Anne Arundel Chapter History

The first local chapter of the Maryland League of Conservation Voters was formed in 2010 when nine county residents from diverse backgrounds and political affiliations came together to form a Steering Committee to set the policies for the Anne Arundel Chapter. Eager to have an impact for the environment, we endorsed candidates for County Council and County Executive after extensive interviews and fact finding. For selected candidates, the Chapter made campaign contributions, recruited volunteers to conduct phone banks as well as direct campaigning.

Since the 2010 elections, we have worked to highlight major environmental issues such as storm water pollution, and tracked the performance of local office holders to fulfill our pledge of holding them accountable for their actions, and inactions, on conservation issues. Our first two Performance Report Cards—for County Executive John Leopold and for members of the Anne Arundel County Council, were released in June 2012. The release of this report card for the County Council in April 2014 will be the last before the 2014 elections.

We hope you will consider this information when you cast your votes. We welcome your comments and suggestions.

Anne Arundel Elected Officials Performance Report Card

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The Anne Arundel Elected Officials Report Card

This Report Card, covering the period of summer 2012 to the present, grades the environmental performance of seven Anne Arundel Councilmen and comments on the performance of the County Executive. Grades are given for Councilmen in Districts 2-6 and for Pete Smith, who served as Councilman for District 1 from March 27, 2012 until September 2013. We chose not to grade Daryl Jones as he was absent from his seat from January 2012 until September 2013, after being removed by the Council following his conviction and incarceration on federal criminal charges. Mr. Jones is not running for the Council seat for District 1, but Mr. Smith is running.

In grading members of the Council, we followed an approach similar to that used in 2012. We reviewed the votes of each member on bills and amendments relating to conservation issues. We reviewed their activities in connection with introducing or sponsoring bills and building support for conservation initiatives, whether or not those initiatives resulted in bills or enacted legislation. We reviewed their public comments on conservation issues and their responsiveness to the concerns of the environmental community. We also took into account the views of environmental leaders and organizations in the County.

Overall, the grades of the Council members are somewhat better than in 2012. With extraordinary leadership from Councilman Trumbauer and significant support from Councilmen Grasso, Ladd, Benoit and Smith, the stormwater restoration fund was established and county critical areas laws were brought into line with state standards.

These are major victories and those victories are reflected in the grades. Nevertheless, one of our biggest challenges over the next few years is to convince members of the Council that their constituents care about conservation issues and will hold them accountable on Election Day if they fail to address constituents’ environmental concerns.

County Executive

Laura Neuman was appointed County Executive by the County Council in late February 2013 after John Leopold resigned the post. Because of her limited time in office and lack of an environmental track record (except for actions on stormwater legislation) we have chosen not to grade her this year. Although we will not grade the County Executive based on a single issue, we do feel that a comment on her actions regarding the stormwater bill is warranted.

The stormwater fee legislation was being debated by the County Council when the hearings for her appointment were held. She was asked in a questionnaire prepared by the County Council if she would sign bills that were pending and if she had concerns. Her reply was “I am not aware of any specific concerns.” She commented on the stormwater legislation specifically, “State law requires it and we must comply.”

After taking office in February, she raised no questions about the pending legislation and suggested no amendments. Yet after passage of the legislation on April 15, she vetoed it. Following the veto, she worked to undermine support for the law. We find these actions inconsistent with her previous statements and an detrimental to the efforts of the Council to address the problems that stormwater pollution has caused.
Contaminated stormwater runoff continues to be the greatest source of pollution entering the streams and rivers in the County. Every river in Anne Arundel County is listed as impaired under the Clean Water Act and we will not see substantial improvement in these waterways until stormwater pollution is mitigated. As with the previous Report Card, overall scores reflect the importance of this issue.

In January of 2013, Councilmen Trumbauer, Ladd and Grasso introduced a new bill to establish a stormwater restoration fund. It provided for a fee of $34 for condominiums and townhomes, $85 for most single family properties, $170 for large single family properties and a fee for commercial properties based on the amount of impervious surface. After extensive debate and a number of amendments weakening Bill 2-13, it passed in April 2013 by a vote of four to three with Councilmen Fink, Walker and Smith voting against.

Even though the bill was supported by the Leopold administration, the new County Executive, Laura Neuman, vetoed the bill as one of her first official acts. On May 1, 2013, the Council voted to override the veto with Mr. Smith providing the necessary fifth vote to override the veto.

Subsequent to the override, Bill 40-13 was introduced by Councilmen Ladd, Walker, Smith, Fink and Grasso to further weaken the stormwater fees by reducing the fees for non-residential properties from 35% to 25% of the property tax and phasing in all fees over three years. During May, further amendments were made to this legislation that eventually passed by a unanimous vote.

In October, Bill 74-13 was introduced by Councilmen Fink and Walker to lower fees for all non-profits to $1 to equalize fees with churches, thus avoiding a discrimination charge. Despite efforts by Councilman Trumbauer, and supported by Councilmen Grasso and Benoit, to amend
this bill to avoid further loss of stormwater revenue, the bill passed. The complicated history of this legislation included consideration of more than 45 amendments and six different bills. In scoring this section we considered sponsorship of the bills, votes on passage and override of the veto, votes on harmful amendments and efforts to persuade others to support strong stormwater mitigation legislation.

Many of the proposed amendments were designed to correct bill deficiencies or make the legislation fairer and were agreed to by all members of the Council. Other amendments were clearly intended to reduce the fees for certain groups thereby undercutting the effectiveness of the bill and were opposed by the Department of Public Works. Councilmen Fink and Walker were the clear leaders in attempts to weaken the legislation.

Councilman Trumbauer demonstrated outstanding legislative leadership in initial sponsorship of the legislation, rallying the Council to turn back the most detrimental provisions and proposing alternatives to find agreement. Councilman Grasso showed strong leadership as a passionate spokesman for the legislation and by his votes in support of effective legislation.

Councilman Ladd should be commended for his original sponsorship of the stormwater legislation and key votes to defeat attacks on the bill including overriding the veto. But his votes to reduce fees for churches and subsequently for non-profits to $1 are concerning. Councilman Benoit delivered key votes on the original passage, the veto override and several attempts to undermine the bill. We give Councilman Smith a good grade for opposing many of the worst amendments and for voting to override. Councilmen Fink and Walker receive failing grades on all counts. Knowing that they would vote against the bill, they took every opportunity to weaken it.

**Stormwater Grades**

- District 1 Peter Smith: C+
- District 2 John Grasso: A
- District 3 Derek Fink: F
- District 4 Jamie Benoit: B
- District 5 Dick Ladd: B-
- District 6 Chris Trumbauer: A+
- District 7 Jerry Walker: F

**Critical Area Legislation**

The Maryland Critical Area Law went into effect in the mid-1980s. It regulates development on land within 1000 feet of tidal waters. The strongest rules apply to the 100 foot buffer area adjacent to our rivers, creeks and bays. The state law establishes minimum standards such as limits on development in these areas and rules for mitigating damaged caused by permissible development. Each county is required to adopt its own critical area rules and county rules may be, and in some cases are, more protective of our waters than the state rules.

Faced with evidence that critical area laws had some inherent weaknesses and were not adequately enforced, the General Assembly, in 2008, amended the law to strengthen it and to improve enforcement. Each county was required to update its critical area rules to mirror the state changes and again had the opportunity to adopt more protective provisions than those provided under state law.

Anne Arundel County did not update its critical area law until February 2013. The bill, as introduced in November 2012, made changes required by state law and also proposed additional changes to strengthen protection of our waterways and enhance the role of citizens in the process. The Leopold administration supported the bill. Laura Neuman became County Executive after the bill passed. She did not veto it but refused to sign it. It became law without her signature.

Like the stormwater legislation, there were more than 40 proposed amendments. Some were unanimously adopted and intended to clarify complicated provisions. Others were plainly intended to weaken the bill’s protections. Mr. Trumbauer was an effective advocate for the bill. Looking at six of the most damaging amendments offered, Councilmen Fink and Walker voted for all six; Councilmen Ladd and Smith voted for