *THIS MEETING WAS HELD ON OCTOBER 9, 2007.*
- (b) Adoption of the Plan shall be by resolution carried by an affirmative vote of at least a majority of the members of the County governing body. The resolution shall refer expressly to the maps, charts, textual matter and other materials intended to form the whole or part of the official plan update, and the action shall be recorded on the adopted plan.

After adoption by resolution of Allegheny County, the Act 167 Plan Update shall be forwarded to the PA Department of Environmental Protection for approval.

**M E M O R A N D U M**  
**OFFICE OF THE COUNTY MANAGER**

TO: John Mascio  
Chief Clerk

FROM: James M. Flynn, Jr.  
County Manager

DATE: November 29, 2007

RE: Proposed Resolution



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Attached is a Resolution Approving the Stormwater Management Plan Update to the County's 1985 Stormwater Management Plan for Girtys Run, Pine Creek, Squaw Run and Deer Creek Watersheds pursuant to P.L. 864, No. 167 known as the Stormwater Management Act 32 P.S. § 680.1 et.seq. ("Act 167")

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

Please place this on the next agenda for County Council approval.

Thank you.

ALLEGHENY COUNTY COUNCIL  
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