

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 2

Resolution No. 3-19

Introduced by Mr. Pruski, Chairman  
(by request of the County Executive)

By the County Council, January 22, 2019

1 RESOLUTION approving Anne Arundel County's 2019 Financial Assurance Plan for  
2 compliance with the National Pollutant Discharge Elimination System Phase I Municipal  
3 Separate Storm Sewer System Permit

4  
5 WHEREAS, § 4-202.1(j)(1) of the Environment Article of the State Code requires  
6 that every two years on the anniversary date of the issuance of a county's National  
7 Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer  
8 System Permit ("NPDES MS4 Permit"), a county shall file a financial assurance  
9 plan with the Maryland Department of the Environment ("MDE") regarding  
10 compliance with the county's NPDES MS4 Permit; and

11  
12 WHEREAS, the anniversary date of the County's NPDES MS4 Permit is February  
13 12, 2019; and

14  
15 WHEREAS, § 4-202.1(j)(3) of the Environment Article of the State Code provides  
16 that a county may not file a financial assurance plan with MDE until the local  
17 governing body of the county holds a public hearing on the financial assurance plan  
18 and approves the financial assurance plan; and

19  
20 WHEREAS, § 4-202.1(j)(1) of the Environment Article of the State Code requires  
21 that a financial assurance plan shall clearly identify: (1) actions that will be required  
22 by the county to meet the requirements of the NPDES MS4 Permit; (2) projected  
23 annual and five-year costs for the county to meet the impervious surface restoration  
24 plan requirements of its NPDES MS4 Permit; (3) projected annual and five-year  
25 revenues or other funds that will be used to meet the costs for the county to meet  
26 the impervious surface restoration plan requirements of its NPDES MS4 Permit;  
27 (4) any sources of funds that will be utilized by the county to meet the requirements  
28 of its NPDES MS4 Permit; and (5) specific actions and expenditures that the county  
29 implemented in the previous fiscal years to meet its impervious surface restoration  
30 plan requirements under its NPDES MS4 Permit; and

31  
32 WHEREAS, § 4-202.1(j)(4)(iii) of the Environment Article of the State Code  
33 provides that funding in the financial assurance plan is sufficient if it demonstrates  
34 that the county has dedicated revenues, funds, or sources of funds to meet, for the  
35 two-year period immediately following the filing date of the financial assurance  
36 plan, 100% of the projected costs of compliance with the impervious surface  
37 restoration plan requirements of the county under its NPDES MS4 Permit over that  
38 two-year period; and

1       WHEREAS, Anne Arundel County's 2019 Financial Assurance Plan, which  
2       addresses the requirements of § 4-202.1(j) of the Environment Article of the State  
3       Code has been prepared at the direction of and approved by the County Executive  
4       and is attached hereto as Exhibit A; now, therefore, be it

5  
6       *Resolved by the County Council of Anne Arundel County, Maryland, That Anne*  
7       Arundel County's 2019 Financial Assurance Plan attached hereto as Exhibit A is hereby  
8       approved; and be it further

9  
10       *Resolved, That a copy of this Resolution be sent to County Executive Steuart Pittman*  
11       and to Raymond P. Bahr, Deputy Program Manager, Sediment, Stormwater, and Dam  
12       Safety Program, Maryland Department of the Environment.