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The Kennett Township Environmental Advisory Council (EAC) prepared this summary of the Revolving Water Fund (RWF) agreement for the Board of Supervisors for the following reasons:

1. To ensure the Supervisors, Township Administrators and the EAC share a common understanding of the purpose and commitments associated with the RWF.
2. Provide a summary of the RWF that can be shared with Township residents.
3. Provide recommendations for leveraging the RWF within the Township.

The RWF is a relatively new offering, that is intended to assist municipalities with meeting the requirements of the Environmental Protection Agency's Municipal Separate Storm Sewer Systems (MS4) program. The purpose of the MS4 program (at a very high level) is to reduce the discharge of suspended sediments into public waterways. Each state determines which municipalities should obtain MS4 permits, each of which must obtain National Pollution Discharge Elimination System (NPDES) permits, in accordance with the requirements of their local watershed, to define what discharge limits they must manage toward.

In Pennsylvania, the MS4 program is administrated by the Department of Environmental Protection (DEP). Pennsylvania's first two MS4s were Pittsburgh and Philadelphia which have been in the program since the 1990's. The state's remaining MS4s, around 950 of them in 2018, began enrolling in the program in the early 2000s (Source: Penn State Extension).

Compliance with the program and the awarding of permits is tracked through a system of credits that are awarded for each municipality taking specific actions intended to reduce the discharge of suspended sediment into waterways. In addition, MS4 permit holders are required to meet five minimum control measures focusing on public education and illicit discharge detection and elimination. For a small municipality, successfully earning these credits and obtaining an MS4 permit and then complying with it, can be a daunting task. As a means of assisting municipalities with compliance, the William Penn Foundation worked with i2 Capital (and other partners) to create and administrate the RWF. The William Penn Foundation (with several funding partners) are providing operational funding for the program, and i2 Capital manages the program. For municipalities that participate in the RWF, i2 Capital and their partners bring expertise in identifying and implementing projects for reducing suspended sediment discharges and runoff. These projects equate to an identified and agreed to number of MS4 compliance credits.

Kennett Township's efforts to earn MS4 compliance credits predate the Township's participation in the RWF. Efforts undertaken to date to earn MS4 compliance credits include:

- Streambank Stabilization at Anson Nixon Project
- Riparian plantings at Pia Field (Barkingfield Park)

These efforts have earned Kennett Township the majority of credits necessary to qualify for the MS4 program in the first 5-year permit cycle expiring in 2026. The Township will have renewed credit obligations in the next 5 year permit cycle.



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Kennett Township became the first municipality in Pennsylvania (along with East Marlborough Township) to participate in the RWF to earn 15 additional MS4 compliance credits over the course of five years (2021-2025). Prior to entering into the agreement, Kennett Township and i2 Capital identified a number of agriculture based projects that when implemented would qualify for the requisite number of MS4 credits. The cost of implementing these projects was estimated at approximately \$155,000. The Township agreed to the RWF contract in October 2020 and is now obligated to pay the agreed amount into the RWF and implement projects that equate to 15 MS4 compliance credits over the next five years.

The projects identified currently in the plan provided by i2 Capital for Kennett Township, focus on vegetative buffering and reduction of stormwater runoff from large agricultural fields in the Township. The projects are referred to by DEP as “agriculture-based best-management practices.” These properties have been identified by DEP as places that require improvement to reduce suspended sediment in stormwater runoff. The projects have also been tentatively approved by the property owners. More projects than these identified will be necessary in order to comply with the RWF contracted terms.

Prior to implementing these projects, public hearings will be held to encourage public input, and ensure that the proposed projects will be effective and will not create unanticipated problems. If for some reason the projects identified by i2 Capital are not implemented, alternative projects can be considered, provided they meet the following requirements:

- DEP agrees that improvements to the property would significantly reduce suspended-sediment in stormwater runoff.
- The necessary improvements are logistically and economically feasible.
- The property owners agree to the implementation of the proposed improvements.

One statement of the contract between Kennett Township and the RWF is that the projects to be implemented will reduce suspended sediment in Township waterways by approximately nine tons per year. This estimate is based on a conversion formula provided by DEP. This conversion formula is employed generally by DEP throughout the state, with minimal consideration of local conditions (e.g., topography, soil type, etc.) that could significantly impact the actual amount of suspended sediment that is removed. There are no provisions within the RWF to monitor or otherwise establish the actual impact of these projects on suspended sediment in Township waterways. It should be noted however that the US Geological Survey does monitor water turbidity hourly at their Kennett Square monitoring station (01479820) and regularly measures suspended sediment at the monitoring station near Stanton, Delaware.

The RWF contract with the Township can be renewed twice, for two five-year terms, if the Township requires the MS4 credits and desires to renew the agreement.

Based on this summary, the EAC recommends the following:

1. The Township should make public the RWF contract between the Township and i2 Capital, by posting the contract on the Township website.



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2. The Township should work with water-resource professionals (e.g., Stroud, DEP, etc.) to understand how much impact the removal of the estimated amount of suspended sediment will have on stream water quality and overall health and well-being of the Township.
3. The EAC will participate in public hearings on all proposed RWF projects. The Township will provide EAC members with proposed project details prior to public hearings.
4. The Township should identify the proper representatives (e.g., Township Engineer, Township Stormwater Engineer, etc.) to inspect each project to verify the implemented improvements match the proposal. Brief reports on compliance should be submitted to the Township after final inspections are completed.
5. The EAC will work to educate Township residents on the MS4 and RWF programs, and encourage practices on private property to reduce stormwater runoff.

The Township should consider funding and contracting with a qualified partner to have a citizen monitoring program in Township waterways.