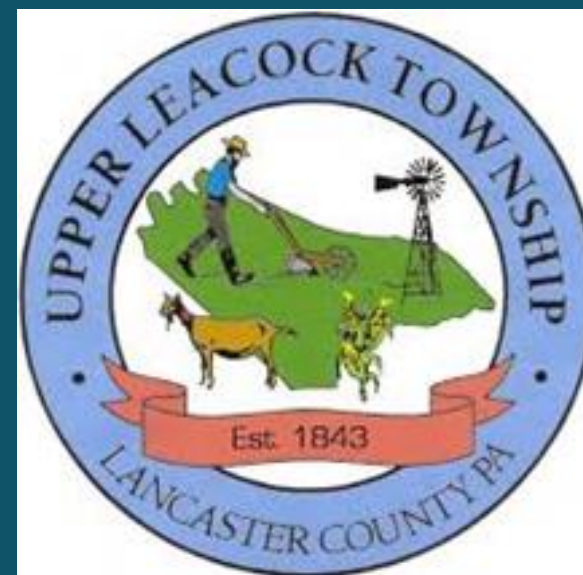


Upper Leacock Township Stormwater Program

Agriculture
March 2022



RETTEWSM

AGENDA



- ▶ What is Stormwater?
- ▶ Why implement a Stormwater Program?
- ▶ Federal & State Stormwater Regulations
- ▶ Impacts on Upper Leacock Township
- ▶ ULTMA (Authority) Roles & Responsibilities
- ▶ Stormwater Fees, Credits & Appeals
- ▶ Stormwater Billing and Collection
- ▶ Questions

What is Stormwater?

Rain, Snow, Melting Snow



REVIEW

What is Stormwater?

How is it managed now?



- ▶ Municipal Separate Storm Sewer System (MS4)
 - ▶ Inlets, Pipes, swales, detention basins
 - ▶ Collected and conveyed directly to surface streams
- ▶ Older cities and towns have combined systems
 - ▶ Stormwater discharge is treated with sewage before discharge
- ▶ Traditional goal of stormwater management – reduce flooding
- ▶ Added goals include reducing stormwater pollution for water quality

Why Implement a Stormwater Program?

Federal and State Legislation



- ▶ Pennsylvania Clean Streams Law (1937)
 - ▶ Prohibits discharge that pollutes streams (sewage and industrial waste)
- ▶ Federal Clean Water Act (1974) and Water Quality Act (1987)
 - ▶ Regulates point-source discharges (sewage and industrial)
 - ▶ Added stormwater as a pollutant in 1987
- ▶ Chesapeake Bay TMDL established 2010
 - ▶ Establishes the maximum amount of sediment, phosphorus, and nitrogen while maintaining water quality standards
- ▶ Municipal Separate Storm Sewer System (MS4) Program (2003)
 - ▶ Requires municipalities to reduce stormwater pollution from the Urbanized Area as defined by the US Census Data
 - ▶ Current MS4 Permit Cycle 2018 - 2023

Federal & State Stormwater Regulations

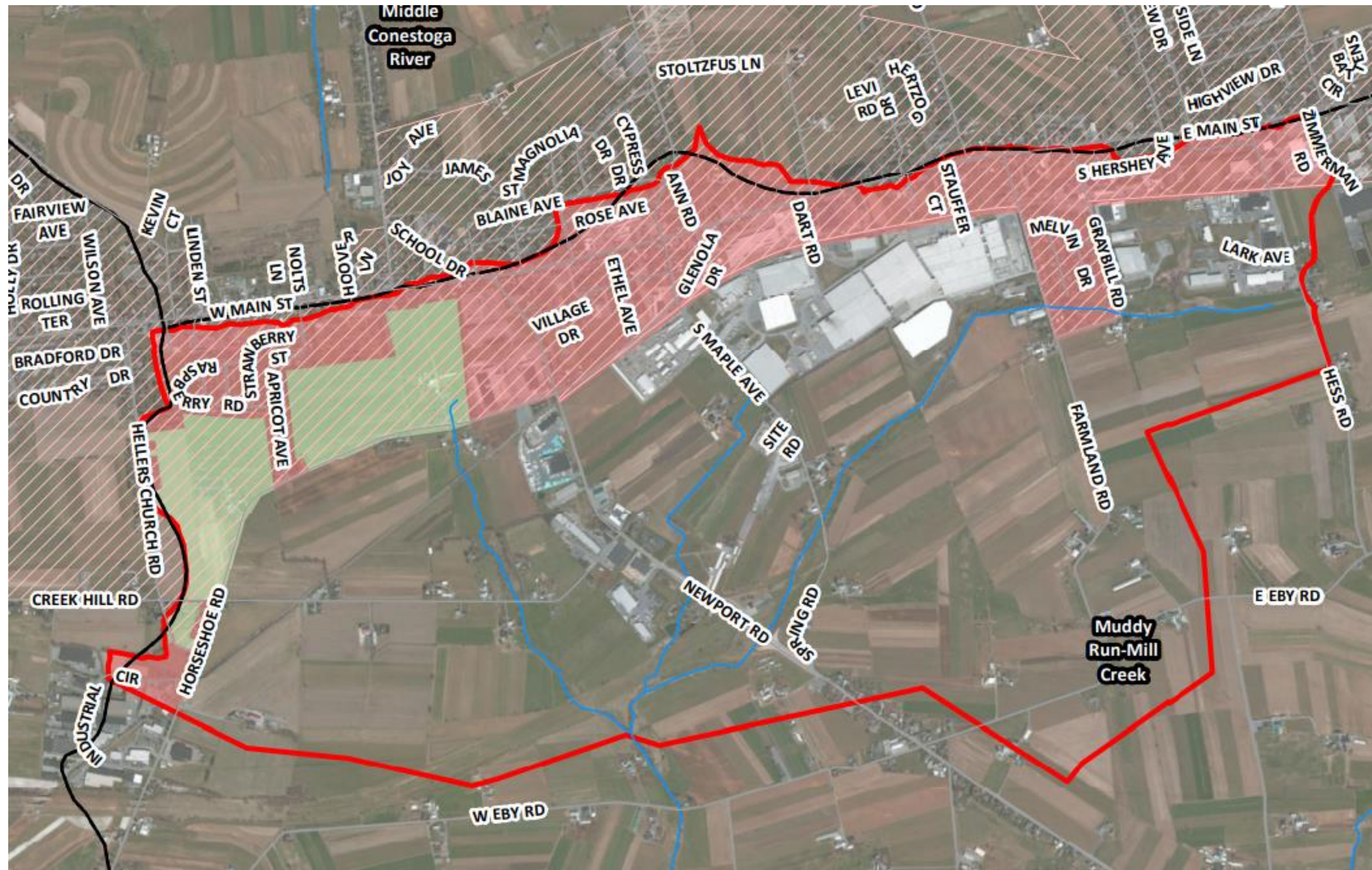
What are the MS4 Program requirements?



- ▶ Minimum Control Measures (MCMs)
 - ▶ Public Education
 - ▶ Public Participation
 - ▶ Illicit Discharge Detection and Elimination
 - ▶ Construction Site Runoff Control
 - ▶ Post-Construction Stormwater Management
 - ▶ Pollution Prevention & Good Housekeeping

Federal & State Stormwater Regulations

What are the MS4 Program requirements?



Red outline defines the watershed for UNT to Mill Creek. The red shading is developed land in the Urbanized Area and the green shading is agricultural land in the Urbanized Area.

- ▶ Pollutant Reduction Plans
 - ▶ Implement projects to reduce sediment, phosphorus and nitrogen discharged to streams.
 - ▶ Reduce sediment by 10% between 2018- 2023
- ▶ Total Maximum Daily Load (TMDL) Plan
 - ▶ Unnamed Tributary to Mill Creek
 - ▶ Reduce pollutants to improve stream water quality.

Impacts on Upper Leacock Township

Unfunded Mandate



- ▶ 2003-Present: General Fund pays for stormwater costs:
 - ▶ MCMs / Annual Reports
 - ▶ Pollutant Reduction and TMDL Plans
- ▶ 2018 Permit Cycle requires much larger MS4 costs:
 - ▶ Improve water quality
 - ▶ Stream restoration projects to meet PRP/TMDL Plans – Likely every 5 years
- ▶ Other costs:
 - ▶ Aging stormwater infrastructure
 - ▶ Flooding concerns

Impacts on Upper Leacock Township

Township General Fund



- ▶ Township doesn't want to reduce other services:
 - ▶ Maintaining roads and bridges
 - ▶ Providing public safety (Police, Fire, Ambulance)
 - ▶ Providing recreation
 - ▶ Controlling land development and growth
 - ▶ Enforcing ordinances
- ▶ Stormwater management should be paid for equally by all Township landowners

Upper Leacock Township Municipal Authority

ULTMA



- ▶ Stormwater Management Program will be delegated to Upper Leacock Township Municipal Authority (ULTMA)
- ▶ ULTMA was formerly Leola Sewer Authority
- ▶ Has owned and operated sewer and water systems since 1980's
- ▶ Name was changed in 2020

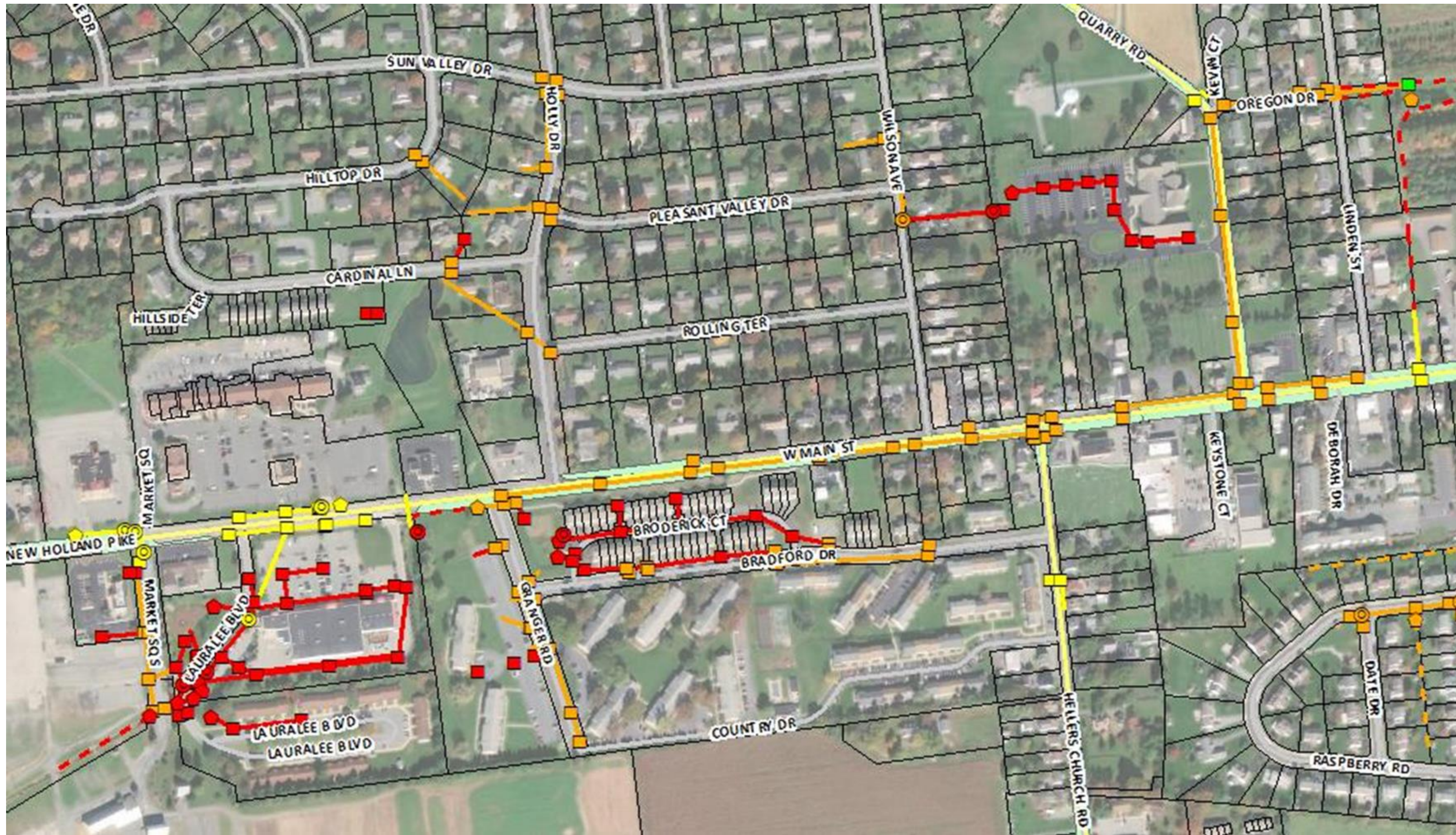
ULTMA

Stormwater Responsibilities



- ▶ Operate & maintain stormwater structures (inlets, pipes, endwalls and headwalls, manholes, etc.)
 - ▶ In Township rights-of-way
 - ▶ In private easements adjacent to Township rights-of-way where failure of the structures could cause roadway flooding
 - ▶ Stormwater facilities within PennDOT rights-of-way & privately-owned facilities will remain the responsibility of PennDOT and the property owners.
- ▶ Repair and replace deteriorating public facilities
- ▶ Administer MS4 Stormwater Program
- ▶ Construct Pollutant Reduction & TMDL Plan projects
- ▶ Prioritize & fund these activities & projects

Stormwater Facility Ownership



Orange = Upper Leacock

Red = Private

Yellow = PennDOT

Upper Leacock Twp uses ArcGIS for stormwater system mapping

Funding Stormwater

5-Year Operating Budget



- ▶ Operation and maintenance of public stormwater facilities
- ▶ Repairing or replacing deteriorating facilities
- ▶ Administering MS4 Stormwater Program
- ▶ Constructing Pollution Reduction & TMDL Plan projects (stream restorations, etc.)

Funding Stormwater

5-Year Capital Improvements Plan (CIP) *



Preliminary List of Potential Projects

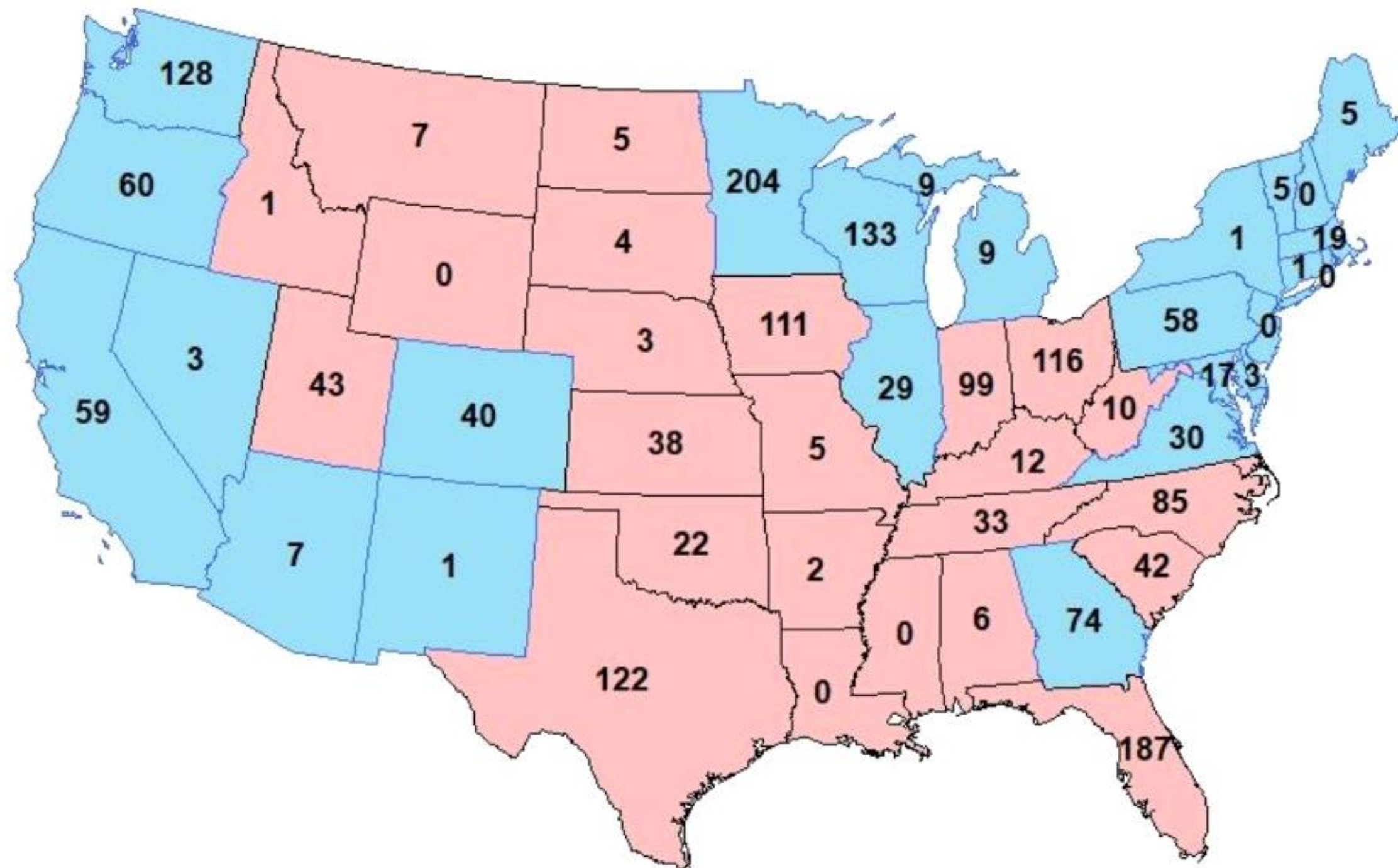
- ▶ Stream Restoration Project to achieve required MS4 reductions
- ▶ Televis the stormwater system to identify problems
- ▶ Inspect, repair and maintain the stormwater system
- ▶ Replace deteriorated pipes

*** To be prioritized/finalized by ULTMA in 2022**

Funding Stormwater

How does Upper Leacock Pay for This?

Stormwater Utilities by State and 2020 Election



► Stormwater Fees

- 1,851 Stormwater Authorities (Utilities) in Nation
- Enabling legislation in PA passed in 2013
 - 58 municipalities in PA have adopted a fee
- Stormwater Fees are charged to all users- no tax-exempt parcels
 - Schools, churches, hospitals pay fees
- All landowners paying fees means lower costs for everyone
- Stormwater fees typically range from \$4 to \$10/ERU/Month

Establishing a Stormwater Fee

Impervious Area



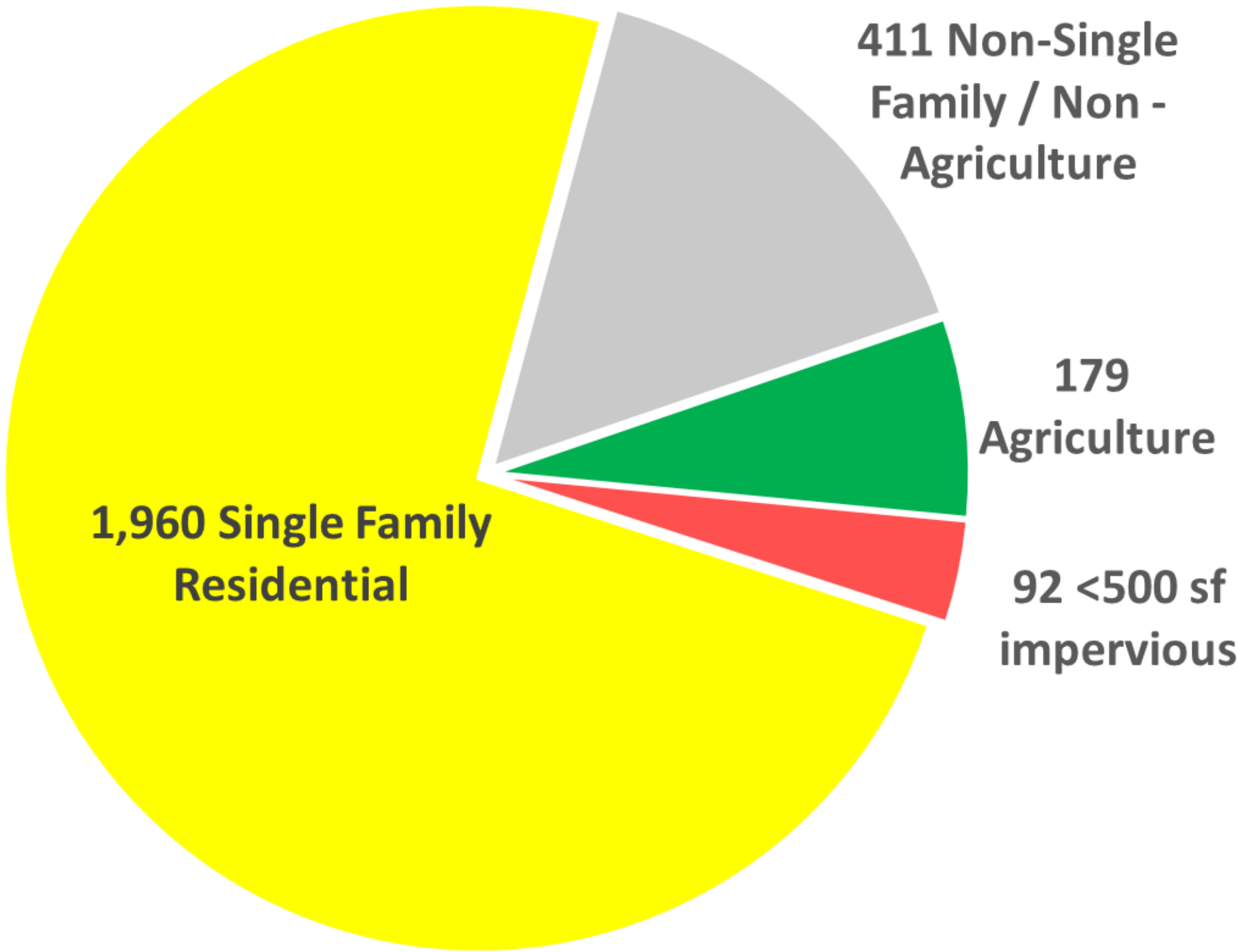
Impervious area identified in pink

- ▶ Stormwater runoff from roofs, driveways & parking lots causes problems downstream:
 - ▶ Stream bank erosion
 - ▶ Increase in sediment and nutrient pollutants
- ▶ The larger the impervious area on a property - the larger the impact on stream quality
- ▶ Therefore... the total impervious area on a property will be directly related to the stormwater fee

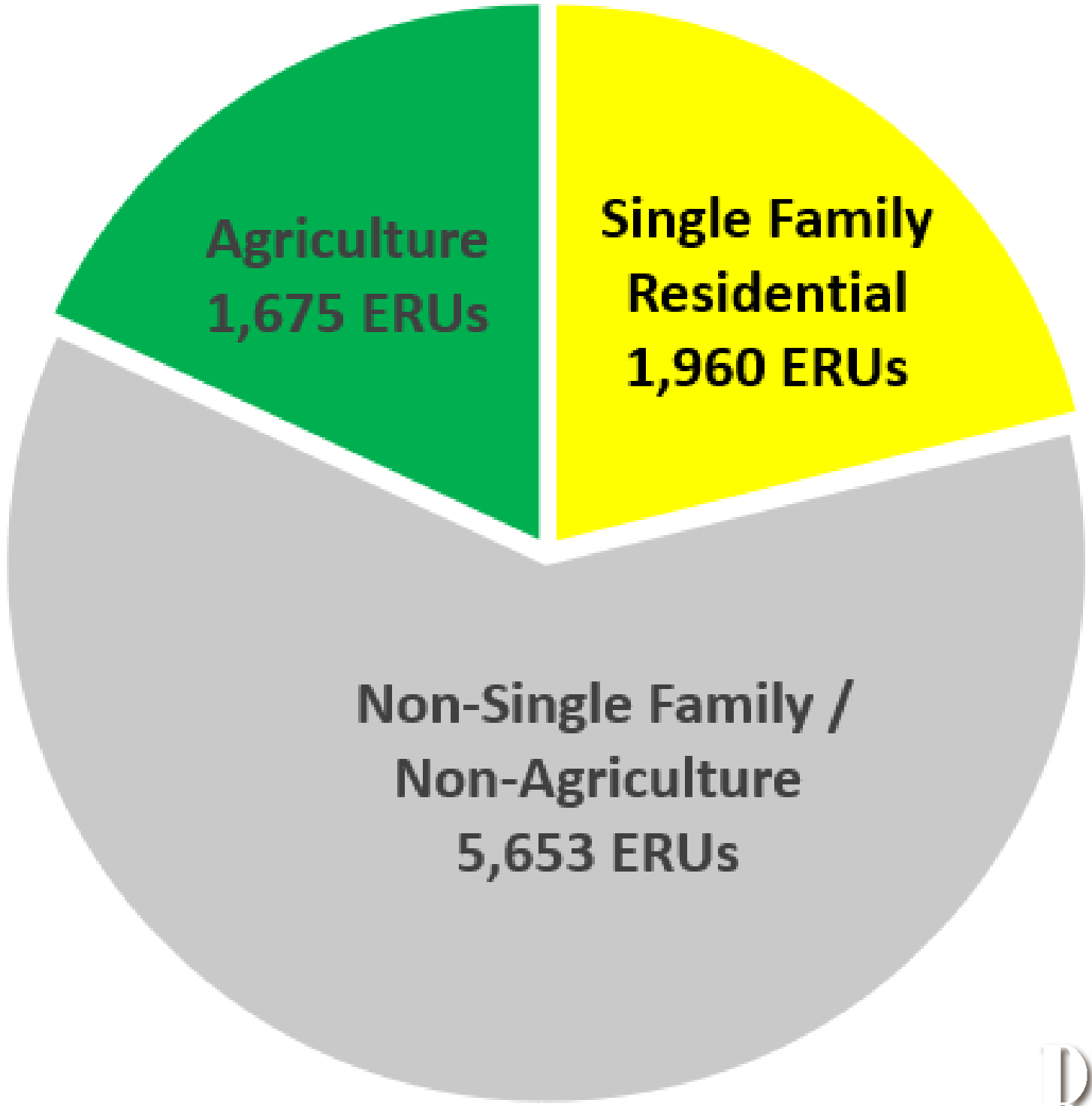
Establishing a Stormwater Fee

Upper Leacock Twp – Number of Parcels (Flat Fee) vs. Number of ERUs (ERU Fee)

Total Parcel Count by Category

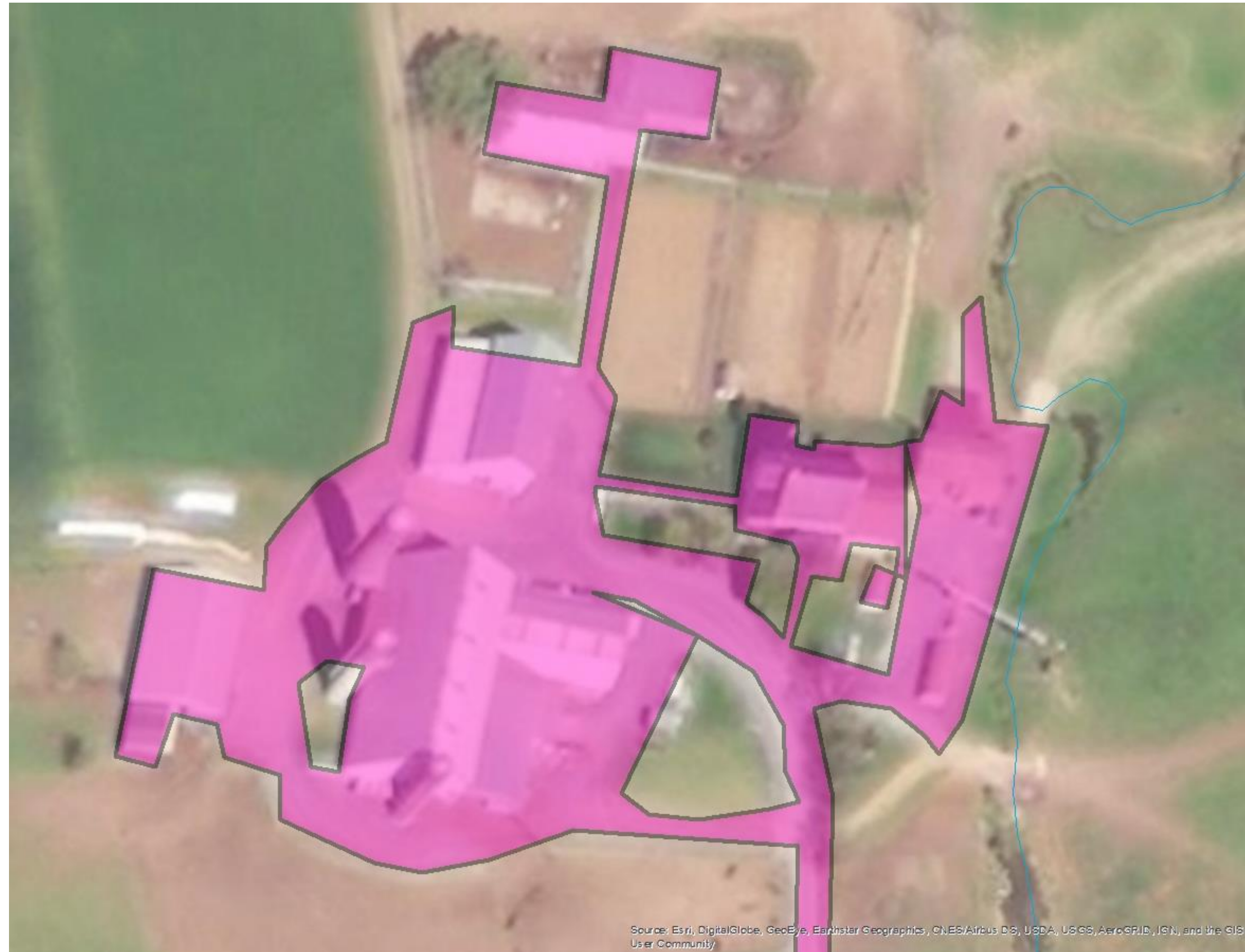


Total ERUs by Parcel Category



Establishing a Stormwater Fee

Determining SW Fee in Upper Leacock Township

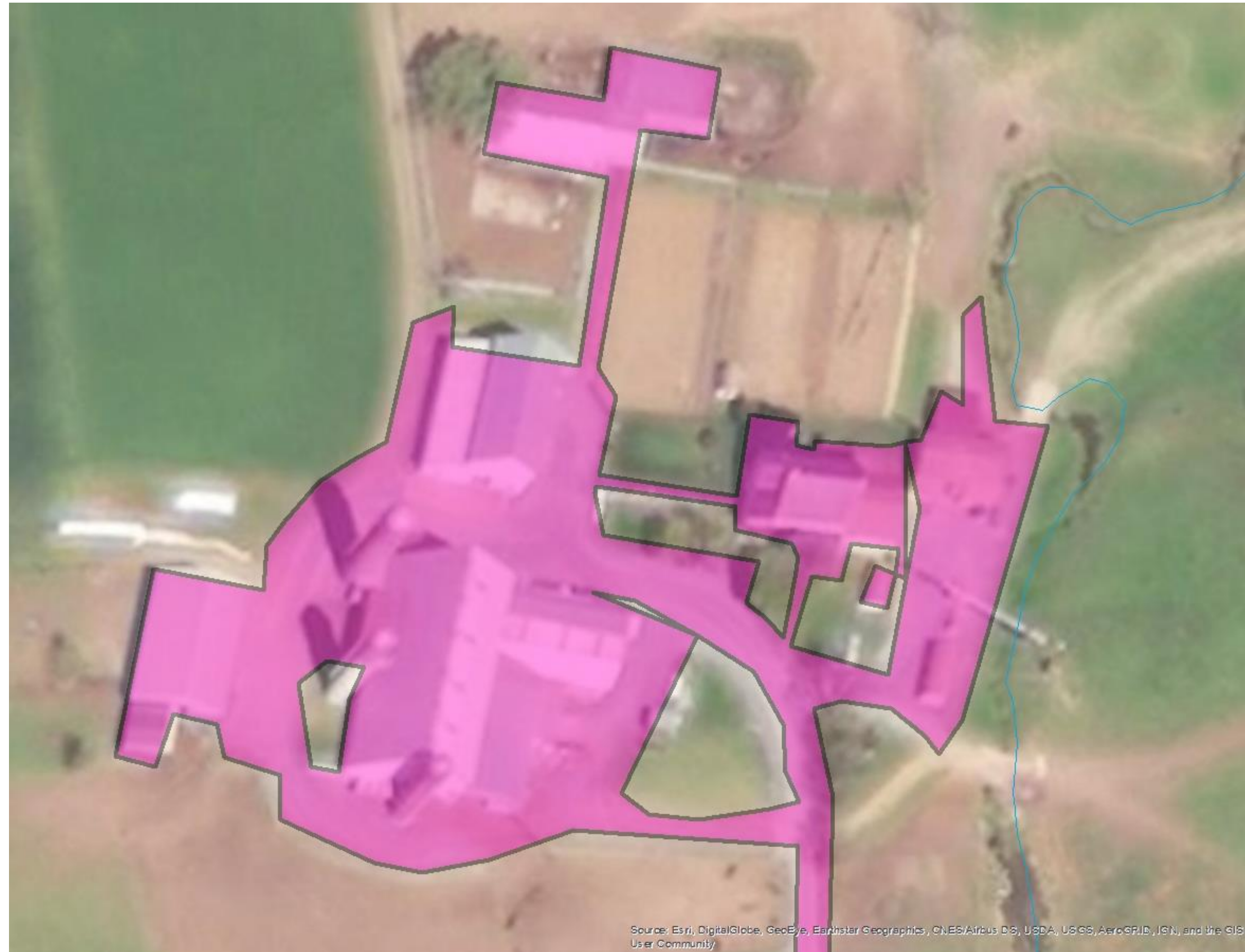


Impervious area identified in pink

- ▶ 1,960 Single Family (SF) Parcels
 - ▶ Average Impervious area of SF parcels = 4,800 square feet
 - ▶ 1 ERU = 4,800 square feet
- ▶ 682 Non-Single Family (NSF) Parcels
 - ▶ # of ERUs based on impervious area on each property
 - ▶ Example: 48,000 square feet of impervious = 10 ERUs
- ▶ 9,288 Total ERUs -Establish Fee based on SWMP costs
- ▶ ULTMA has calculated a stormwater fee of \$6.00/ERU/month

Establishing a Stormwater Fee

Calculating Your Stormwater Fee

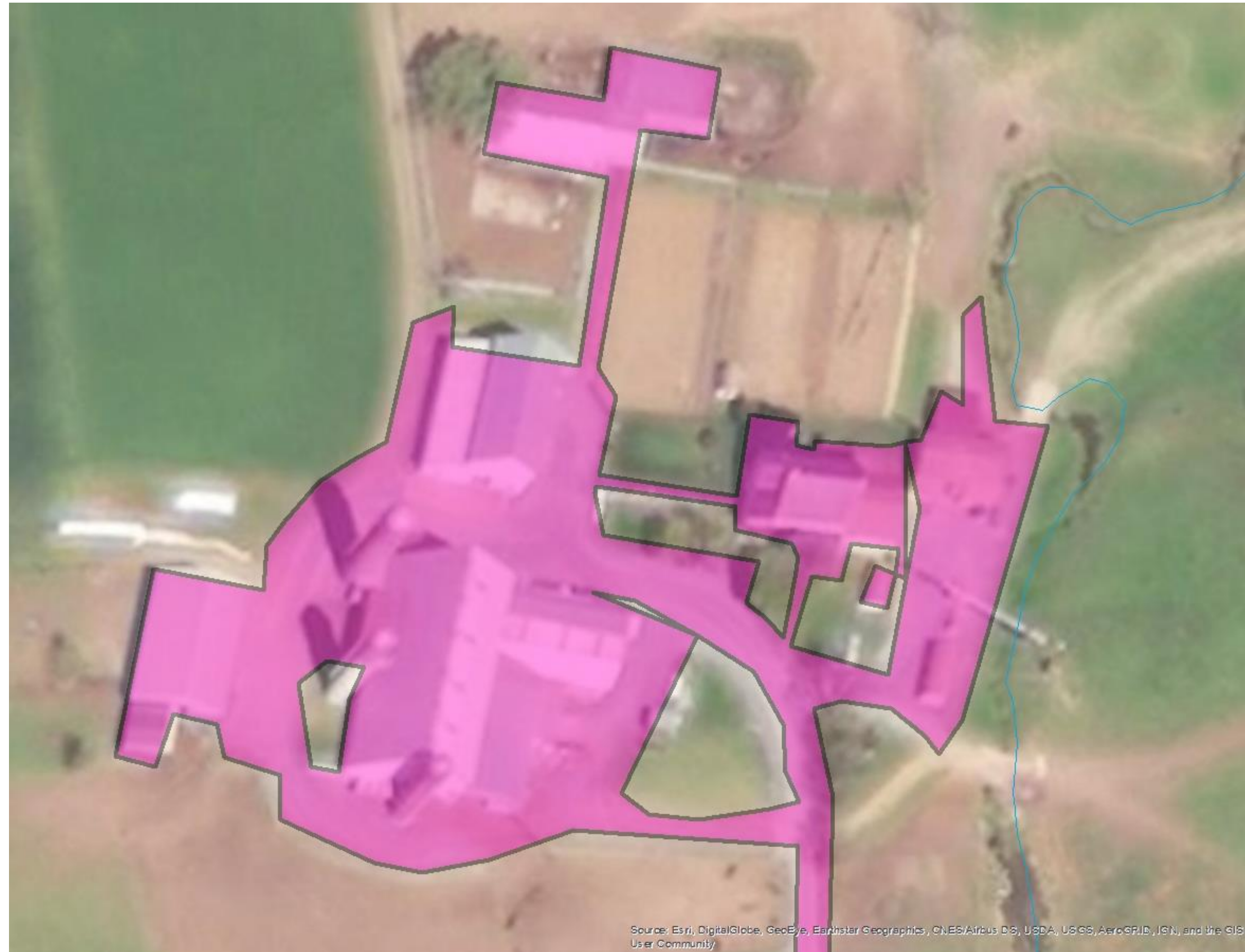


Impervious area identified in pink

- ▶ Single Family (SF) Parcels
 - ▶ 1 ERU = 4,800 sq ft = \$6 /month = \$72/year
 - ▶ Fixed Fee – will not increase if impervious area added
- ▶ Non-Single Family (NSF) Parcels
 - ▶ Total Impervious Area / 4,800 sq ft = # of ERUs
 - ▶ # of ERUs x \$6/month = SW Fee
- ▶ NSF Example:
 - ▶ Industrial parcel has 4.4 acres of impervious
 - ▶ 4.4 acres = 191,664 sq ft
 - ▶ 191,664 sq ft / 4,800 sq ft (1 ERU) = 39.9 ERUs
 - ▶ 39.9 ERUs x \$6/month = \$239.40/month = \$2,872.80/year

Establishing a Stormwater Fee

Tax Exempt Parcels



Impervious area identified in pink

- ▶ All properties with impervious area contribute to stormwater runoff, so all properties should contribute to management.
- ▶ 65 Tax-exempt parcels
 - ▶ 55 Acres Impervious Area
 - ▶ 499 ERUs = \$35,937/year
- ▶ If tax-exempt properties did not contribute, these costs would be transferred to other landowners
- ▶ More equitable for all landowners to include tax-exempt parcels in the stormwater fee since the impervious area on these properties contributes to stormwater runoff.

Stormwater Credits - Agriculture

Improve Water Quality - Reduce Stormwater Fee by 90% (Max)

CREDIT TYPE	MAXIMUM CREDIT
Structural Stormwater BMPs (Provide water quality benefits; reduce rates and volume)	25%
Riparian Forest Buffer	25%
Stream Restoration	50%
Written Conservation Plan or Agricultural Erosion & Sedimentation Control Plan or Signed Cooperator Form to Request Conservation District Assistance for Conservation Planning services.	25%
Implemented Conservation Plan or Agriculture Erosion & Sedimentation (Ag E&S) Plan or signed contract and defined schedule to implement the BMPs identified in an approved Conservation or Agricultural Erosion & Sedimentation Control Plan	90%

Stormwater Credits - Agriculture

Improve Water Quality - Reduce Your Stormwater Fee



- ▶ Maximum 90% credit
- ▶ Lancaster County Conservation District (LCCD) has an Agriculture Compliance Inspection Program and will meet with farmers to verify that Conservation Plans / Ag E&S Plans are implemented
- ▶ Maximum credits will not be awarded if the LCCD determines that existing Conservation/Ag E&S Plans are not implemented or are not being implemented per approved schedule.
- ▶ If farm operation changes, then Conservation/ Ag E&S Plans must be updated to continue existing credits.

Stormwater Credits

How to Request Credits



- ▶ Complete the Credit Application
 - ▶ Available on website and at Township office
- ▶ Provide requested information
 - ▶ Plans, calculations or photos
- ▶ Contact the Lancaster County Conservation District to verify the status of existing Conservation and Agriculture Erosion & Sediment Control Plans.
- ▶ Contact private consultants to develop a Conservation or Agriculture Erosion & Sediment Control Plan.

Stormwater Credits - Application

Upper Leacock Township Municipal Authority
Stormwater Fee Credit Application

Credit Instructions

This form is provided to ULTMA stormwater customers who believe they qualify for an approved stormwater Credit. Customers should review the ULTMA Credit Policy for eligibility requirements for Credits.

Please fill out all sections on the first page of the form, except for the last section marked "For ULTMA Use Only". Please fill out and provide additional information for all the Credits you are applying for as listed on page 2. Please note that any submitted documentation will not be returned. Please mail completed form to:

Upper Leacock Township Municipal Authority
161 Newport Road
Leola, PA 17540

An ULTMA representative will review the Stormwater Credit Application Form within sixty (60) days of receipt of the completed form.

Customer Information

Name _____ Date _____

Contact Email _____ Contact Phone _____

Property Address _____

Additional Supporting Information: _____

ULTMA Use Only

Date Received _____ Date Reviewed _____ Granted _____ Denied _____

Reviewed by _____

Comments: _____

Upper Leacock Township Municipal Authority
Stormwater Fee Credit Application

Please Select the Applied Credit

13.13 Water Quality BMP

_____ Please attach supporting information such as a copy of the approved Post Construction Stormwater Management Plan, signed Operation & Maintenance Agreement, and current photographs.

13.14 NPDES Industrial Stormwater Permit

_____ Please attach a copy of the active NPDES Industrial Stormwater Permit and a copy of the Discharge Monitoring Report for the current year.

13.15 MS4 Permit

_____ Please attach a copy of the MS4 Permit and a copy of the most recent Annual Report.

13.16 Riparian Buffer

_____ Please attach a copy of the riparian buffer design plan and current photographs.

13.17 Streambank Restoration

_____ Please attach a copy of the stream restoration design plan and current photographs.

13.18 Agriculture – Written Conservation Plan

_____ Please attach a copy of a written Conservation or Agricultural Erosion & Sedimentation Control Plan OR a copy of a signed Cooperator Form to Request Conservation District Assistance for Planning services.

13.19 Agriculture – Implemented Conservation Plan

_____ Please attach verification from the Lancaster County Conservation District that the property has an implemented Conservation or Agricultural Erosion & Sedimentation Control Plan OR a copy of a signed contract and defined schedule to implement the BMPs identified in an approved Conservation or Agricultural Erosion & Sedimentation Control Plan.

Confirmation of Credit Conditions and ULTMA Access Rights

I, (print name) _____ agree to all conditions of the Credits I have applied for as outlined in the ULTMA Stormwater Management Credit Policy. Additionally, I agree that ULTMA may at reasonable times enter my property to inspect the conditions of the BMPs.

Property Owner Signature

Date

REVIEW

Stormwater Fee – Appeals

How to Request

APPENDIX B
Upper Leacock Township Municipal Authority
Stormwater Fee Appeal Form SW-02

Appeal Instructions

This form is provided to ULTMA stormwater customers who believe the Equivalent Residential Unit (ERU) calculation for their property is incorrect.

Please fill out all sections of the form, except for the last section marked "For ULTMA Use Only". You may attach supporting documentation to the form. Please note that any submitted documentation will not be returned. Please mail completed form to:

Upper Leacock Township Municipal Authority
161 Newport Road
Leola, PA 17540

An ULTMA representative will review the Stormwater Adjustment Appeal Form within thirty (30) business days of receipt of the completed form. Approved adjustments will be applied to the current stormwater bill and all future billings.

Appeal Information

1. Are you appealing the Equivalent Residential Unit (ERU) calculation? _____ (Yes/No)
2. What is the Existing ERU calculation for your property (1 ERU = 4,800 square feet)? _____ ERUs
3. What is the Proposed ERU calculation for your property? _____ ERUs (Please provide documentation on how impervious area /ERU is calculated)|

Customer Information

Name _____ Date _____

Contact Email _____ Contact Phone _____

Property Address _____

Additional Supporting Information: _____

ULTMA Use Only

Date Received _____ Date Reviewed _____ Granted _____ Denied _____

Reviewed by _____

Comments: _____

- ▶ Non-single-family parcels can appeal the calculation of impervious area used to determine your ERUs
- ▶ Complete the Appeal form
 - ▶ Available on website and at Township office
- ▶ Landowner is responsible to provide calculations to justify how impervious area is measured and how ERUs are calculated.

Stormwater Fee – Billing and Collection

Administration of Stormwater Fee



- ▶ A separate stormwater bill will be mailed to all property owners
- ▶ Bills will be mailed annually starting in January 2023.
- ▶ Submit Credit / Appeal applications by August 15, 2022, to receive credits for 2023

Contact Information

Agriculture

- ▶ General Questions

- ▶ Upper Leacock Township: 717-656-9755

- ▶ SW Fee Credits – Conservation Planning and Verification:

- ▶ Lancaster County Conservation District

- ▶ Kevin Lutz, Ag Program Manager, 717-299-5361 x 2527

- ▶ Private Planners

- ▶ Team Ag: 717-721-6785

- ▶ Red Barn: 717-393-2176

THANK YOU!

BETTER