

Vote NO on CB52-2015

Annie Leverich [annie.emberland@gmail.com]

Sent: Wednesday, December 16, 2015 12:26 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

Several analyses done by the County over the past several years point to the need for this fee.

Our 2012 Phase II County Watershed Implementation Plan (WIP) suggests that such a fee would be the most fiscally prudent and reliable way to fund our stormwater management program. This assessment predates the state mandate for a county fee that was removed in the last session of the Maryland General Assembly. State mandates aside, I still believe that the fee is the most reliable and fiscally prudent way to address our stormwater management needs and requirements.

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I have not yet heard a compelling argument for CB52-2015 that overrides the significant tide of the County's own evidence in support of maintaining our Watershed Protection and Restoration Fee.

And, perhaps most significant for me as a citizen, since the advent of the Watershed Protection and Restoration Fee, I'm seeing the money I've contributed going into the ground, getting important work done. The stream restorations, tree plantings, infrastructure repairs and upgrades, and other projects already being done using dedicated funds from the fee have put us on the path towards safe, fishable, swimmable water in our local rivers and streams. I want to see that critical work continue apace, without being put at risk by budget uncertainties.

I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in our county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Annie Leverich

Silver Spring, MD 20910

Vote NO on CB52-2015

Ralph & Esen Paradiso [ralphjparadiso@verizon.net]

Sent: Wednesday, December 16, 2015 12:45 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Ralph & Esen Paradiso
5440 High Tor Hill
Columbia, MD 21045

Vote NO on CB52-2015

Michael Wallman [mrmew55@gmail.com]

Sent: Wednesday, December 16, 2015 12:46 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Michael Wallman
5114 Montgomery Road
Ellicott City, MD 21043

Vote NO on CB52-2015

Charles Johnson [Jake91234@hotmail.com]

Sent: Wednesday, December 16, 2015 12:47 PM

To: CouncilMail

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Thank you.

Charles Johnson

Ellicott City, MD 21042

Vote NO on CB52-2015

Lance Jordan [jordanl@nova.edu]

Sent: Wednesday, December 16, 2015 12:54 PM

To: CouncilMail

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Lance Jordan
Microwave Telemetry, Inc.
8835 Columbia 100 Parkway, Suites K, L, and M
Columbia, MD 21045

Vote NO on CB52-2015

Meghaan Lane [meghaanlane@gmail.com]

Sent: Wednesday, December 16, 2015 12:57 PM

To: CouncilMail

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Thank you.

Meghaan Lane
9881 Lyon Ave.
Laurel, MD 20723

Vote NO on CB52-2015

Sabrina Fu [sabrina.fu@umuc.edu]

Sent: Wednesday, December 16, 2015 12:58 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Sabrina Fu
9817 Madelaine Court
Ellicott City, MD 21042

Vote NO on CB52-2015

Star Bogenschutz [larelle614@gmail.com]

Sent: Wednesday, December 16, 2015 1:04 PM

To: CouncilMail

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Thank you.

Star Bogenschutz
9020 Constant Course
Columbia, MD 21046

Vote NO on CB52-2015

Kurt Schwarz [krschwa1@verizon.net]

Sent: Wednesday, December 16, 2015 1:07 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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See the Bay Journal for July-August, which shows what these efforts have done for water quality in Baltimore. Howard should do its part to help clean up the Bay.

I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in our county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Kurt Schwarz
9045 Dunloggin Ct.
Ellicott City, MD 21042

Vote NO on CB52-2015

Karen Ball [Scooterracing@hotmail.com]

Sent: Wednesday, December 16, 2015 1:15 PM

To: CouncilMail

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Thank you.

Karen Ball
10842 Hunting Ln.
Columbia, MD 21044

Vote NO on CB52-2015

Richard Freas [rafreas@gmail.com]

Sent: Wednesday, December 16, 2015 1:20 PM

To: CouncilMail

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Richard Freas
9465 Glen Ridge Drive
Laurel, MD 20723

Vote NO on CB52-2015

Edward Packard [ed.packard@gmail.com]

Sent: Wednesday, December 16, 2015 1:28 PM

To: CouncilMail

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Edward Packard
3161 Elmmede Road
Ellicott City, MD 21042

Vote NO on CB52-2015

Samuel Newman [samuelnewman12@hotmail.com]

Sent: Wednesday, December 16, 2015 1:35 PM

To: CouncilMail

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I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in our county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Samuel Newman
5245 Brook Way apt 2
Columbia, MD 21044

Vote NO on CB52-2015

MICHAEL SCHAUB [skatingfool@comcast.net]

Sent: Wednesday, December 16, 2015 1:40 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Michael B. Schaub

6043 Majors Lane, Apt.1
Columbia, MD 21045-4135

MICHAEL SCHAUB
6043 MAJORS LN APT 1
COLUMBIA, MD 21045

Vote NO on CB52-2015

linda schiffer [lindaschiffer@me.com]

Sent: Wednesday, December 16, 2015 1:44 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

linda schiffer
6441 Oaken Door
columbia, MD 21045

Vote NO on CB52-2015

David Schwartz [Schwartzathon@hotmail.com]

Sent: Wednesday, December 16, 2015 1:49 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

David Schwartz
8428 Braddock Way
Columbia, MD 21046

Vote NO on CB52-2015

Omar Siddique [omars1234@gmail.com]

Sent: Wednesday, December 16, 2015 2:05 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I am one of your constituents and a long-time Howard resident.

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Omar Siddique
4517 Rebecca Court
Ellicott City, MD 21043

Vote NO on CB52-2015

Maria Britt-Fendlay [pfendlay@howardcountymd.gov]

Sent: Wednesday, December 16, 2015 2:11 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

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I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in our county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Maria Britt-Fendlay
8242 Academy Road
Ellicott City, MD 21043

Vote NO on CB52-2015

Omar Siddique [omars1234@gmail.com]

Sent: Wednesday, December 16, 2015 3:02 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Omar Siddique
4517 Rebecca Court
Ellicott City, MD 21043

Vote NO on CB52-2015

Lynn Lawton [skilawton@gmail.com]

Sent: Wednesday, December 16, 2015 3:04 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Lynn Lawton
10301 Pimlico Place
Laurel, MD 20723

Vote NO on CB52-2015

Bronwyn Madeo [bmadeo@gmail.com]

Sent: Wednesday, December 16, 2015 3:09 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Bronwyn Madeo
10373 Scaggsville Rd
Laurel, MD 20723

Vote NO on CB52-2015

Stephen Mitchell [sailinnervoice@gmail.com]

Sent: Wednesday, December 16, 2015 3:45 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

While the bulk of this is a form letter, I want to make it clear that I am all for cleaning up our environment, and especially controlling storm water runoff. I am a long time county resident and have decided to retire here because this is a great place to live. Your job is to keep it that way.

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee

in place.

Thank you.

Stephen Mitchell
8801 Bosley Road
Apt. 302
Ellicott City, MD 21043

Vote NO on CB52-2015

Karen OSteen [kposteen@comcast.net]

Sent: Wednesday, December 16, 2015 4:08 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Karen OSteen
10817 Graeloch Rd
Laurel, MD 20723

Vote NO on CB52-2015

Karen OSteen [kposteen@comcast.net]

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Thank you.

Karen OSteen
10817 Graeloch Rd
Laurel, MD 20723

Vote NO on CB52-2015

Michael Koory [aquaticsklo@gmail.com]

Sent: Wednesday, December 16, 2015 4:13 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Michael Koory
24 bellanca ct
Baltimore, MD 21220

Vote NO on CB52-2015

Steven Bradtke [sjbradtke@gmail.com]

Sent: Wednesday, December 16, 2015 7:16 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in our county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Steven Bradtke
10088 Cape Ann Drive
Columbia, MD 21046

Vote NO on CB52-2015

Virginia Woolridge [Gingerwoolridge@comcast.net]

Sent: Wednesday, December 16, 2015 7:27 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

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Thank you.

Virginia Woolridge
207 Wardour Drive
Annapolis, MD 21401

Vote NO on CB52-2015

Brian Heggelke [bheggelke@gmail.com]

Sent: Wednesday, December 16, 2015 7:33 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Brian Heggelke
603 Windmill Road
Easton, MD 21601

Vote NO on CB52-2015

Christopher Valenze [cvalenze217@gmail.com]

Sent: Wednesday, December 16, 2015 7:37 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Christopher Valenze
13766 Old Rover Road
West Friendship, MD 21794

Vote NO on CB52-2015

Jeffrey Friedhoffer [jafried@ieee.org]

Sent: Wednesday, December 16, 2015 7:47 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Jeffrey Friedhoffer
10042 Mending Wall
Columbia, MD 21044

Vote NO on CB52-2015

May Seidel [mayruthseidel@gamil.com]

Sent: Wednesday, December 16, 2015 8:10 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

May Seidel
5400 Vantage Point Road
Apt 508
Columbia, MD 21044

Vote NO on CB52-2015

Larry Katkow [Katkow@verizon.net]

Sent: Wednesday, December 16, 2015 8:28 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Larry Katkow
5125 Bonnie acres dr
Ellicott city, MD 21043

Vote NO on CB52-2015

David Lyon [davemlyon@verizon.net]

Sent: Wednesday, December 16, 2015 8:56 PM

To: CouncilMail

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Thank you.

David Lyon
4032 Huckleberry Row
Ellicott City, MD 21042

Vote NO on CB52-2015

Kara Skipper [kmbenton@smcm.edu]

Sent: Wednesday, December 16, 2015 9:15 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Kara Skipper
5444 Tilted Stone
Apt 99
Columbia, MD 21045

Vote NO on CB52-2015

Phyllis Heffner [wtoole4@verizon.net]

Sent: Wednesday, December 16, 2015 9:15 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Phyllis Heffner
16491 AE Mullinix Rd
Woodbine, MD 21797

Vote NO on CB52-2015

Beverly Riling [rilings@verizon.net]

Sent: Wednesday, December 16, 2015 9:50 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Beverly Riling
6315 Short Wheel Way
Columbia, MD 21045

Vote NO on CB52-2015

Robert Ott [DrRobertOtt@verizon.net]

Sent: Thursday, December 17, 2015 7:13 AM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Robert Ott
9643 Green Moon Path
Columbia, MD 21046

Vote NO on CB52-2015

Donna Rabinowitz [Rrabinow@comcast.net]

Sent: Thursday, December 17, 2015 7:58 AM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Thank you.

Donna Rabinowitz
11805 Snow Patch Way
Columbia, MD 21044

Fwd: THE GIFT THAT KEEPS ON GIVING

Clay, Mary

Sent: Thursday, December 17, 2015 8:51 AM

To: Feldmark, Jessica; Sayers, Margery

Begin forwarded message:

From: Salvator Cosentino <scosentino@magnolia-companies.com>

Date: December 17, 2015 at 7:21:48 AM EST

To: "MaryKay@sigaty.com" <MaryKay@sigaty.com>

Cc: "akittleman@howardcountymd.gov" <akittleman@howardcountymd.gov>, "MKSigaty@HowardCountyMD.gov" <MKSigaty@HowardCountyMD.gov>, "Clay, Mary"

<mclay@howardcountymd.gov>

Subject: THE GIFT THAT KEEPS ON GIVING

<http://www.baltimoresun.com/features/green/blog/bs-md-ci-sewer-overflows-20151214-story.html>

At the end of the year it is customary to count our blessings so I can be thankful that Howard county only has the **onerous rain tax** and not an **odorous sewage problem** (see attached).

In my testimony to the County Council I underscored the absurdity of counting rain drops from my roof when two waste treatment plants on the Patapsco River (see below).

<http://publicworks.baltimorecity.gov/Bureaus/WaterWastewater/Wastewater/PatapscoWastewaterTreatmentPlant.aspx>

I was mistaken. The amount of treated sewage is reportedly 63 million gallons per day!

That the treatment is effective is not convincing with respect to the impact to the BAY, since no one would drink it (but the fish and wild life have to do so).

That the rain tax concept ignores harmful law chemicals (signs posted in Cedar Lane Park & neighborhoods) is also absurd.

SAL COSENTINO

Scosentino1940@gmail.com

Vote NO on CB52-2015

Noah Fleischer [noahf925@gmail.com]

Sent: Thursday, December 17, 2015 10:16 AM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

Several analyses done by the County over the past several years point to the need for this fee.

Our 2012 Phase II County Watershed Implementation Plan (WIP) suggests that such a fee would be the most fiscally prudent and reliable way to fund our stormwater management program. This assessment predates the state mandate for a county fee that was removed in the last session of the Maryland General Assembly. State mandates aside, I still believe that the fee is the most reliable and fiscally prudent way to address our stormwater management needs and requirements.

Recent County budget shortfalls indicate that finding dollars in the County General Fund will not be as simple and painless as the County Executive's financial assurance plan suggests. The need to fulfill the requirements of our MS4 permit may mean that other county public services get short shrift, and that is not a choice that I as a citizen and voter want to see us make. Better to keep the dedicated funding provided by the fee in place so that clean-up efforts don't have to compete with other priorities for County funds.

I have not yet heard a compelling argument for CB52-2015 that overrides the significant tide of the County's own evidence in support of maintaining our Watershed Protection and Restoration Fee.

And, perhaps most significant for me as a citizen, since the advent of the Watershed Protection and Restoration Fee, I'm seeing the money I've contributed going into the ground, getting important work done. The stream restorations, tree plantings, infrastructure repairs and upgrades, and other projects already being done using dedicated funds from the fee have put us on the path towards safe, fishable, swimmable water in our local rivers and streams. I want to see that critical work continue apace, without being put at risk by budget uncertainties.

I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in our county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Noah Fleischer
5308 Nightshade Court
Columbia, MD 21045

Fwd: Ltr. of Support for the Rain Tax Repeal

Feldmark, Jessica

Sent: Thursday, December 17, 2015 10:45 AM

To: Sayers, Margery

Attachments: HCAR (2015 Signed Support ~1.pdf (49 KB) ; ATT00001.htm (232 B)

Begin forwarded message:

From: "Smith, Gary" <gsmith@howardcountymd.gov>
Date: December 17, 2015, 10:32:05 AM EST
To: "Feldmark, Jessica" <jfeldmark@howardcountymd.gov>, "Wimberly, Theo" <twimberly@howardcountymd.gov>
Cc: CouncilRecords <councilrecords@howardcountymd.gov>
Subject: FW: Ltr. of Support for the Rain Tax Repeal

Hi Jess,

We received this testimony from Peter Morgan and HCAR this morning. I am sending to you to make a part of the record.

Best Regards,

Gary Smith
Special Assistant to Councilman Jon Weinstein
Howard County Council, District 1
3430 Court House Drive, Ellicott City, MD 21043
Office: (410) 313-2001
Cell: (410) 459-8056

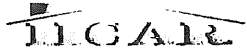
From: Peter Morgan [<mailto:pmorgan@hcar.org>]
Sent: Thursday, December 17, 2015 9:56 AM
To: Smith, Gary
Subject: Ltr. of Support for the Rain Tax Repeal

Hi Gary! Per our discussion a couple of weeks back, attached is a copy of our letter of support of the Rain Tax Repeal legislation. We sent hard copies in the mail to all the Council Members yesterday which hopefully you'll receive by tomorrow at the latest. I wanted to email it to you to make sure you saw our letter before Monday's public hearing. I hope Jon or someone on the Council will introduce the letter into the record.

If you have any questions let me know. Happy Holidays! Peter

Peter Morgan
Executive Vice President
Howard County Association of REALTORS®
5501 Twin Knolls Road, Suite 111

Columbia, MD 21045
Office: 410-715-1437
Fax: 410-715-1489
Email: pmorgan@hcar.org
Website: www.hcar.org



Howard County Association of REALTORS®
5501 Twin Knolls Road, Suite 111
Columbia, MD 21045
410.715.1437 P
410.715.1489 FAX

December 15, 2015

Dr. Calvin Ball, Chairperson, District 2
Mr. Jon Weinstein, Vice Chairperson, District 1
Ms. Jen Terrasa, Councilmember, District 3
Ms. Mary Kay Sigaty, Councilmember, District 4
Mr. Greg Fox, Councilmember, District 5
Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043-4392

RE: CB52-2015, CR181-2015, and CR182-2015

Dear Members of the County Council:

The Howard County Association of REALTORS® supports the enactment of CB52-2015 which calls for the reduction of the existing Watershed Protection and Restoration Fee beginning on July 1, 2016 and the repeal of certain provisions in the County Code related to the fee as of July 1, 2017.

Among the jurisdictions in Maryland that impose this tax on its residents, Howard County's fee structure is the 4th highest and is slated to increase in the coming years if CB52-2015 is not passed. This tax impairs housing affordability for potential buyers in the County, increases rent, increases homeowners' monthly mortgage payments and reduces the amount of disposable household family incomes. This tax burden is particularly onerous to our low- to moderate-income families.

This tax also harms the County's commercial and industrial property owners. By significantly increasing commercial property tax bills by 10% or more, businesses in the County must ultimately pass on to the consumer, many of whom are also County residents, higher prices for goods and services. Moreover, higher taxes make Howard County less attractive to commercial enterprises seeking a place to establish, grow and create job opportunities.

Please support passage of CB52-2015 and the accompanying resolutions CR181-2015, and CR182-2015. Broad based home affordability and economic growth are critical to the long-term health and vibrancy of Howard County.

Sincerely yours,

Alicyn DelZoppo
President
Howard County Association of REALTORS®

CBF Opposes CB52-2015

Elaine Lutz - ext. 2165 [ELutz@cbf.org]

Sent: Thursday, December 17, 2015 10:49 AM

To: CouncilMail

Cc: Alison Prost [AProst@cbf.org]

Attachments: 12-17-15_CBF_letter_Howard~1.pdf (211 KB)

Dear Members of the Howard County Council –

Attached please find correspondence from the Chesapeake Bay Foundation regarding CB52-2015, to reduce and repeal the County's watershed restoration fee. We would welcome the opportunity to meet with you to discuss the legal and practical ramifications of this legislation. I look forward to hearing from you.

Thank you,

Elaine Lutz

Maryland Staff Attorney
Chesapeake Bay Foundation
6 Herndon Avenue
Annapolis, MD 21403
(443) 482-2165



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

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JAMES E. ROGERS
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JENNIFER STANLEY
THOMAS H. STONER
AILEEN BOWDOIN TRAIN

Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

December 17, 2015

Re: Bill No. 52-2015 Amending and Abrogating the Watershed Protection and Restoration Fee

Dear Members of the Howard County Council,

The Chesapeake Bay Foundation (CBF) understands the Council is considering legislation titled CB52-2015 that would reduce and ultimately repeal the County's Watershed Protection and Restoration fee. CBF is concerned that this action would undermine the County's watershed restoration program and interfere with the County's ability to comply with the Municipal Separate Storm Sewer System (MS4) Permit. These concerns are based on the County's own observations about the inability to fund and implement the stormwater pollution reduction projects required under the latest MS4 permit without stormwater remediation fee revenue. CBF is also concerned that the financial assurance plan submitted with the legislation relies on unlikely future changes to state law and anticipates finding millions of dollars in an already fully-allocated general budget.

Stormwater, or polluted runoff, is a major source of pollution to County rivers and streams, washing grease, oil, pet waste, trash, chemicals, and fertilizers off lawns and streets and into local waterways. This polluted runoff fouls local waters, making them unsuitable for recreational use and threatening local drinking water reservoirs. In the Upper Patuxent River watershed, including the Western Branch, Little Patuxent River, Middle Patuxent River, Rocky Gorge Dam and the Brighton Dam, polluted runoff contributes 32% of the phosphorus, 35% of the nitrogen, and 46% of the sediment that is currently impairing the watershed.

In developing the County's Phase II Watershed Implementation Plan (WIP),¹ the County acknowledged the enormous negative impact of polluted runoff and the increased obligations to deal with this pollution source under the Chesapeake Bay Total Daily Maximum Load (TMDL) and MS4 Permit. The County's WIP states that, "[m]ost importantly, the County is conducting a thorough study to structure and **implement a stormwater fee** designed to fund the restoration efforts required to achieve the Chesapeake Bay TMDL and other mandates...Once the structure for the stormwater remediation fee is

¹ Howard County, Maryland. Phase II Watershed Implementation Plan for the Chesapeake Bay Total Daily Maximum Load. Originally submitted November 18, 2011, Revised July 2, 2012. Available at: http://www.mde.state.md.us/programs/Water/TMDL/TMDLImplementation/Documents/FINAL_PhaseII_Report_Docs/Final_County_WIP_Narratives/Howard_WIPII_2012.pdf

approved, it will provide increased and sustained funding for the watershed management program, as it expands in response to the Chesapeake Bay TMDL and other regulatory requirements.”² This statement recognizes the utility of a consistent revenue source to deal with a growing pollution problem that is also subject to increasing regulatory requirements. The WIP also acknowledges that the County’s efforts to implement a stormwater remediation fee began *before* the state legislation that required Phase I MS4 counties to implement such a fee.³ This demonstrates that the County’s stormwater remediation fee is based on an analysis of the County’s specific needs, and the County’s determination that the most fiscally prudent and reliable method of funding the stormwater program is through a reasonable stormwater remediation fee.

In fact, just last year, three County department directors identified a need for an *increase* in stormwater remediation fees in order to comply with federally mandated obligations and permit terms.⁴ In light of the County’s initial assessment finding that stormwater remediation fees are necessary to comply with federally mandated obligations, and the additional findings that the fee may need to be increased, it is hard to see how the County intends to comply without this essential revenue. CBF has seen nothing that would indicate that the County’s finances have changed so dramatically as to make these previous assessments no longer valid.

The stormwater remediation fee is also one of the only tools the County possesses to address another commonly identified problem: the need to implement stormwater projects on private property. In developing watershed assessments and Countywide Implementation Strategies (CIS), the County has identified numerous times that the limited availability of county-owned land is a major hurdle in meeting permit requirements,⁵ and that there is a “private property approach needed.”⁶ The County’s Department of Public Works director also told the Council last year that the County cannot meet federal goals by improving only public land.⁷ The only incentive the County currently employs to implement projects on private property is the credit system provided by the stormwater remediation fee. While the County has attempted to educate property owners and has distributed some free rain barrels, the only financial driver for implementing projects on private property is reductions in the property’s stormwater fee under the credit program. The County’s WIP provides no alternative for reaching private property, and even discounts very efficient and cost-effective stormwater projects due to the opportunity’s location on private property.

The “financial assurance plan” titled Resolution No. 182-2015 submitted by the County Executive does not relieve CBF’s concerns that the County will be unable to comply with

² *Id.* at page 4.

³ “This [stormwater fee] study began in 2011, prior to the recent state legislation (HB 897) requiring implementation of such a fee.” *Id.*

⁴ Comments made during a budget work session in May 2014. *See* Yeager, Amanda. “Howard Might See Stormwater Fee Increase, Officials Say.” *The Baltimore Sun* 13 May 2014.

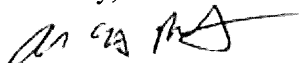
⁶ Clean Howard County Stormwater Solutions. Southern Little Patuxent River Watershed Assessment, Community Meeting No. 2 Presentation. December 3, 2015. Available at:

⁷ Comments made during a budget work session in May 2014. *See* Yeager, Amanda. “Howard Might See Stormwater Fee Increase, Officials Say.” *The Baltimore Sun* 13 May 2014.

its permit and unable to meet the federally mandated TMDL requirements. The financial assurance plan relies on unlikely future changes to state law and does not explain how the budget analysis and shortfalls of previous years will not only be fully resolved, but allow for additional revenue in the millions to be available. Previous budget shortfalls make it highly likely that eliminating the stormwater fee will force vital county resources to compete against each other. The financial assurance plan for fiscal year 2017 still relies heavily on stormwater remediation fees that have been collected and will be collected next year. This does not provide CBF with any assurance that this fee revenue is unneeded and that the program can continue without it. The plan also inexplicably relies on unlikely changes to state law that would allow the County to raid the Agricultural Land Preservation Program fund for stormwater projects. The Agricultural Land Preservation Program is an incredibly important program for the state of Maryland as our agricultural lands are facing unrepresented development pressure. It does not make sense to raid another dedicated fund to support work that has its own independent restricted funding source. Furthermore, it is incredibly unlikely that the state legislature will allow this dramatic policy change. Finally, the plan relies on governmental obligation (GO) bonds for nearly the full cost of the program in fiscal year 2018, but does not identify the source of funding to support these bonds. In fiscal year 2015, the County experienced a \$15.8 million shortfall, requiring mid-year budget cuts. It does not stand to reason that the future budgets will allow for millions of unallocated dollars to support the \$19 million issued in bonds presumably every year of this permit term. It is hard to fathom where that money will come from without cutting other essential services such as school funding, transportation, or social services.

In conclusion, CBF believes the County's specific circumstances, as stated repeatedly over the years by County staff and officials, indicate that a repeal of the stormwater remediation fee would unduly interfere with the County's progress towards permit compliance and TMDL goals. Eliminating the fee would stunt the County's ability to implement much-needed private property projects and likely result in competition between County services to obtain limited resources. CBF cannot see what has changed from the County's initial assessment in 2011 that a stormwater fee is a reasonable, fiscally prudent means to obtain clean, healthy local waters and to comply with legal and regulatory requirements. In fact, that initial assessment has been reaffirmed and even expanded over the years since 2011. We would appreciate meeting with each Councilmember to discuss the implications of passing this legislation, and will be reaching out to schedule such meetings.

Sincerely,



Alison Prost
Maryland Executive Director

Vote NO on CB52-2015

Lauren Winther-Hansen [lwhansen@cbf.org]

Sent: Thursday, December 17, 2015 1:24 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine the county's Watershed Protection and Restoration Program and erode its ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

Several analyses done by the County over the past several years point to the need for this fee.

Our 2012 Phase II County Watershed Implementation Plan (WIP) suggests that such a fee would be the most fiscally prudent and reliable way to fund the stormwater management program. This assessment predates the state mandate for a county fee that was removed in the last session of the Maryland General Assembly. State mandates aside, I still believe that the fee is the most reliable and fiscally prudent way to address stormwater management needs and requirements.

Recent County budget shortfalls indicate that finding dollars in the County General Fund will not be as simple and painless as the County Executive's financial assurance plan suggests. The need to fulfill the requirements of the MS4 permit may mean that other county public services get short shrift, and that is not a choice that I as a citizen and voter want to see. Better to keep the dedicated funding provided by the fee in place so that clean-up efforts don't have to compete with other priorities for County funds.

I have not yet heard a compelling argument for CB52-2015 that overrides the significant tide of the County's own evidence in support of maintaining its Watershed Protection and Restoration Fee.

And, perhaps most significant for me as a citizen, since the advent of the Watershed Protection and Restoration Fee, I'm seeing the money I've contributed going into the ground, getting important work done. The stream restorations, tree plantings, infrastructure repairs and upgrades, and other projects already being done using dedicated funds from the fee have put the county on the path towards safe, fishable, swimmable water in local rivers and streams. I want to see that critical work continue apace, without being put at risk by budget uncertainties.

I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in Howard county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Lauren Winther-Hansen
1354 Tanook Court
Annapolis, MD 21409

Vote NO on CB52-2015

Joseph Anonuevo [bayhound96@gmail.com]

Sent: Thursday, December 17, 2015 2:14 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Joseph Anonuevo
3265 Halcyon Court
Ellicott City, MD 21043

Vote NO on CB52-2015

Brian Cannon [bcannon_@hotmail.com]

Sent: Thursday, December 17, 2015 6:11 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Brian Cannon
4713 Kirkstall rd
ellicott city, MD 21043

Vote NO on CB52-2015

George Osing [osing2@verizon.net]

Sent: Thursday, December 17, 2015 8:58 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

George Osing
4119 Dee Jay Drive
Ellicott City, MD 21042

Vote NO on CB52-2015

Joshua Jamison [jnjamison@gmail.com]

Sent: Thursday, December 17, 2015 11:18 PM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

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I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

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Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

Joshua Jamison
11308 Old Hopkins rd
Clarksville, MD 21029

Vote NO on CB52-2015

Lisa Friedman [lisa.lopez4@gmail.com]

Sent: Friday, December 18, 2015 7:56 AM

To: CouncilMail

Dear County Executive Kittleman and Howard County Council:

I understand that CB52-2015 was recently introduced to repeal Howard County's Watershed Protection and Restoration fee.

I'm deeply concerned that removing the fee would undermine our county's Watershed Protection and Restoration Program and erode our ability to meet the requirements of our federal MS4 (Municipal Separate Storm Sewer System) permit. Removing the fee is a bad choice that could jeopardize Howard County's water quality and a future of fishable, swimmable rivers and streams.

Several analyses done by the County over the past several years point to the need for this fee.

Our 2012 Phase II County Watershed Implementation Plan (WIP) suggests that such a fee would be the most fiscally prudent and reliable way to fund our stormwater management program. This assessment predates the state mandate for a county fee that was removed in the last session of the Maryland General Assembly. State mandates aside, I still believe that the fee is the most reliable and fiscally prudent way to address our stormwater management needs and requirements.

Recent County budget shortfalls indicate that finding dollars in the County General Fund will not be as simple and painless as the County Executive's financial assurance plan suggests. The need to fulfill the requirements of our MS4 permit may mean that other county public services get short shrift, and that is not a choice that I as a citizen and voter want to see us make. Better to keep the dedicated funding provided by the fee in place so that clean-up efforts don't have to compete with other priorities for County funds.

I have not yet heard a compelling argument for CB52-2015 that overrides the significant tide of the County's own evidence in support of maintaining our Watershed Protection and Restoration Fee.

And, perhaps most significant for me as a citizen, since the advent of the Watershed Protection and Restoration Fee, I'm seeing the money I've contributed going into the ground, getting important work done. The stream restorations, tree plantings, infrastructure repairs and upgrades, and other projects already being done using dedicated funds from the fee have put us on the path towards safe, fishable, swimmable water in our local rivers and streams. I want to see that critical work continue apace, without being put at risk by budget uncertainties.

I hope that you will see the fiscal prudence of having a dedicated stormwater remediation fee available to help fund the important work of cleaning up polluted runoff in our county.

Please vote "no" on CB52-2015, and keep our Watershed Protection and Restoration Fee in place.

Thank you.

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