

No. 31-23-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing Land Reclamation Group, LLC, an environmental services company, to enter onto County property for the purpose of completing a stream restoration project at Pierson Run in the County's Boyce Park.

Whereas, the County is the owner of approximately nine hundred forty-nine (949) acres of real property in Plum Borough identified as Block and Lot Number 975-L-380 and known generally as Boyce Park; and

Whereas, a local stream called the Pierson Run tributary runs through Boyce Park; and

Whereas, the Pennsylvania Department of Environmental Protection has designated the Pierson Run tributary as impaired for sediment and siltation and qualifies for stream restoration following the guidance set forth in Pennsylvania Turnpike Municipal Separate Storm Sewer Systems" (MS4) permit; and

Whereas, Land Reclamation Group, LLC, an environmental services company located in Pittsburgh, wishes to enter onto a portion of Boyce Park for the purpose of completing a stream restoration project at Pierson Run; and

Whereas, the County recognizes that Land Reclamation Group LLC's the resulting work on the stream restoration project at Pierson Run will reduce the discharge of pollutants and protect water quality at Pierson Run and will provide sediment reduction credit to the Pennsylvania Turnpike which is required to reduce its pollutant loading into the Ohio River Watershed; and

Whereas, the County Parks Department and the Allegheny County Parks Foundation have reviewed the proposal presented by Land Reclamation Group, LLC to complete the stream restoration project at Pierson Run and jointly recommend its approval; and

Whereas, County Council recognizes that the granting of permission to Land Reclamation Group, LLC to enter onto Boyce Park property to complete the stream restoration project at Pierson Run will inure to the benefit of the citizens of Allegheny County by reducing the discharge of pollutants and protecting water quality at Pierson Run; and

Whereas, Article IV, Section 2(k) of the Allegheny County Home Rule Charter vests County Council with the power to permit the use of County real property.

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

SECTION 1. Incorporation of the Preamble.

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

SECTION 2. Authorization to Permit the Use of County Real Property.

- A. Allegheny County Council hereby grants permission to Land Reclamation Group, LLC to enter onto County property complete a stream restoration project to reduce the discharge of pollutants and protect water quality at Pierson Run in the County's Boyce Park.
- B. The proper officers of the County are hereby authorized to execute all documents necessary to effectuate the authorization granted by this legislation.

SECTION 3. Effective Date.

The Ordinance shall become effective as of September 1, 2023 and continue in effect until the earlier of the following: the stream restoration work at Pierson Run in the County's Boyce Park is completed or December 31, 2029.

SECTION 4. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance, which shall be in full force and effect.

SECTION 5. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 10th day of October, 2023.

Council Agenda No. 12775-23



Patrick Catena
President of Council

Attest:



Jared Barker
Chief Clerk of Council

Chief Executive Office October 11th, 2023

Approved:



Rich Fitzgerald
County Executive

Attest:



Jennifer Liptak
County Manager/Chief of Staff

SUMMARY OF LEGISLATION

Land Reclamation Group, LLC, an environmental services company located in Pittsburgh, wishes to enter onto a portion of Boyce Park for the purpose of completing a stream restoration project at Pierson Run, a tributary that runs through the County's Boyce Park.

The County Parks Department and Allegheny County Parks Foundation have reviewed the proposal presented by Land Reclamation Group, LLC to complete the stream restoration project at Pierson Run and recommends its approval because the resulting work on the stream restoration project at Pierson Run will reduce the discharge of pollutants and protect water quality at Pierson Run and will provide sediment reduction credit to the Pennsylvania Turnpike which is required to reduce its pollutant loading into the Ohio River Watershed; and

The Ordinance shall become effective as of September 1, 2023 and continue in effect until the earlier of the following: the stream restoration work at Pierson Run in the County's Boyce Park is completed or December 31, 2029.

The proposed Ordinance authorizes the appropriate County officers and officials to take such action as would be necessary to carry out the purposes of the authorization granted in the legislation.

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

TO: Jared E. Barker
Allegheny County Council

FROM: Jennifer M. Liptak
County Manager

DATE: August 10, 2023

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing Land Reclamation Group, LLC, an environmental services company, to enter onto County property for the purpose of completing a stream restoration project at Pierson Run in the County's Boyce Park.

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

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.