

Appendix B – Legal Authority

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COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

Resolution No. 027-20

Legislative Session Day 20-29

November 10, 2020

Introduced by Council President Vincenti at
the request of the County Executive

A RESOLUTION providing for the approval of the Financial Assurance Plan, a copy of which is attached hereto, for the Harford County national pollutant discharge elimination system Phase I municipal separate storm sewer system permit and for submission of the Plan to the Maryland Department of the Environment for its review.

RESOLUTION NO. 027-20

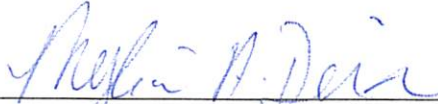
1 WHEREAS, Harford County has been issued a national pollutant discharge elimination
2 system Phase I municipal separate storm sewer system permit (“Permit”) for discharges from its
3 storm drain outfalls; and

4 WHEREAS, the Annotated Code of Maryland, Environment Article, §4-202.1(j)(1)
5 requires that on or before July 1, 2016, and every 2 years thereafter on the anniversary of the date
6 of issuance of its Permit, a county must file a Financial Assurance Plan describing its projected
7 program for meeting permit requirements, including sources of revenue for the program; and

8 WHEREAS, the Annotated Code of Maryland, Environment Article, §4-202.1(j)(3)
9 provides that the Financial Assurance Plan may not be filed until the local governing body of the
10 county has held a public hearing and approved the Financial Assurance Plan.

11 NOW, THEREFORE, BE IT RESOLVED by the County Council of Harford County,
12 Maryland, that the Financial Assurance Plan is hereby approved and shall be submitted to the
13 Maryland Department of the Environment for its review.

ATTEST:



Mylia Dixon
Council Administrator

 12/15/20

Patrick S. Vincenti
President of the Council

ADOPTED: December 15, 2020

Harford County Financial Assurance Plan (November 2020)

MS4 Information	
Jurisdiction	Harford County
Contact Name	Christine Buckley
Phone	(410) 638-3217 extension 1176
Address	212 S. Bond Street
City	Bel Air
State	MD
Zip	21014
Email	cmbuckley@harfordcountymd.gov
Baseline Impervious Surface Untreated (Acres)	10,928
Permit Number	11-DP-3310
Reporting Year	FY2020

Harford County Financial Assurance Plan (November 2020)

Article 4-202.1(j)(1)(i)1: Actions that will be required of the county or municipality to meet the requirements of its National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.

Untreated impervious surface (acres) or
baseline: 10,928

RESTORATION TYPE	CLASS	IMPERVIOUS ACRES	COST ^{1,2}	% ISRP COMPLETE	STATUS	PROJECTED YEAR ³
Operational Programs						
(SEPP) Septic Pumping	A	150	\$0	1.4%	Planning	FY20
(SEPP) Septic Pumping	A	150	\$0	1.4%	Planning	FY21
(SEPP) Septic Pumping	A	150	\$0	1.4%	Planning	FY22
(SEPP) Septic Pumping	A	150	\$0	1.4%	Planning	FY23
(SEPP) Septic Pumping	A	150	\$0	1.4%	Planning	FY24
(SEPP) Septic Pumping	A	150	\$0	1.4%	Planning	FY25
Average Operations Next Two Years (FY2021-FY2022) ⁵		150	\$0	1.4%		
Average Operations Next Five Years (FY2021-FY2025) ⁵		150	\$0	1.4%		
Average Operations All Years ⁵		154	\$0	1.4%		
Capital Projects						
(SEPC) Septic Connections to WWTP	A	1.6	\$18,000	0.0%	Complete ⁴	FY20
(SEPC) Septic Connections to WWTP	A	6.2	\$72,000	0.1%	Planning	FY21
(SEPC) Septic Connections to WWTP	A	30.8	\$360,000	0.3%	Planning	FY22
(SEPC) Septic Connections to WWTP	A	4	\$45,000	0.0%	Planning	FY23

(SEPC) Septic Connections to WWTP	A	4	\$45,000	0.0%	Planning	FY24
(SEPC) Septic Connections to WWTP	A	4	\$45,000	0.0%	Planning	FY25
(SEPD) Installation of new BAT on existing septic Denitrification	A	5	N/A	0.0%	Complete ⁴	FY20
(SEPD) Installation of new BAT on existing septic Denitrification	A	5	N/A	0.0%	Planning	FY21
(SEPD) Installation of new BAT on existing septic Denitrification	A	5	N/A	0.0%	Planning	FY22
(SEPD) Installation of new BAT on existing septic Denitrification	A	5	N/A	0.0%	Planning	FY23
(SEPD) Installation of new BAT on existing septic Denitrification	A	5	N/A	0.0%	Planning	FY24
(SEPD) Installation of new BAT on existing septic Denitrification	A	5	N/A	0.0%	Planning	FY25
(FPU) Tree Plantings	A	1.5	\$45,000	0.0%	Planning	FY21
(FPU) Tree Plantings	A	1.5	\$45,000	0.0%	Planning	FY22
(FPU) Tree Plantings	A	1.5	\$45,000	0.0%	Planning	FY23
(FPU) Tree Plantings	A	1.5	\$45,000	0.0%	Planning	FY24
(FPU) Tree Plantings	A	1.5	\$45,000	0.0%	Planning	FY25
(STRE) Stream Restoration	A	36	\$1,100,000	0.3%	Complete ⁴	FY20
(PMED / PWED / WEDW / WSHW) Stormwater Retrofit	S	17.5	\$300,000	0.2%	Complete ⁴	FY20
(STRE) Stream Restoration	A	62.2	\$2,800,000	0.6%	Complete ⁴	FY20

(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	12.1	\$700,000	0.1%	Complete ⁴	FY20
(STRE) Stream Restoration	A	19.5	\$790,000	0.2%	Complete ⁴	FY21
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	2	\$320,000	0.0%	Design Complete	FY21
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	3	\$225,000	0.0%	Planning	FY22
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	3	\$225,000	0.0%	Planning	FY22
(STRE) Stream Restoration	A	43	\$1,600,000	0.4%	Under Design	FY22
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	3	\$300,000	0.0%	Under Design	FY22
(STRE) Stream Restoration	A	25	\$930,000	0.2%	Design Complete	FY22
(STRE) Stream Restoration	A	24	\$1,600,000	0.2%	Design Complete	FY22
(STRE) Stream Restoration	A	90	\$2,400,000	0.8%	Under Design	FY22
(STRE) Stream Restoration	A	50	\$2,700,000	0.5%	Under Design	FY22
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	1	\$320,000	0.0%	Under Design	FY22
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	1	\$320,000	0.0%	Under Design	FY22
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	3	\$460,000	0.0%	Under Design	FY22
(STRE) Stream Restoration	A	90	\$900,000	0.8%	Under Design	FY23
(STRE) Stream Restoration	A	54	\$1,200,000	0.5%	Under Design	FY23
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	5	\$400,000	0.0%	Under Design	FY23

(STRE) Stream Restoration	A	40	\$800,000	0.4%	Under Design	FY23
(STRE) Stream Restoration	A	45	\$930,000	0.4%	Under Design	FY23
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	125	\$6,300,000	1.1%	Planning	FY24
(STRE) Stream Restoration	A	80	\$6,000,000	0.7%	Planning	FY24
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	10	\$800,000	0.1%	Planning	FY24
(STRE) Stream Restoration	A	80	\$6,000,000	0.7%	Planning	FY25
(PMED / PWED /WEDW / WSHW) Stormwater Retrofit	S	10	\$800,000	0.1%	Planning	FY25
Subtotal Capital Next Two Years (FY2021-FY2022)		318	\$12,712,000	3%		
Subtotal Capital Next Five Years (FY2021-FY2025)		888	\$37,112,000	8%		
Subtotal Capital All Years		1,853	\$56,653,000	17%		
Other						
Nutrient Trading with WWTP		185	\$0	1.7%		
Subtotal Other Next Two Years (FY2021-FY2022)		0	\$0	0.0%		
Subtotal Other Next Five Years (FY2021-FY2025)		0	\$0	0.0%		
Subtotal Other All Years		185	\$0	1.7%		
Total Next Two Years (FY2021-FY2022)		468	\$12,712,000	4.3%		
Total Next Five Years (FY2021-FY2025)		1,038	\$37,112,000	9.5%		
Total All Years		2,192	\$56,653,000	20.0%		

¹ Cost is the total cost for the project including planning, design, and construction.

² Cost is not related to annual fiscal costs. Planning, design, and construction typically do not occur within a single fiscal year.

³ Projected year is the year the project is constructed.

⁴ Costs and impervious acres treated are preliminary.

Harford County Financial Assurance Plan (November 2020)

Article 4-202.1(j)(1)(i)2: Projected annual and 5-year costs for the county or municipality to meet the impervious surface restoration plan requirements of its National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.

DESCRIPTION	THRU FY 2019 ¹	CURRENT YEAR FY 2020	PROJECTED YEAR 1 FY 2021	PROJECTED YEAR 2 FY 2022	PROJECTED YEAR 3 FY 2023	PROJECTED YEAR 4 FY 2024	PROJECTED YEAR 5 FY 2025	TOTAL COSTS
Operating Expenditures								
Street Sweeping Program								\$0
Inlet Cleaning								\$0
Support of Capital Projects		\$235,000	\$250,000	\$280,000	\$310,000	\$340,000	\$370,000	\$1,785,000
Debt Service Payment		\$758,000	\$1,022,063	\$1,200,000	\$1,400,000	\$1,600,000	\$1,800,000	\$7,780,063
Other								\$0
Capital Expenditures								
General Fund (Paygo)								\$0
WPR Fund (Paygo)		\$6,300,000	\$9,500,000	\$7,000,000	\$7,500,000	\$8,000,000	\$8,500,000	\$46,800,000
Debt Service								\$0
Grants & Partnerships		\$1,100,000	\$980,000	\$880,000	\$1,500,000	\$1,500,000	\$1,500,000	\$7,460,000
Other (support of capital projects)		\$125,000	\$250,000	\$300,000	\$350,000	\$400,000	\$450,000	\$1,875,000
Subtotal Operation and Paygo:		\$7,418,000	\$11,022,063	\$8,780,000	\$9,560,000	\$10,340,000	\$11,120,000	\$58,240,063
Total Expenditures:		\$8,518,000	\$12,002,063	\$9,660,000	\$11,060,000	\$11,840,000	\$12,620,000	\$65,700,063

Total ISRP² costs except debt service: \$57,920,000

Compare ISRP² costs (except debt service) / total ISRP² proposed actions: 102%

¹ Harford County has not provided this information because it is beyond the requirements of the statute.

² Impervious Surface Restoration

Harford County Financial Assurance Plan (November 2020)

Article 4-202.1(j)(1)(i)3: Projected annual and 5-year revenues or other funds that will be used to meet the cost for the county or municipality to meet the impervious surface restoration plan requirements under the National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.

DESCRIPTION	PAST UP THRU FY 2019 ¹	CURRENT YEAR FY 2020	PROJECTED YEAR 1 FY 2021	PROJECTED YEAR 2 FY 2022	PROJECTED YEAR 3 FY 2023	PROJECTED YEAR 4 FY 2024	PROJECTED YEAR 5 FY 2025	TOTAL NEXT 2-YEARS FY 21-22	TOTAL
Annual Revenue Appropriated for ISRP ²		\$11,495,000	\$12,783,200	\$12,739,738	\$12,939,724	\$13,144,961	\$13,355,709	\$25,522,938	\$76,458,331
Annual Costs towards ISRP ²		\$8,518,000	\$12,002,063	\$9,660,000	\$11,060,000	\$11,840,000	\$12,620,000	\$21,662,063	\$65,700,063

Compare revenue appropriated / annual costs: 118%

WPRP 2020 Reporting Criteria: 100%

¹ Harford County has not provided this information because it is beyond the requirements of the statute.

² Impervious Surface Restoration

Subtotal Grants and Partnerships		\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$20,000,000
Total Annual Sources of Funds		\$12,100,000	\$13,456,000	\$13,410,250	\$13,620,763	\$13,836,801	\$14,058,641	\$68,382,454
Percent of Funds Directed Toward ISRP²		95.0%	95.0%	95.0%	95.0%	95.0%	95.0%	

Compare total permit term paygo ISRP² costs / subtotal permit term paygo sources: 360%

Compare total permit term ISRP² costs / total permit term annual sources of funds: 84%

¹ Harford County has not provided this information because it is beyond the requirements of the statute.

² Impervious Surface Restoration

³ Grants anticipated

³ Funding includes programs or portions of programs required by the MS4 in addition to ISR such as illicit discharge.

Harford County Financial Assurance Plan (November 2020)

Article 4-202.1(j)(1)(i)5: Specific actions and expenditures that the county or municipality implemented in the previous fiscal years to meet its impervious surface restoration plan requirements under its National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.

Baseline Acres: 10,928

Requirement: 20%

RESTORATION ID	TYPE	CLASS	NUMBER	IMP ¹ ACRES	BUILT DATE	COST	% ISRP ² Complete	STATUS ²	COMMENTS
Operational Programs									
Septic Pumping	SEPP	A	4,972	149.2	FY19	\$0	1.4%	Complete	
Septic Pumping	SEPP	A	5,031	150.9	FY18	\$0	1.4%	Complete	
Septic Pumping	SEPP	A	4,970	149.1	FY17	\$0	1.4%	Complete	
Septic Pumping	SEPP	A	5,176	155.3	FY16	\$0	1.4%	Complete	
Septic Pumping	SEPP	A	4,718	141.5	FY15	\$0	1.3%	Complete	
Septic Pumping	SEPP	A	5,053	151.6	FY14	\$0	1.4%	Complete	
Septic Pumping	SEPP	A	4,767	143.0	FY13	\$0	1.3%	Complete	
Septic Pumping	SEPP	A	5,252	157.5	FY12	\$0	1.4%	Complete	
Septic Pumping	SEPP	A	6,425	192.8	FY11	\$0	1.8%	Complete	
Septic Pumping	SEPP	A	6,300	189.0	FY10	\$0	1.7%	Complete	
Septic Pumping	SEPP	A	4,220	126.6	FY09	\$0	1.2%	Complete	

Average Operations Complete To Date ⁴			5,171	155.1		\$0	1.4%		
Capital Projects									
Stream restoration	STRE	A	1	96.9	FY20	\$650,000	0.9%	Complete	
Tree planting	FPU	A	1	1.3	FY20	\$9,000	0.0%	Complete	
Stream restoration	STRE	A	1	8.9	FY20	\$97,000	0.1%	Complete	
New bioretention facility	FBIO	S	1	1.6	FY19	\$131,000	0.0%	Complete	
Stream restoration	STRE	A	1	92.5	FY19	\$2,100,000	0.8%	Complete	
Stream restoration	STRE	A	2	131.1	FY18	\$2,000,000	1.2%	Complete	
Retrofit of existing stormwater pond	WPWS	S	4	8.42	FY18	\$130,000	0.1%	Complete	
New bioretention facility	FBIO	S	1	0.1	FY18	\$96,000	0.0%	Complete	
Permeable Pavers	APRP	A	1	0.1	FY18	\$68,000	0.0%	Complete	
New bioretention facility	FBIO	S	1	0.2	FY18	\$120,000	0.0%	Complete	
Retrofit of existing stormwater pond	IBAS	S	1	3.0	FY18	\$178,000	0.0%	Complete	
Tree planting	FPU	A	1	0.5	FY18	\$32,000	0.0%	Complete	
New mirccobioretention	MMBR	S	1	0.2	FY18	\$11,000	0.0%	Complete	
Stream restoration	STRE	A	1	110.3	FY18	\$1,090,000	1.0%	Complete	

Retrofit existing stormwater pond	WPWS	S	2	8.8	FY18	\$320,000	0.1%	Complete	
Stream restoration	STRE	A	1	31.7	FY18	\$1,140,000	0.3%	Complete	
Outfall Stabilization	OUT	A	1	0.8	FY18	\$30,000	0.0%	Complete	
Retrofit of existing stormwater pond	WPWS	S	1	3.7	FY17	\$530,000	0.0%	Complete	
Stream restoration	STRE	A	1	41.8	FY17	\$900,000	0.4%	Complete	
New pocket wetland	WPWS	S	1	0.3	FY17	\$13,000	0.0%	Complete	
Retrofit of existing stormwater pond	WPWS	S	1	8.7	FY16	\$580,000	0.1%	Complete	
Retrofit of existing stormwater pond	PMED	S	1	12.0	FY16	\$390,000	0.1%	Complete	
Retrofit of existing stormwater pond	MSGW	S	1	0.8	FY16	\$82,000	0.0%	Complete	
New bioretention facility	FBIO	S	1	0.6	FY15	\$100,000	0.0%	Complete	
Stream restoration	STRE	A	1	24.6	FY15	\$550,000	0.2%	Complete	
Stream restoration	STRE	A	1	24.3	FY14	\$570,000	0.2%	Complete	
Retrofit of existing stormwater pond	WEDW	S	1	3.8	FY14	\$240,000	0.0%	Complete	
Retrofit of existing stormwater pond	WEDW	S	1	4.8	FY14	\$320,000	0.0%	Complete	
Stream restoration	STRE	A	1	21.8	FY13	\$320,000	0.2%	Complete	
Retrofit of existing stormwater pond	WPWS	S	1	11.7	FY12	\$520,000	0.1%	Complete	
Stream restoration	STRE	A	1	14.0	FY12	\$220,000	0.1%	Complete	

New bioretention facility	FBIO	S	1	0.9	FY11	\$160,000	0.0%	Complete	
New bioretention facility	STRE	A	1	0.6	FY11	\$180,000	0.0%	Complete	
Stream restoration	STRE	A	1	50.4	FY11	\$380,000	0.5%	Complete	
New bioretention facility	FBIO	S	1	0.6	FY11	\$110,000	0.0%	Complete	
Demolition of townhouse community	IMPP	A	1	2.1	FY11	N/A	0.0%	Complete	Costs not available
Tree planting	FPU	A	2	0.8	FY16	\$19,000	0.0%	Complete	
Tree planting	FPU	A	2	1.2	FY15	\$26,000	0.0%	Complete	
Tree planting	FPU	A	3	1.8	FY15	\$50,000	0.0%	Complete	
Tree planting	FPU	A	4	3.2	FY14	\$81,000	0.0%	Complete	
Tree planting	FPU	A	4	1.8	FY14	\$56,000	0.0%	Complete	
Tree planting	FPU	A	1	0.8	FY13	\$24,000	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	11	4.3	FY20	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	6	2.3	FY19	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	9	3.5	FY18	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	8	3.1	FY17	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	9	3.5	FY16	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	3	1.2	FY15	N/A	0.0%	Complete	

Septic Connection to WWTP	SEPC	A	2	0.8	FY14	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	1	0.4	FY13	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	10	3.9	FY12	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	9	3.5	FY11	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	9	3.5	FY10	N/A	0.0%	Complete	
Septic Connection to WWTP	SEPC	A	11	4.3	FY09	N/A	0.0%	Complete	
Installation of new BAT on existing septic Denitrification	SEPD	A	18	4.7	FY19	N/A	0.0%	Complete	
Installation of new BAT on existing septic Denitrification	SEPD	A	18	4.7	FY18	N/A	0.0%	Complete	
Installation of new BAT on existing septic Denitrification	SEPD	A	41	10.7	FY17	N/A	0.1%	Complete	
Installation of new BAT on existing septic Denitrification	SEPD	A	69	17.9	FY16	N/A	0.2%	Complete	
Installation of new BAT on existing septic Denitrification	SEPD	A	56	14.6	FY15	N/A	0.1%	Complete	
Installation of new BAT on existing septic Denitrification	SEPD	A	41	10.7	FY14	N/A	0.1%	Complete	
Subtotal Capital Complete To Date			388	831		\$14,623,000	7.51%		
Other									
Nutrient Trading with WWTP			1	1,215		\$0	11.1%	Complete	

Subtotal Other Complete To Date			1	1,215		\$0	11.1%		
Total Complete to Date			5,560	2,201		\$14,623,000	20.0%		

¹Impervious

²Impervious Surface Restoration