

The Honorable Benjamin H. Grumbles
Secretary of the Environment
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, Maryland 21230

Dear Secretary Grumbles:

Prince George's County is pleased to submit its Financial Assurance Plan (FAP) as required by Senate Bill 863 (2015). Before describing the Plan, it is useful to summarize the context and history of the requirements that the State has passed on to the County for restoring the Chesapeake Bay and its tributaries, including the Anacostia, Potomac, and Patuxent Rivers. This letter concludes with suggested future next steps.

In 2010, Maryland submitted a comprehensive Watershed Implementation Plan to the Federal government to reduce the amount of nitrogen, phosphorous, and sediment entering the Chesapeake Bay and its rivers. In addition to wastewater, agricultural, and septic loading, a component of the plan addressed stormwater runoff pollution from impervious areas such as rooftops, driveways, and parking lots. In 2012, Maryland passed a bill requiring nine Maryland counties and the City of Baltimore to collect a fee from property owners to implement a program to reduce stormwater runoff from impervious areas. In 2013, the Prince George's County Council enacted a Clean Water Act fee for addressing stormwater pollution.

In 2014, the Maryland Department of the Environment (MDE) issued to the County its next generation, five-year National Pollution Discharge Elimination System permit covering the period from January 2, 2014 until January 1, 2019. The permit required the County to continue its programs to reduce stormwater pollution from development, to report illicit discharges, and to reach out and educate public on the importance of environmental restoration. Significantly and for the first time, the permit also requires the County to treat stormwater runoff from 20% of its impervious surfaces: a daunting task given that much of the County development inside the Washington Beltway pre-dates stormwater regulations and was built without controls. In addition, the 2014 permit renewal augmented the permit conditions to include litter/trash reduction strategies and development/implementation plans to address stormwater waste load allocations established under the U.S. Environmental Protection Agency's approved total maximum daily load.

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As a first step, the County worked closely with MDE to determine the amount of surface acreage requiring treatment with stormwater controls. In 2015, the County and MDE agreed that there are 30,524 acres of untreated impervious surface in the County, resulting in a restoration goal of 6,105 acres over the permit term. The County has employed a combined approach to address this goal.

The County's first FAP outlined impervious restoration production using two programs. First, the Clean Water Partnership with Corvias Solutions, Inc. was tasked to address impervious restoration through a \$100 M contract to restore up to 2,000 acres by 2018. Second, the County's Capital Improvement Program was partially repurposed to focus on projects that improve water quality restoration.

Within the permit term (to date) the combined restoration impervious acres completed amounted to 2,215 acres for the combined programs at a cost of \$95 M.

Senate Bill 863 required the County to demonstrate that it has the funds to meet 100% of the projected costs of impervious surface restoration for the next two fiscal years (fiscal years 2019 and 2020). Over the next two years, the County estimates that it will treat 1,544 acres of impervious surface, bringing total impervious surface restoration production to 3,759 acres or 61.5% of the total 20% restoration goal. The projected cost of treatment is \$67 M, a number that is based on preliminary design and engineering. The County's financial assurance plan meets the State's requirements.

The County requests MDE to assess the practicality of achieving stormwater pollution reduction goals within the time - frame set forth in the County's MS4 permit.

While we are pleased that Prince George's County's FAP will be addressing the two-year (FY 2019 and FY 2020) financial commitment of \$67 M, MDE's imposed 20% goal for restoration will require an additional financial burden of \$180 M in the future.

It is evident that during the previous FAP (FY2017 and FY 2018), the County spent \$95 M to achieve 2,215 acres of restoration; now the enclosed FAP for the next two-year commitment is for \$67 M for 1,544 acres of projected restoration. Many factors are affecting our ability to meet the goal (6,105 acres) within the permit term. Among these, some of the factors are impediments in construction timelines, utility conflicts, property owner buy-in / easements, and permits. The County is receptive for a continued dialogue about the production limits expressed in this letter.

If you have any questions or concerns, please contact Mr. Floyd Holt, Assistant Deputy Chief Administrative Officer of Economic Development, at (301) 952-4227.

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Sincerely,

Todd M. Turner, Chairman
Prince George's County Council

Angela D. Alsobrooks
Prince George's County Executive