

County Council Of Howard County, Maryland

2017 Legislative Session

Legislative Day No. 1

Resolution No. 16-2017

Introduced by: The Chairperson at the request of the County Executive  
and Cosponsored by Greg Fox

A RESOLUTION adding a reimbursement related to the Watershed Protection and Restoration  
Fee; and generally related to the Watershed Protection and Restoration Fee.

Introduced and read first time January 3, 2017.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Read for a second time at a public hearing on January 17, 2017.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments \_\_, Failed \_\_, Withdrawn \_\_, by the County Council  
on February 6, 2017.

Certified By Jessica Feldmark  
Jessica Feldmark, Administrator

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

1           **WHEREAS**, Section 20.1103 of the Howard County Code provides for the County to  
2 levy and fix an annual Watershed Protection and Restoration Fee (the “Fee”) on all improved  
3 property in the County; and  
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5           **WHEREAS**, on July 25, 2013, the County Council passed Council Resolution No. 88-  
6 2013 that adopted schedules for various charges related to the Fee; and  
7

8           **WHEREAS**, by passage of Council Resolution No. 37-2016, certain amendments were  
9 made to the rate for residential properties, the Credit Program, and the Fee Assistance Program;  
10 and  
11

12           **WHEREAS**, Office of Community Sustainability (“OCS”) wishes to add a  
13 reimbursement for Septic Pumping to the Reimbursement Program; and  
14

15           **WHEREAS**, Septic Pumping is recognized by the Maryland Department of the  
16 Environment as a Best Management Practice that may be credited towards compliance with the  
17 County’s Municipal Separate Storm Sewer System (MS4) Permit; and  
18

19           **WHEREAS**, OCS has developed a reimbursement program to incentivize homeowners  
20 to engage in Septic Pumping, which will improve water quality and establish credits towards the  
21 MS4 Permit impervious surface restoration goals; and  
22

23           **WHEREAS**, the reimbursement for Septic Pumping requires that participants use the  
24 services of a septic hauler with a current septic scavenger permit; and  
25

26           **WHEREAS**, residents may reapply for Septic Pumping reimbursement once every 3  
27 years.  
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29           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
30 Maryland this 6<sup>th</sup> day of February, 2017 that the Watershed Protection and  
31 Restoration Fee Reimbursement Schedule shall be amended as shown in the attached Exhibit A.

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**AND BE IT FURTHER RESOLVED**, by the County Council of Howard County, Maryland that all other schedules (the Impervious Unit Rate for Non-Residential Properties, the Rate for Residential Properties, Credits, and the Watershed Protection and Restoration Fee Assistance Program) attached to Council Resolution No. 37-2016 shall remain in full force and effect.

## REIMBURSEMENTS

*These rates are set pursuant to Sections 20.1104 and 20.1106 of the Howard County Code which provide for the County Council to adjust the Watershed Protection and Restoration fee through the use of a one-time reimbursement.*

All properties, or portions of properties, that are not currently treated to the levels of the 2000 Maryland Stormwater Design Manual are eligible for the County's Watershed Protection and Restoration Reimbursement program. The reimbursement is not a credit, but a one-time payment for an investment made by the property owner that benefits the public stormwater management system. \*\*

The County will grant reimbursements up to the maximum amounts listed below:

<b>Practice</b>	<b>Maximum Residential Reimbursement</b>	<b>Maximum Non-Residential Reimbursement</b>
Rain Garden	\$1,200 total	\$5,000 total – maximum reimbursement is \$1 per SF impervious area treated
Conservation Landscaping (Turf or Invasive Species Replacement)	\$250-\$750 total – maximum reimbursement is \$1 per SF; minimum treatment area is 250 SF	\$3,000 total – maximum reimbursement is \$3 per SF; minimum treatment area is 350 SF
Urban Tree Canopy	\$600 total – \$150 per tree; minimum 2 inch caliper (deciduous) or 6 feet tall (evergreen)	\$600 total – \$150 per tree; minimum 2 inch caliper (deciduous) or 6 feet tall (evergreen)
Permeable Pavers	\$1,200 total – minimum paver area of 100 SF	\$5,000 total – minimum paver area of 350 SF
Pavement Removal	\$600-\$1,200 – minimum amount removed is 100 SF	\$1,800-\$5,000 – minimum amount removed is 300 SF
Green Roof	\$1,200 – minimum area treated is 300 SF or ¼ roof retrofit	\$5,000 – minimum area treated is 300 SF or ¼ roof retrofit
Cisterns	\$500 – maximum reimbursement is \$1 per gallon stored; 250 gallon minimum	\$2,000 – maximum reimbursement is \$1 per gallon stored; 250 gallon minimum
Dry Wells	\$600	\$600
SEPTIC PUMPING	\$100 ONCE EVERY 3 YEARS.	

\*\*IN ACCORDANCE WITH CODE § 20.1106, AN APPLICANT FOR A REIMBURSEMENT SHALL SUBMIT AN APPLICATION WITH THE OFFICE OF COMMUNITY SUSTAINABILITY ON A FORM PROVIDED BY THE OFFICE AND ACCOMPANIED BY INFORMATION THAT THE OFFICE MAY REQUIRE.

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## testimony against Resolution No. 16 -2017

JP

Joan Pontius &lt;joanpontius@gmail.com&gt;

Mon 2/6, 4:59 PM

CouncilMail ▾

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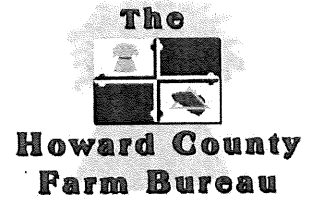
Keep

Tonight, Howard County will consider using our "Rain Tax" to subsidize the costs of maintenance of private septic systems and other costs of private home-ownership. Note that nothing in this proposal gives any indication that failed septic systems is a problem in Howard County or that these other subsidized modifications of private homes will help the problems that are leading to erosion of our stream beds or pollution of the bay.

Has the destruction of Ellicott City and loss of two lives there not taught us that there are real problems with rain water that need to be addressed? Using these public funds to cover the costs of private home ownership is a disservice to the victims of the July 30 flood, to the taxpayers of the county, and to the state of Maryland. It does not address real problems that need solutions, and instead funnels tax revenues to private home owners for routine maintenance and elaborate modifications of their homes.

[Joan Pontius](#)  
[Ellicott City MD 21042](#)





1/17/2017

Reference: CR-16 2017 *Septic Reimbursement Program*

Dear Howard County Council Members:

The Howard County Farm Bureau and our farms take great pride and efforts to protect our environment. As farmers we are stewards of the land and have made great strides to reduce the impact of our farming practices on the health of the bay. We support the Septic Reimbursement Program as an innovative, cost effective and commonsense approach to receive necessary impervious surface credit for the county.

By issuing residents a \$100 reimbursement for pumping their tanks regularly, the county receives credit for an acre of impervious surface treatment for only \$3,000. This is a program that benefits the environment, Howard County residents and County Government. We ask that you support this program and approve the spending necessary for this incentive based program.

Sincerely,  
Howie Feaga

President of the Howard County Farm Bureau

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## Support for CR-16

N [no-reply@howardcountymd.gov](mailto:no-reply@howardcountymd.gov)  
Mon 1/16, 1:21 PM  
[lorililly@gmail.com](mailto:lorililly@gmail.com)

Reply all |

**First Name:** Lori  
**Last Name:** Lilly  
**Email:** [lorililly@gmail.com](mailto:lorililly@gmail.com)  
**Street Address:** 10520 Old Frederick Rd  
**City:** Woodstock  
**Subject:** Support for CR-16

**Message:** Dear Howard County Council: I am writing in support of the septic reimbursement resolution, CR-16. I feel that this is a win-win-win piece of legislation for the environment, the citizens of Howard County, and Howard County government. It is rare to find programs that are so well aligned with citizen, governmental, and environmental interests, as the proposed Septic Savers program is. Proper septic care and maintenance prevents surface and even groundwater contamination; incentivizing septic tank pumping will improve and protect local water and the waters of the Chesapeake. Regular pumping also prevents costly (financially and environmentally) septic failure; thus, a program to incentivize this behavior is also in the public's immediate interest. Lack of funds and confusion about maintenance requirements often causes problems with these systems. By supporting this reimbursement referendum and the associated educational components, we are taking a big step to insuring our County water and waste systems are healthy and can support our local watersheds and the Chesapeake Bay. Thank you for your time and attention in this matter.  
Respectfully, Lori Lilly

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# Howard County

## Internal Memorandum

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**SUBJECT:** *Septic Reimbursement Program*

**TO:** Lonnie R. Robbins  
Chief Administrative Officer

**FROM:** James A. Caldwell, Administrator  
Office of Community Sustainability

**DATE:** December 22, 2016

As you are aware, Howard County must treat 20% of its unmanaged impervious surfaces by 2019, under its MS<sub>4</sub> permit. The Maryland Department of Environment (MDE) accepts septic tank pumping as a method to meet this permit. By issuing residents a \$100 reimbursement for pumping their tanks regularly, about 40% of this service's cost in our County, we can receive credit for an acre of impervious surface treatment for only \$3,000. This is the most affordable known impervious management strategy. If all septic users in the County regularly pumped their tanks, Howard County could receive 570 acres of impervious surface credit, or about 29% of our permit goal.

Pumping a septic system every 3-5 years can help prevent septic failure. Not only is septic failure costly to users, it also can cause surface and groundwater contamination. Although many septic users are aware that tanks should be pumped at some interval, they sometimes do not know the frequency that is appropriate or other household needs may take priority over pumping at the recommended frequency. A septic maintenance reimbursement program could incentivize this very important behavior.

In the first year of the septic maintenance reimbursement program, we hope to reach 1,000 septic users and expend \$100,000 from the Watershed Protection Fund. We have coordinated with the necessary stakeholders to help ensure this program's success: the Howard County Health Department, the Little Patuxent Wastewater Treatment Plant, the Department of Public Works and the University of Maryland Sea Grant Extension, who will offer free septic education classes.

The Office of Community Sustainability aims to create new programs that are feasible for the public, beneficial to the environment, and cost-effective for the County. The proposed septic maintenance reimbursement program very clearly meets all of the above criteria. We hope that you approve spending for this incentive-aligned program.