

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-08

**A RESOLUTION TO AUTHORIZE INTERMUNICIPAL COLLABORATION
TOWARD THE DEVELOPMENT OF AN INTERGOVERNMENTAL AGREEMENT FOR
THE PURPOSE OF DEVELOPING AN ALTERNATE PLAN FOR THE EPA TOTAL
MAXIMUM DAILY LOAD FOR THE WISSAHICKON CREEK WATERSHED**

WHEREAS, municipalities, when not inconsistent with State or Federal Law, are authorized to oversee and regulate trade, commerce, and the use of public streets, ways, utilities and property within their jurisdictions; and,

WHEREAS, the Intergovernmental Cooperation Act (Act of July 12, 1972, P.L. 762, as amended, 53 P.S. §481, et seq.), permits municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and,

WHEREAS, municipalities, as well as the provisions of Pennsylvania's Intergovernmental Cooperation Law, provide for intergovernmental cooperation between and among municipalities in the performance of their respective governmental functions, powers and responsibilities and authorize joint agreements as may be deemed appropriate for such purposes; and,

WHEREAS, the Wissahickon Creek has been designated as "impaired" under Section 303(d) of the Clean Water Act, and has been assigned a Total Maximum Daily Load (TMDL) per (40 CFR 130.2 and 130.70) and individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources; and,

WHEREAS, the municipalities located in the Wissahickon Creek watershed (0.62% of the total land area of Worcester Township is located in the Wissahickon Creek watershed) are obligated under the PADEP's MS4 and NPDES programs to develop and implement a stormwater management plan, and comply with their Sewage Facilities Plan, including TMDL limits, which contain the strategies to meet the municipality's MS4, NPDES and TMDL obligations, and as it is recognized that the municipal plans will have greater effectiveness and efficiencies if they are coordinated with and incorporated into an Alternative TMDL plan; and,

WHEREAS, the United States Environmental Protection Agency's (EPA) New Long-Term Vision for the 303(d) Program allows for alternative methodologies to the proposed TMDL that incorporates broader, more comprehensive and adaptive management strategies that are tailored to this watershed's specific circumstances, and whereas counties, municipalities and wastewater treatment operators have considered that developing an Alternative TMDL Plan to satisfy the overall intent of the proposed EPA TMDL pollutant reductions to improve the biological integrity of the watershed is a justified and necessary action; and,

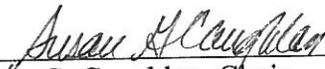
WHEREAS, the impacted municipalities in Montgomery County and Philadelphia County recognize that watersheds cross municipal boundaries and a coordinated planning effort is to the benefit of all municipalities, and that it is in their best interest to cooperate in the development of an Alternative to the proposed EPA TMDL through participation in a collaborative effort; and,

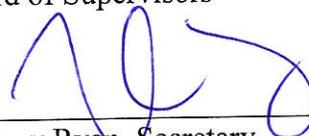
WHEREAS, the municipalities recognize that the coordination of services and the sharing of information will enable each municipality to minimize the costs of the administration and implementation of an Alternative Plan;

NOW THEREFORE, BE IT RESOLVED, Worcester Township desires to authorize its appropriate officers to work to advance a collaborative partnership with other municipalities located in the Wissahickon Creek watershed, so to advance the development of an Alternative TMDL Plan, with terms of said partnership be formalized in a future Intergovernmental Agreement that may be then considered by the Board of Supervisors.

RESOLVED THIS 17TH DAY OF FEBRUARY, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary