

The Pennsylvania Stormwater Management Act 167 Planning Program

What is Stormwater?

Stormwater is defined by the Pennsylvania Storm Water Management Act as “Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.”

What is Stormwater Management?

Stormwater management involves more than just managing stormwater because it includes restoration, reclamation, protection and maintenance of the quality and quantity of water resources within our commonwealth. Stormwater management means keeping the amount of surface runoff in a proper balance with the amount of stormwater that becomes:

- ground water by infiltrating (or soaking) into the ground;
- evapotranspiration by evaporating directly into the atmosphere or by transpiring through plant processes and then evaporating; or
- stored water for various uses.

Stormwater management affects and involves all of the possible avenues precipitation might follow after it hits the ground. Water is a vital natural resource making stormwater management a vital function; therefore, “stormwater management” is the process of planning for and managing water resources.

Human activities that result in changes in land cover, or land use, often affect the quantity and quality of stormwater runoff from the land surface. These changes can produce potentially harmful impacts on water resources, such as:

- increases in damages from flooding;
- loss of dry weather stream flows;
- degradation of streams and stream channels from scour, erosion or deposition; and
- loss of aquatic habitat, loss of aquatic species, and loss of community water supplies.

These effects can be minimized or avoided through the careful preparation and implementation of comprehensive stormwater management plans.

Pennsylvania’s Stormwater Management Act Program

The Pennsylvania legislature enacted the Storm Water Management Act, No. 167, in 1978 (Act 167). Act 167 establishes a comprehensive systematic program for counties to develop comprehensive watershed-based stormwater management plans (Plans) that provide control measures for development and activities that affect stormwater runoff, including quality, quantity, and groundwater recharge. These control measures are implemented through the adoption of ordinances and regulations by local municipalities.

Preparation of Stormwater Management Plans Under Act 167

Act 167 requires counties to prepare, periodically update and adopt Plans for all 372 stormwater management watersheds that have been designated by the Environmental Quality Board. During the Plan development process, counties establish a plan advisory committee consisting of county planners, municipal representatives, conservation district personnel, and other interested groups and individuals. This committee provides the valuable expertise, perspective and advice needed to address the local governments’ and citizens’ recommendations and concerns. The Department of Environmental Protection (DEP) helps provide technical, administrative and financial assistance to counties as they prepare Plans.

To improve the consistency and to reduce the administrative effort associated with stormwater management planning, many counties prefer to develop comprehensive and integrated countywide plans.

Municipal and Public Participation in the Act 167 Process

The planning process includes consideration of detailed information about each watershed and, when necessary, also includes detailed examination and analysis of current and future hydrologic, hydraulic, flooding, and drainage characteristics. The intent of stormwater planning is to identify sound management measures that will address problems that could be caused by existing or future development and activities.

Draft Plans are reviewed by each municipality, the county planning commission, and the regional planning agencies for consistency with other planning programs affecting each watershed. The county then holds a public hearing, adopts the Plan and submits the Plan for DEP's final review and approval.

Effect of Act 167 Plans

After DEP's approval, anyone engaged in the alteration or development of land that may affect stormwater runoff characteristics is required to implement measures consistent with the Plan. The Plans also apply to state agencies, projects for public utilities, and any other projects that receive funding from the state.

DEP Pays 75% of County Costs to Prepare Plans

When funding is available, DEP develops grant agreements with counties to pay for 75% of the allowable costs to prepare, adopt and submit Plans.

Municipal Implementation of Plans

Within six months following DEP's approval of each Plan, all municipalities affected by the Plan must adopt or amend and implement ordinances and regulations, including zoning, subdivision and development, building code, and erosion and sedimentation to regulate development within the municipality in a manner consistent with the applicable Plans and the provisions of Act 167.

DEP Pays 75% of Net Municipal Costs to Implement Plans

Municipalities may submit annual invoices to DEP for reimbursement of 75% of the net eligible costs for adoption or revision of ordinances, and for costs of administration, enforcement and implementation incurred in complying with Act 167. Payments are made when funding is available.

Act 167 Plans Help Municipalities Meet Permit Requirements

Municipalities that implement a Plan under Act 167 can use that Plan to help meet their obligations under the federal National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permitting regulations.

For more information, visit www.depweb.state.pa.us, keyword: Stormwater or contact:

Pa. Department of Environmental Protection
Bureau of Watershed Management
Division of Wetlands, Waterways, and Stormwater Management
P.O. Box 8775
Harrisburg, PA 17105-8775
717-787-6827
FAX 717-772-5986