

Regional Act 537 Plan: Final Plan Preparation Authorization

Presented to: LCA Board of Directors

February 28, 2022

Why this request?

Recently adopted LCA
2022-2027 Strategic
Plan

System Capacity and Reliability Key initiatives in 2022

- Critical deadlines for regional Act 537 Plan
- Suburban Division water supply study
- Asset management goals & staffing needs
- Standardize LCA's master planning approach

DEP Sewer Regulations

Related to Act 537

Chapter 94: Municipal
Wasteload
Management

Chapter 71:
Administration of
Sewage Facilities
Planning Program

PA Code Title 25, Chapter 94: Municipal Wasteload Management

- **Chapter 94.21.b**
 - Sewer Connection Management Regulations
 - Relates to existing overload conditions
 - Western Lehigh (LCA) was under a formal Chapter 94 Connection Management Plan (the “SCARP”) from 2011-2019
 - The entire KISS system was put under a formal Chapter 94 Connection Management Plan in 2020
 - The Interim 537 Plan is a formal Connection Management Plan from 2021-2025

PA Code Title 25, Chapter 71: Administration of Sewage Facilities Planning Program

- **Chapter 71.21**
 - Contents of official plans
 - Heavily referenced in 537 checklist
- **Chapter 71.31**
 - Municipal responsibility to review, adopt, and implement official plans
 - All 15 municipalities that encompass the KISS system are expected to pass a Resolution

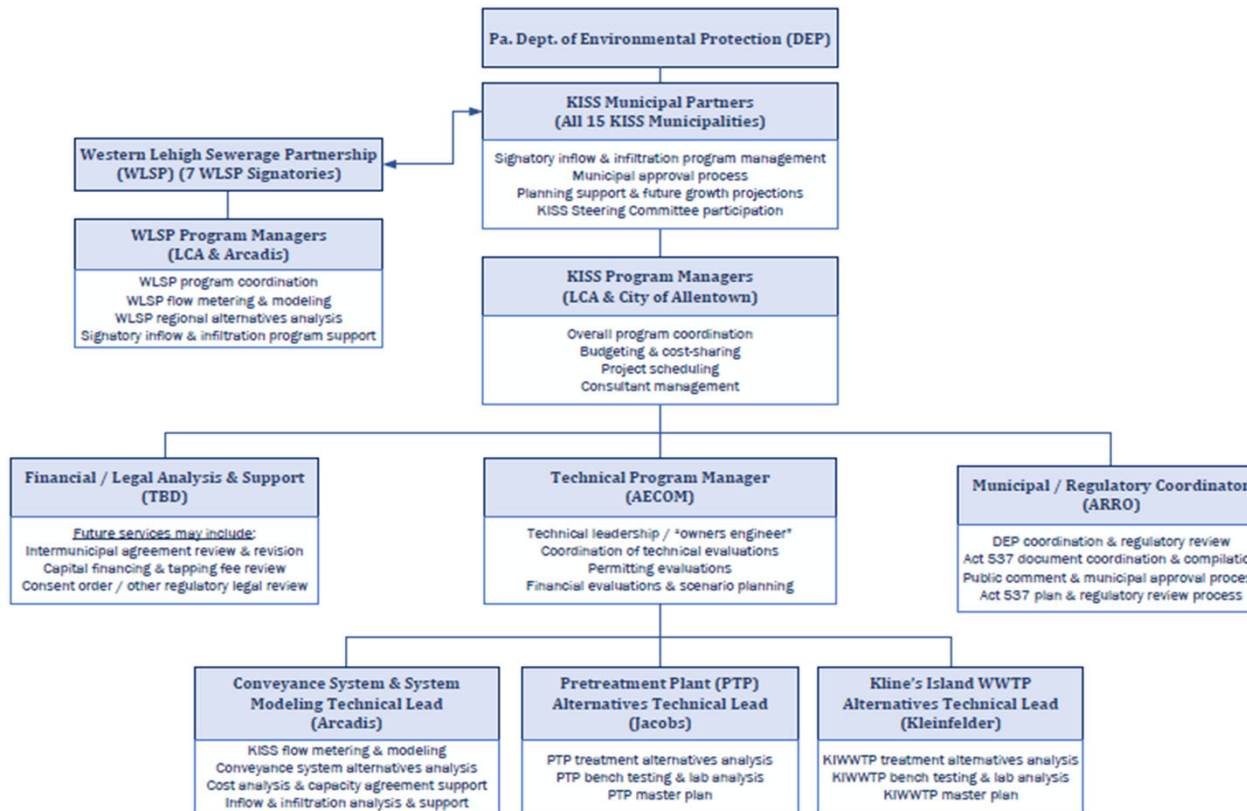
Why this request?

DEP mandated Act 537
Planning continues

Act 537 DEP Deadline:
March 2025

Writing of 537 Plan needs
to commence now (due to
volume of required
elements in DEP checklist)

Kline's Island Sewer System (KISS) Act 537 Plan – Roles & Responsibilities – December 2021



KISS Act 537 Plan Org Chart

ARRO's Specific Role

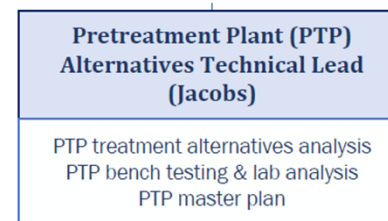
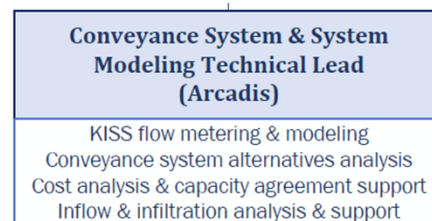
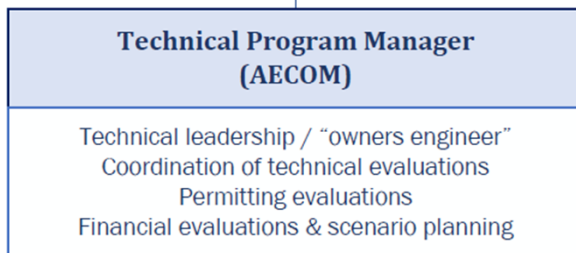
Municipal / Regulatory Coordinator (ARRO)

DEP coordination & regulatory review
Act 537 document coordination & compilation
Public comment & municipal approval process
Act 537 plan & regulatory review process

- Prepare the draft and final Act 537 Plan using inputs from the KISS municipalities, Arcadis, AECOM, Jacobs, and Kleinfelder
 - Draft plan must be prepared at least 6 months in advance of submission deadline to allow to formal approval process
- Facilitate approval process:
 - Various stakeholder meetings throughout
 - Track and ensure compliance with strict DEP requirements for the approval process
 - Municipal planning commissions: 60-day comment period
 - Incorporate comments and responses into plan
 - Public comment period: 30 days
 - Incorporate comments and responses into plan
 - Municipal approvals, by Resolution
 - 15 municipalities
 - 2 municipal authorities (LCA & Coplay-Whitehall)

Other 537 Consultant and their Roles

- Technically driven portion of the 537 process
- Prepare viable alternatives for inclusion into the Final 537 Plan
- Work with ARRO and KISS municipalities on finding the appropriate selection of projects considering the following concerns:
 - Political, regulatory, environmental, cost, constructability



SCHEDULE

ARRO will begin development of the Long-Term Act 537 Plan upon receipt of written notice to proceed. Estimated completion is March 2025.

SCOPE ITEM	ESTIMATED COMPLETION DATE
Meeting with PADEP	12/16/2021
Meeting with all Municipalities	1/13/2022
Receive 2050 planning projections from Municipalities	4/6/2022
Coordinate with various consultants and incorporate alternatives into Draft Report	4/30/2024
LCA and KISS Municipalities review & comment	5/31/2024
Receive comments from County Planning	7/31/2024
Address comments and generate final report	8/31/2024
Issue public notice and begin 30-day comment period	9/30/2024
End public comment period	11/15/2024
Address/include comments and finalize Plan	12/1/2024
Municipal Adoptions	Feb /Mar 2025
Submit Plan to PADEP	3/31/2025

KISS Act 537 Plan Preparation Schedule

Latest 537 Authorization Request

Renewal of ARRO Municipal
Coordinator for KISS (2022-
2025)

Continuation of role from
2013-2016 (LCA); 2019-
2021 (KISS)

Act Plan 537

Content:

Administrative

Completeness

Checklist

3850-FM-BCW0003 6/2016
Checklist

PART 2 ADMINISTRATIVE COMPLETENESS CHECKLIST

DEP Use Only	Indicate Page #(s) in Plan	In addition to the main body of the plan, the plan must include items one through eight listed below to be accepted for formal review by DEP. Incomplete plans may be <i>denied</i> unless the municipality is clearly requesting an advisory review.
_____	<u>Q</u>	1. Table of Contents
_____	<u>Q</u>	2. Plan Summary
_____	<u>Q</u>	A. Identify the proposed service areas and major problems evaluated in the plan. (Reference - 25 Pa. Code §71.21(a)(7)(i)).
_____	<u>Q</u>	B. Identify the alternative(s) chosen to solve the problems and serve the areas of need identified in the plan. Also, include any institutional arrangements necessary to implement the chosen alternative(s). (Reference - 25 Pa. Code §71.21(a)(7)(ii)).
_____	<u>Q</u>	C. Present the estimated cost of implementing the proposed alternative (including the user fees) and the proposed funding method to be used. (Reference - 25 Pa. Code §71.21(a)(7)(iii)).
_____	<u>Q</u>	D. Identify the municipal commitments necessary to implement the Plan. (Reference - 25 Pa. Code §71.21(a)(7)(iv)).
_____	<u>Q</u>	E. Provide a schedule of implementation for the project that identifies the <i>major</i> milestones with dates necessary to accomplish the project to the point of operational status. (Reference - 25 Pa. Code §71.21(a)(7)(v)).
_____	<u>Q</u>	3. Municipal Adoption: <i>Original</i> , signed and sealed Resolution of Adoption by the municipality which contains, at a minimum, alternatives chosen and a commitment to implement the Plan in accordance with the implementation schedule. (Reference - 25 Pa. Code §71.31(f)) Section V.F. of the Planning Guide.
_____	<u>Q</u>	4. Planning Commission / County Health Department Comments: Evidence that the municipality has requested, reviewed and considered comments by appropriate official planning agencies of the municipality, planning agencies of the county, planning agencies with area wide jurisdiction (where applicable), and any existing county or joint county departments of health. (Reference - 25 Pa. Code §71.31(b)) Section V.E.1 of the Planning Guide.
_____	<u>Q</u>	5. Publication: Proof of Public Notice which documents the proposed plan adoption, plan summary, and the establishment and conduct of a 30-day comment period. (Reference - 25 Pa. Code §71.31(c)) Section V.E.2 of the Planning Guide.
_____	<u>Q</u>	6. Comments and Responses: Copies of <i>all</i> written comments received and municipal response to <i>each</i> comment in relation to the proposed plan. (Reference - 25 Pa. Code §71.31(c)) Section V.E.2 of the Planning Guide.
_____	<u>Q</u>	7. Implementation Schedule: A complete project implementation schedule with milestone dates specific for each existing and future area of need. Other activities in the project implementation schedule should be indicated as occurring a finite number of days from a major milestone. (Reference - 25 Pa. Code §71.31(d)) Section V.F. of the Planning Guide. Include dates for the future initiation of feasibility evaluations in the project's implementation schedule for areas proposing completion of sewage facilities for planning periods in excess of five years. (Reference - 25 Pa. Code §71.21(c)).
_____	<u>Q</u>	8. Consistency Documentation: Documentation indicating that the appropriate agencies have received, reviewed and concurred with the method proposed to resolve identified inconsistencies within the proposed alternative and consistency requirements in 25 Pa. Code §71.21(a)(5)(i-iii). (Reference - 25 Pa. Code §71.31(e)). Appendix B of the Planning Guide.

Act Plan 537

Content:

General Plan Checklist

- Section 1: *Previous Wastewater Planning*
- Section 2: *Physical and Demographic Analysis using written description and mapping*
- Section 3: *Existing Sewerage Facilities in the Planning Area – Identifying the Existing Needs*
- Section 4: *Future Growth and Land Development*
- Section 5: *Identify Alternatives to Provide New or Improved Wastewater Disposal Facilities*
- Section 6: *Evaluation of Alternatives*
- Section 7: *Institutional Evaluation*
- Section 8: *Implementation Schedule and Justification for Selected Technical & Institutional Alternatives*

Authorization Request

Professional Services

- Attend various meetings with DEP, LCA, KISS Signatories
- Develop a Task Activity Report (TAR) and submit to DEP
- Coordinate with various consultants to incorporate alternatives and solutions
- Develop a draft Plan following the DEP 537 checklist
- Address all public comments and KISS municipal planning commissions
- Assemble and distribute hard copies of the Final Plan to each KISS municipality
- Address and incorporate comments and submit Final Plan to PA DEP

Authorization Requested 2/28/2022

Prior Authorizations: After DEP officially placed the entire KISS Region under Act 537 Planning in late 2019, ARRO was retained to prepare the Interim Act 537 Plan. The Interim Act 537 Plan was officially approved by DEP on June 25, 2021.

This Authorization: Final Act 537 Plan Preparation by the DEP mandated deadline of March 2025. See attached Board Memo for further project details.

Authorization Status:

Requested This Authorization	
<i>Design Phase</i>	
Staff	\$30,000
Contractor	\$0
Engineering Consultant	\$184,705
Contingency	\$20,000
Total This Authorization	\$234,705
Prior Authorizations (2019-2020)	\$91,385
Subtotal (Prior + This Authorization)	\$326,090
<i>Future Authorizations (none)</i>	<i>\$0</i>

QUESTIONS?

