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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Waterways Engineering and Wetlands

# Options for Stormwater Management Offset Mitigation

Stormwater-Green Solutions Beyond Gray Pipes

PEC Conference, Harrisburg, PA

September 19, 2012

# Background

# Chapter 102 PCSM Requirements

- Mimic natural runoff characteristics
- New development- Pre (meadow) to Post Runoff Analysis 2-year/24-hour storm
- Redevelopment-20% of existing impervious treated as meadow, 2-year/24-hour storm
- Manage the net change Volume, Rate & WQ
- LID/non-structural BMPs
- Protect, maintain, reclaim and restore water quality

# Chapter 102 Riparian Buffers

- Includes:
  - 150' “set back” buffer
  - 150' forest riparian buffer
  - 100' “voluntary” buffer
- Required in special protection watersheds
- A number of exemptions and waivers are included for special situations
- Presumption that antidegradation satisfied
- Trading or offsetting provision

# Stormwater Offsetting

Intended to be a tool to provide a voluntary alternative to achieve the regulatory standard to protect, maintain, and improve the Commonwealth's water resources through comprehensive site planning and BMP design guidance.

# Diverse Stakeholder Workgroup

- Stakeholders
  - Academia
  - Building Industry
  - DEP and EPA
  - Environmental Organizations
  - Municipal and County Government
- Evaluating strengths of and reasons for an offsetting policy
- Recommended framework
- DEP will author draft/final policy

# Defining Stormwater Offsetting

- An offset:
  - Portion of post-construction stormwater runoff volume reducing and/or pollutant reducing best management practices
  - Approved by DEP or its designee
  - Comply with the volume and/or pollutant requirements for NPDES permits under Chapter 92a, Chapter 93, Chapter 102 and the TMDL requirements under Chapter 96



# Offsetting Program

- Objective: Policy that is simple, clear, affordable and equitable
- Utilize existing programs
  - Construction and MS4s
  - Volume focus
- Utilize existing regulatory definitions
- Identify program factors

# Program Factors

- Applicability
- Eligibility
- Standards, criteria, and conditions
- Implementation
  - Application/Coordination
  - Demonstration
  - Accountability

# Applicability

- There are three scenarios that could be covered by the program:
  - (1) Permittee installs offsite practices as an offset
  - (2) Permittee enters into an agreement to install offsite practices as an offset
  - (3) “In Lieu of” or banking program

# Standards, Criteria, Conditions

- Antidegradation
- Parameters
- Location
  - Point of compliance
  - Proximity of the “sites”
  - Watershed
- Baseline compliance
- Ratios

# Accountability and Tracking

- Long-term Operation and Maintenance
- Safeguards
- Computational Methodologies

# Tenative Timeline

- Meet with stakeholders this fall
- Draft out for public comments spring 2013
- Final policy summer 2014



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