

County Council of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 5

RESOLUTION NO. 79 -2011

Introduced by: Courtney Watson
Co-sponsored by: Calvin Ball and Jennifer Terrasa

A RESOLUTION requiring the Howard County Environmental Sustainability Board to review ~~the potential environmental impacts of~~ environmental assessment or impact statement ~~developed through the NEPA process for~~ the CSX Intermodal facility being proposed at two sites in Howard County and to make a certain report by a certain date and requesting the County Executive to provide appropriate county resources to support this effort.

Introduced and read first time on May 2, 2011.

By order Stephen M LeGendre
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on May 16, 2011.

By order Stephen M LeGendre
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn by the County Council on June 9, 2011.

Certified by Stephen M LeGendre
Stephen LeGendre, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, The CSX Corporation is seeking to build an Intermodal facility south of
2 Baltimore; and

3 **WHEREAS**, Two of the four proposed sites lie within Howard County; and

4 **WHEREAS**, The proposed Intermodal facility would necessarily have an impact on the
5 environment; and

6 **WHEREAS**, Environmental protection and stewardship are guiding principles and are
7 among the primary aims of the Howard County government; and

8 **WHEREAS**, Section 302 of the Howard County Charter provides that the County
9 Executive shall present to the Council information concerning the business and affairs of the
10 County as the Council by resolution may request, and to recommend such measures for
11 legislative action as he may deem to be in the best interest of the County and to perform such
12 other executive duties as may be required by resolution of the Council; and

13 **WHEREAS**, Section 6.600 of the Howard County Code requires the Environmental
14 Sustainability Board, by resolution of the County Council, to review and make recommendations
15 on any matter related to environmental protection, preservation, or sustainability in Howard
16 County.

17 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
18 Maryland this 6th day of June, 2011 that the County Council requests that the
19 County Executive direct appropriate agencies of County government to assist the Environmental
20 Sustainability Board in monitoring and reviewing the possible impacts on the adjacent
21 environment of the proposed CSX environmental assessment or impact statement developed by
22 CSX and/or the Maryland Department of Transportation for the Intermodal facility at the two
23 sites now under consideration in Howard County;

24 **AND FURTHER BE IT RESOLVED**, By the County Council of Howard County,
25 Maryland, that we request CSX and/or the Maryland Department of Transportation present the
26 findings of the NEPA process to the Environmental Sustainability Board and the Board shall
27 report in writing to the County Council on or before September 1, 2011, to the Council within a
28 reasonable time after the presentation on the measures the County should take to ensure the
29 environment is protected. The report should ~~delineate possible environmental impacts the County~~
30 ~~should be aware of, and make recommendations as to how the County can best protect the~~
31 ~~environment should the Intermodal facility be located in Howard County.~~ prioritize findings of

32 the assessment or impact statement and identify any deficiencies, as well as make any other
33 recommendations or comments that the Board feels is appropriate.

34

Amendment to Council Resolution No. 79 -2011

BY: Chairperson at the request
of the County Executive

Legislative Day No. 7
Date: June 6, 2011

Amendment No. 1

(This amendment specifies which assessment the Environmental Sustainability Board will be reviewing, requests certain presentations to the Board, amends the timing for certain reports to the Council, and clarifies the contents of the report.)

1 In the title, in the second line, strike “potential environmental impacts of” and substitute
2 “environmental assessment or impact statement developed through the NEPA process for” and,
3 in the third sentence, strike “by a certain date”.

4

5 On page 1, in line 20, before “reviewing” insert “monitoring and”.

6

7 On page 1, strike beginning with “possible” in line 20 down through, and including, “CSX” in
8 line 21 and substitute “environmental assessment or impact statement developed by CSX and/or the
9 Maryland Department of Transportation for the”.

10

11 On page 1, in line 23, after “that” insert “we request CSX and/or the Maryland Department of
12 Transportation present the findings of the NEPA process to”.

13

14 On page 1, in line 23, after “Board” insert “and the Board”.

15

16 On page 1, strike beginning with “in” in line 23 down through, and including, “2011,” in line 24
17 and substitute “to the Council within a reasonable time after the presentation”.

18

19 On page 1, strike beginning with “delineate” in line 25 down through, and including, “County.” in
20 line 27 and substitute “prioritize findings of the assessment or impact statement and identify any
21 deficiencies, as well as make any other recommendations or comments that the Board feels is
22 appropriate.”.

ADOPTED June 6, 2011
FAILED _____
SIGNATURE Stephen M. Gendron

County Council of Howard County, Maryland

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Co-sponsored by: Calvin Ball and Jennifer Terrasa

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Introduced and read first time on _____, 2011.

By order _____
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2011.

By order _____
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted ____, Adopted with amendments ____, Failed ____, Withdrawn ____ by the County Council on _____, 2011.

Certified by _____
Stephen LeGendre, Administrator to the County Council

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10 County as the Council by resolution may request, and to recommend such measures for
11 legislative action as he may deem to be in the best interest of the County and to perform such
12 other executive duties as may be required by resolution of the Council; and

13 **WHEREAS**, Section 6.600 of the Howard County Code requires the Environmental
14 Sustainability Board, by resolution of the County Council, to review and make recommendations
15 on any matter related to environmental protection, preservation, or sustainability in Howard
16 County.

17 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
18 Maryland this _____ day of _____, 2011 that the County Council requests that the
19 County Executive direct appropriate agencies of County government to assist the Environmental
20 Sustainability Board in reviewing the possible impacts on the adjacent environment of the
21 proposed CSX Intermodal facility at the two sites now under consideration in Howard County;

22 **AND FURTHER BE IT RESOLVED**, By the County Council of Howard County,
23 Maryland, that the Environmental Sustainability Board shall report in writing to the County
24 Council on or before September 1, 2011, on the measures the County should take to ensure the
25 environment is protected. The report should delineate possible environmental impacts the County
26 should be aware of, and make recommendations as to how the County can best protect the
27 environment should the Intermodal facility be located in Howard County.