

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2019 Legislative Session

Reference No.: CR-029-2019

Draft No.: 1

Committee: TRANSPORTATION, INFRASTRUCTURE, ENERGY &
ENVIRONMENT

Date: 6/27/2019

Action: FAV

REPORT:

Committee Vote: Favorable, 10-0 (In favor: Council Members Taveras, Anderson-Walker, Dernoga, Glaros and Turner)

The Committee convened on June 27, 2019 to discuss this legislation, which provides the County's two-year Financial Assurance Plan (FAP) to demonstrate the funding capacity necessary to fulfill the watershed protection and restoration requirements in accordance with the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit, issued by the Maryland Department of the Environment (MDE).

The County's current NPDES MS4 Permit was issued on January 2, 2014 and was scheduled to expire on January 1, 2019. MDE has authorized an Administrative Extension of the permit, while negotiations with the County continue regarding the next generation permit. County DOE officials have raised a number of concerns, including the 20% impervious surface reduction goal, the most effective ways to achieve the goal and the appropriate level of county financial investment.

The FAP requirement was established due to State legislation (SB 863) enacted in 2015, which removed the requirement for each jurisdiction subject to a Phase I MS4 permit to establish a stormwater remediation fee and added the requirement for each jurisdiction to file a financial assurance plan with MDE by July 1, 2016 and every two years thereafter (on the anniversary of the date the permit was issued). The County's first FAP was submitted on June 30, 2016, with the next one due on January 1, 2019 (before the current MDE extension was granted). As required by the state law, the County's FAP must be approved by Council Resolution after a public hearing (which was held on June 11, 2019).

Joseph Gill, Director of the County's Department of the Environment, provided details on the County's FAP, discussing impervious surface restoration activities (and funding sources) for FY 2019 and FY2020 which total \$189 million. Representatives from the Clean Water Partnership provided information on the participation of local businesses in the County's water quality restoration projects. The Committee voted unanimously in favor of CR-29-2019.