

**MINUTES**  
**Commission on Environmental Quality (CEQ)**  
**May 28, 2014, 7:00 PM**

**Planning Conference Room, Jefferson Building, 105 W. Chesapeake, Towson, MD 21204**

Attendance: Valerie Andoutsopoulos, Bill Breakey, Jim Burkman, Linda Davis, Russell Donnelly, Glenn Elseroad, Brian Fath, Mary Gruver-Byers, Andy Miller, Steve Morsberger, Jeff Supik, Rex Wright  
Baltimore County Staff: Ayla Haig (EPS), Don Outen (EPS), Ed Adams (DPW), Radu Zanifirache (DPW), John Alexander (Dept. Planning - retired)  
Absent: Erik Hadaway (notified chair), Lois Jacobs (notified chair), Nell Strachan (notified chair)

Welcome and Introductions /5 minutes

Brian began by introducing the Commission and its role as authorized by the County Council as well as recent issues.

I. Program /35 minutes: Ed Adams, Director, Baltimore County Department of Public Works

We have almost quadrupled our street-sweeping force; we rely on Steve Stewart to provide feedback on how much pollution is prevented by virtue of those activities. Radu Zanifirache of DPW made a presentation on “The Bay and the Baltimore County stormwater remediation fee”. Topics – history and legal matters, Baltimore County’s fee, what do we do with the fee, and what is DPW’s involvement.

Intro explanation of the reasons why the fee is needed – review of history of population growth and impacts on estuarine ecosystem; changes in runoff and increasing flux of N and P from urban sources. Urban runoff is about as toxic as treated sewage from a functioning WWTP.

Legal background – 2009 lawsuit by Chesapeake Bay Foundation against EPA; settling via consent decree in 2010. We are no longer discussing whether or not something needs to be done, only the issue of compliance with the law as enshrined in permits. Controversy over the fee – people always asking whether the fee will stand or not, consultants want to know whether the work flow will continue. Answer: whether the fee and fund remains does not matter; we have to comply with mandates, these are not negotiable. If the fee (and/or the fund) were to disappear you would have to finance the same mandates out of other sources, e.g. the general fund – financed out of property tax. Before last year PG County had a stormwater fee based on the property tax. The private residences end up paying the lion’s share when funds are collected in this way and big developers would have to pay less. Where is the fee today? Various approaches have been adopted in different jurisdictions. Baltimore City has the highest fee in the state and is partnering with EPA and the Chesapeake Bay Trust – they have the highest impervious area. Carroll County and Frederick County have minimal or no fee – Frederick County is being watched by MDE for TMDL compliance. Other counties have varying conditions; Baltimore County and Howard County and Montgomery County have “clean” fees. Other

counties are exploring alternative ways of financing their funds but MDE is not interested in further negotiations. CBF successfully fended off all fee repeal attempts in the legislature this year and has announced that it will seek elimination of state and federal lands exemption from the law. Another court case now playing out in Philadelphia involves farmers against EPA.

Baltimore County fee: EPS came up with a WIP, EPS and DPW priced the components and determined they would need an additional \$33 million/year. \$10 million comes from the Metropolitan Fund, \$23 million from fee collection.

We look to keep the fee balanced and fair for individual property owners, also hoping large property owners will implement measures in lieu of some fees if that accomplishes the same goal. Baltimore County is in the middle of the pack with respect to dollars collected per billable unit of impervious land.

Goals: reduce/treat existing impervious cover by a blanket 20% using environmental site design and impervious reductions.

What does DPW do?

1. Street sweeping and inlet cleaning (\$3 million/year)
2. BMP's – storm drain outfalls and BMP installations on public lands (\$5 million/year)
3. Installation of ESD DMP's at Baltimore County owned sites and facilities (\$6 million/year)

Street sweeping: we have purchased 3 sweepers to date, we are starting our program on the east side, work is contract-based.

Inlet cleaning: the County used to do this but loss of funds over time prevented continuation – now we can resume those operations.

Outfalls: a lot of degraded infrastructure exists throughout the County; these generate considerable amounts of erosion, carry nutrients and sediment into receiving waterways. Restoration is a high priority but there are technical problems (steep slopes) and right-of-way problems. DPW is looking to get into this in a big way. Sites have usually been identified based on complaints which lead to inspection and evaluation of the degree to which the site has a serious problem. This fund can be used as long as a water quality basis can be identified.

We did manage to assemble a map of all of the County's outfalls – evaluated their condition and rated them. Inside the URDL the database exists but more work will need to be done because the total amount of aging infrastructure to be inspected is so large.

Now there is expansion of projects – we are looking up into tributaries as well as sewer lines to try to protect the watershed.

County-owned sites: \$6 million of the Stormwater Remediation Fund. Mostly doing pavement harvesting and pervious pavement. Take up any blacktop that is not needed and get rid of it. Currently deploying pervious pavement at two sites; most areas being looked at involve replacement of pavement entirely. Looking at commercial properties as partners who might be able to do something with their existing parking lots, property owners can get credits for partnering with the County. Also reducing footprint of parking lots. Working out arrangements to convince developers to do the work and take the credit is a challenge because the credits don't cover the cost; but if the County kicks in some funds we can do more without having to make the full investment. The existing fee might be used as leverage to make deals with developers to encourage them to do the right thing.

In many locations we install bio swales to improve treatment; disconnection of roof leaders, rain barrels – some discussion about the aesthetics of rain barrels. Rain gardens, micro-bioretenention sites.

What did DPW do this year:

- 16 County-owned sites retrofitted for ESD
- 11 materials storage sheds – covering materials
- 12 storm drain systems retrofitted for water quality
- 3 street sweepers and leaf and line vacuums and on-call contract to clean streets and storm drain systems; 3 more coming on July 1 and contractor is now coming on board; goal is to cover 400-700 County sites, 4000 outfalls, etc.

Most of what comes up with street sweeping is fine sediment although plastic bottles and other trash are present in large volumes.

There is some effort also on trying to improve public communication (as part of MS4 permit) to get people to cut down on trash and littering – this is the first time trash is in the TMDL program.

Booklet lists most of the projects that are currently on the books.

We are almost into the 9<sup>th</sup> year of the consent decree with 6 more years to go; we expect following that 15-year period we will have spent almost \$1.2 billion on improving the sewers. Once we reach that point we will start back around to review the ones that were treated early. There have been definite improvements e.g. in frequency and size of sewage overflows.

Brian: if DPW would like to send a staff member to CEQ meetings or communicate with us they would be welcome.

Single-stream recycling facility has just opened in Cockeysville – worth a look. This is brand-new, state of the art. Biggest problem to deal with is glass, for which it is difficult

to find a use. Overall we are on pace to make money on recyclables now rather than paying \$80/ton to dispose of it.

Getting ready to do a film loop to show what comes out of the trucks. The plastic bags create a huge problem and have to be pulled out or they get wrapped around the machinery. For yard waste shifting to craft (paper) bags in lieu of plastic bags.

Question about state greenhouse gas reduction act, which has been passed in Annapolis and will be taking effect in the next couple of years. Another item is the zero waste initiative. If you go to anaerobic digestion you'll need the fiber (paper, cardboard) that currently goes to single-stream recycling in order to make the process work. A lot of work in the industry is now going to developing various new technologies.

#### I. CEQ Administrative Business /10 minutes – Brian

##### a. Review/Adopt minutes

Minutes adopted by unanimous consent.

##### b. Meeting protocol

Documents that Steve scanned and sent around; suggest that we talk about these at the first fall meeting given the late time.

##### c. Citizen correspondence

No correspondence this last month.

#### II. New Business /20 minutes

Hope to come up with some deliverables and some summer homework to get a start on the agenda for the coming year.

##### a. Review Sustainability Network Recommendations

This is an advisory group that the County had formed; they came up with some recommendations in 2009 but nothing has been done in the last 5 years. One thing that would be nice is to try to revive that; there could be a role for our group to help in doing this. Ayla: two sets of overlapping recommendations covering County operations, built environment, education and outreach and natural resources. Although now out of date, there is a basis there to build on. KCI worked on these to develop a sustainability strategy, had focus groups with key members of the community, local business people, local farmers, got feedback on strategies. Suggest that if we want to move forward we could set up subcommittees for people who have interest in one thing or another, look into best practices and where we want to move forward, possibly send those to the council as the Sustainability Network did with County Exec Jim Smith which led to approval and implementation on 10 of the 12. Having a document to work with gives us a basis for identifying what could be the top priorities. Have we had any communication with the sustainability network? A couple of years ago but not recently. The City passed a sustainability plan a while ago. The County got this far but never made the final push to create an approved document.

The first County phase is where the exhaustive list of 120 items in four topic areas came from. The first step could be to inquire about what were core recommendations, what progress there is, what items are still of high interest. The community report and its recommendations are still completely open for discussion. A key CEQ recommendation could be for the County to reconstitute the County-wide sustainability network to take on a County-wide strategy. Don was co-chair of one of the groups and would be happy to go through the report and provide a concise update on where we are with regard to implementation. We could probably get hold of the chairs of the other groups to get their assistance in developing an update.

Ask if people want to volunteer for one of these initiatives. We could read these over the summer and give this some consideration. Ayla will send out the list of 121 recommendations and also contact the co-chairs of the different groups.

b. Climate Change Preparedness

This is Nell's initiative and we will have her discuss it when we meet again.

III. Summer Activities /20 minutes

a. Sub-committees and tasks

b. End-of-summer social

Looking for a date and a host. First meeting of next year will be September 24.

IV. Adjourn

Next Meetings in 2014: 7pm, regular meetings

Sept 24

Oct 22

Nov 19

Dec 17