

## **Baltimore County Stormwater Remediation Fee Credit Nonprofit Organization**

County Council Bill 20-13 states:

10-13-102(A)(8)

Fund grants to nonprofit organizations for up to 100% of the project's cost for watershed restoration and rehabilitation projects relating to:

- (I) Planning, design, and construction of stormwater management practices;
- (II) Stream and wetland restoration;
- (III) Public education and outreach related to stormwater management or stream and wetland restoration.

A program entitled "Watershed Association Restoration Planning and Implementation Grant Program" already exists for funding Watershed Associations and will continue. This program provides funding for staff to plan and implement restoration projects, citizen based stream monitoring (Stream Watch) and education and outreach programs.

This new program is available to Baltimore County nonprofit institutions that are assessed stormwater remediation fees. The purpose of the program is to provide funding for removal of impervious surface area (ISA), other than buildings, located on the eligible nonprofit-owned land. Qualifying impervious surfaces for removal include macadam, concrete, and gravel. Implementation of these projects will assist the County in meeting NPDES – MS4 permit requirements, Chesapeake Bay TMDL requirements, and local TMDL requirements.

**Program description:** This program will utilize stormwater remediation fee funds to provide engineering and construction for converting qualifying ISA to green space (**a minimum of 10,000 square feet must be removed**). Selected applicants must demonstrate a willingness to work cooperatively with the County to permit remediation on their site through any or all of the following: granting right of access; implementing use restrictions for the ISA removed; and providing on-going maintenance of the remediation area. Funds will not be distributed to the applicants, but will be managed by the Baltimore County Department of Environmental Protection and Sustainability (EPS) in coordination with the applicant.

EPS will select and manage the design consultants and contractors for the implementation of the stormwater remediation projects.

**Eligible Applicants:** Must be a Baltimore County faith-based organization, non-profit organization or charitable organization that has been assessed a stormwater remediation fee under the institutional category designation.

**Funding Available:** \$3,000,000

**Grant Proposal Due Date:** Deadline waived for FY 2015

**Notice of Selection:** Proposals will be reviewed upon receipt and notification of selection will be provided promptly.

**Start of Work:** If selected, ISA to be removed will be deducted from the stormwater remediation fee calculation for July 1, 2015 regardless of whether the work has been completed.

**Match/Cost Share:** None required, but proposed match will be taken into consideration when ranking the projects.

**Ranking of Applications:** Applications will be ranked based on the information in the Narrative Support Section, which should include the amount of ISA to be removed and willingness to work cooperatively with the County as described in the program description. Applicants should also provide a conceptual restoration plan, if available.

Projects will be funded up to the funding available. Applicants not selected are encouraged to apply the following year.

**Credit to Applicant:** The stormwater remediation fee credit will be calculated as follows: **ISA removed (sq.ft.) X \$20/2,000.**

Per Executive Order, credits may not exceed 74% of the current fee.

### **Legal Requirements**

The property owner and any mortgage lien holders will be required to execute a right of entry agreement for the work. Baltimore County Real Estate Compliance will confirm the title to the property and prepare the right of entry agreement. The right of entry agreement will allow for surveys and other design work, identify the work area and construction access, and specify the work to be performed and a time frame for completion. Baltimore County will agree to perform the work and will indemnify and hold the property owner harmless for damages the County may cause. In consideration for the work, the property owner may be required to execute a restrictive covenant to run with the land to be recorded in the land records. The restriction will ensure that the ISA removal area is not paved again in the future. The remedy for breach of the covenant shall be either to return the area to green space or repayment of the money spent on the project plus reasonable interest, fees and penalties, including attorney fees.

**Baltimore County Stormwater Remediation Fee Credit  
Nonprofit Organization Grant Fund Application**

<b>Site Name:</b>	<b>Date:</b>
<b>Site Address:</b>	
<b>Tax Pin No(s):</b>	
<b>Watershed (if known):</b>	<b>Property Size (Acres):</b>
<b>Are you willing to grant right of entry?      Yes      No</b>	
<b>Are you willing to enter into a restrictive covenant?      Yes      No</b>	
<b>Are you including a conceptual restoration plan?      Yes      No</b>	
<b>Is a match proposed?      Yes      No      Amt. Proposed:</b>	
<b>Amount of ISA Proposed to be Removed (10,000 square feet minimum)</b>	
<b>Narrative Support (why should this site be selected):</b>	
<b>Signature of Authorized Representative:</b>	
<b>Title:</b>	