

**Poquessing Creek Watershed Act 167 Stormwater Management Plan
Public Hearing**

Tuesday, July 10, 2012, 7:00 to 9:00 pm

**Holy Family University, Campus Center Building Room 115
9801 Frankford Avenue, Philadelphia, PA 19114**

Hearing Notes

Attendees (see list at end of notes)

Paul Racette of the Pennsylvania Environmental Council made a brief introduction summarizing the history of the Poquessing Watershed Partnership and Watershed Plan Advisory Committee as follows:

- Poquessing Creek Watershed River Conservation Plan completed in 2007; included recommendations for how to address water quality, quantity, and stream/watershed health issues.
- Poquessing Watershed Partnership formed in 2009 through the Philadelphia Water Department partnership initiative; other watersheds around the city have similar partnerships (e.g. Pennypack, Wissahickon, and Cobbs).
- Partnership includes municipalities, community groups, and other stakeholders, and has focused on Act 167 plan development, education and outreach, and stormwater/restoration projects. Partnership has met about twice a year.
- Landowner stream buffer assessment program was an early project of partnership; 33 Pennypack/Poquessing landowners visited and provided advice on stream bank management. Another project is Saint Christopher Elementary School plantings/student education effort. Partnership is currently evaluating stream bank restoration at Glen Foerd.
- Act 167 planning process initiated on February 5, 2010. Partnership members have served as Act 167 Watershed Plan Advisory Committee (WPAC). Act 167 planning meetings occurred on following dates: February 5, 2010, September 29, 2010, March 30, 2011, December 8, 2011, and May 21, 2012.
- Act 167 mandates that stormwater management plans be prepared by counties on a watershed basis; Paul DeBarry introduced to describe the plan.

Paul DeBarry of NTM Engineering presented a slide presentation overview of the Poquessing Creek Watershed Act 167 Plan (attached presentation in PDF). He addressed the following topics:

- Introduction
- Background for the Poquessing Creek Watershed
- Act 167 Overview
- Poquessing Creek Plan Scope of Work
- Obstructions
- Problem Areas
- Detention Basins
- Model Stormwater Ordinance
- Access to the Report and Ordinance

The following questions and comments were related by the public during and after Paul DeBarry's presentation:

1-What about including dams with stormwater storage within outfall pipes (e.g. inflatable dams)? Where are they now in Philadelphia and where are they feasible? Valessa noted that PWD has used such storage devices; she can find out the location(s) of devices.

2-Will new developments pass more water volume downstream? Paul DeBarry noted no; new Act 167 ordinance will reduce stormwater volume and flows from new/redevelopment projects.

3-Are repairs to reduce water back-ups from bridge obstructions required? Paul DeBarry noted no; Act 167 requires that municipalities adopt the ordinance. But it does not require them to implement the recommendations made to address problem areas. But municipalities can use this information for their capital improvement project planning efforts (e.g. first considering obstructions that back up water more frequently in vicinity of structures).

4-Does a homeowner have the right to work on a stream bank? Property owners (the Ferguson's) have been told no by city and state. Paul DeBarry noted yes, property owners are allowed to work on stream bank as long as proper permits for the work are obtained and followed. Paul recommended that the Ferguson's contact Dominic Rocco of PA Department of Environmental Protection's (PA DEP) Norristown office for more information. They would have to submit a plan with calculations (engineer approved) showing how the bank will be stabilized and not adversely impact others. Plan will require approval by PA DEP and by the Conservation District.

5-It was noted that the PWD web posting of the Poquessing Act 167 plan just includes the plan itself and not the appendices. The NTM Engineering posting at <http://ntmeng.com/poquessing/> includes the plan plus the appendices.

6-How long is the public comment period for the Poquessing Act 167 Plan? Paul DeBarry noted that the comment period just goes to the end of this Public Hearing.

7-Alice Lambert had the following questions (written comments prepared by Bucks County Planning Commission after the hearing are attached):

- For the problem area section of the plan with the details on how problems can be fixed, what responsibilities does it place on the landowner? Paul DeBarry noted that the recommendations for addressing the problem areas are just a guide; they are not a mandatory action.
- In the Appendix A ordinance, the language that follows the exemption table is not consistent with the table (e.g. Page A-9, square feet threshold requirements). Paul DeBarry noted that he will double-check the table and the text to make sure correct.

8-Are the problem area flood occurrences based strictly on stream data, or is groundwater flooding also considered? Paul DeBarry noted that the survey yielded just surface flooding, however, if groundwater data were available, Paul would include it in an addendum.

9-Tony Belfield asked if they have to adopt the ordinance a second time if it was already adopted as part of another Act 167 Plan (that is, Bensalem Township already has a Neshaminy Creek Act 167 ordinance). Paul DeBarry noted that you just need to amend the ordinance to meet any new requirements specific to the Poquessing Act 167 (e.g. peak rate control management districts).

10-Are areas currently being developed have to meet new Act 167 regulations or are they grandfathered? Paul DeBarry, yes, they are grandfathered and just have to meet ordinances in place at time of plan approval. Tony Belfield noted that the municipalities already have stormwater ordinances in place.

Questioner asked how you find out what the developer is required to do for stormwater management outside of an Act 167 watershed. Paul DeBarry noted that you can consult the Subdivision and Land Development Ordinance to see stormwater management requirements.

Attendees:

Paul Racette, Pennsylvania Environmental Council, pracette@pecpa.org

Paul DeBarry, NTM Engineering, pdebarry@ntmeng.com

Tom & Jeanise Ferguson, property owners, ms_fergy@yahoo.com, zip code 19116

Bill & Judy Kennedy, E. Torresdale Civic Assoc., wkennedy10@comcast.net, zip 19114

Jim Ryan, Friends of Pennypack Park, jryanpark9@verizon.net, zip 19136

Tony Bellfield, Bensalem Township, belfield@brilliantenvironmental.com, zip 19020

Alice Lambert, Bucks County Planning Commission, ajlambert@co.bucks.pa.us, 18902

Drew Shaw, Montgomery County Planning Commission, dshaw@montcopa.org, 19401

Valessa Souter-Kline, Philadelphia Water Department, valessa.souter-kline@phila.gov