

February 14, 2024

TotalEnergies Renewables USA
1201 Louisiana Street, Suite 1800
Houston, TX 77002
Attn: Brian Bettencourt/Michael Pace

RE: Parkton Sanitary Landfill Solar Panel Array
Stormwater Management Variance
Loch Raven Watershed
Project I.D. M170014
Old Tracking Number: 03-22-3798
New Tracking Number: 03-24-4059

Dear Brian Bettencourt and Michael Pace;

This letter supersedes the previous variance letter issued March 16, 2023. This office has reviewed the information submitted and finds that a stormwater management variance can be granted for this project under Section 33-4-113 (a) (2) of Title 4 of the Baltimore County Code. Section 33-4-113 (a) (2) allows a stormwater management variance to be granted if there are exceptional circumstances such that strict adherence to the provisions of the design standards would result in unreasonable hardship or practical difficulty and not fulfill the intent of the regulations.

This project is for the installation of solar arrays to be installed on a concrete ballast support system located on top of the existing landfill cap and associated improvements (i.e., access drives and equipment pads). As the caps are already impervious, the installation of the solar panels and concrete ballast system will not increase the impervious area and will not disturb the subgrade. Therefore, only the limit of disturbance off the cap is considered for stormwater management requirements. The scope of work has been updated since the variance issued March 16, 2023, to include required fire access roads. The SWM LOD has increased to 5.423 ac, the existing impervious area within the SWM LOD is 0.673 ac and the proposed increase in impervious area off the cap is now 0.665 ac. This project is classified as new development, meaning that 100% of the proposed impervious area, being 1.338 ac, must be addressed for stormwater management.

A variance was approved November 28, 2022, allowing stormwater management to be addressed by payment of a fee-in-lieu in the amount of \$83,320.00 or \$68,000 per on-site impervious acres not treated. Subsequently, a fee waiver request was received from TotalEnergies Renewables, the builder and owner of the proposed solar power system, on March 1, 2023. Due to the nature of this project and its provided benefits to the regional grid and environment, the County Administrative Officer, Stacey L. Rodgers, approved the waiver request on March 9, 2023. An updated request to waive the revised fee-in-lieu amount of \$91,120 was approved by the County Administrative Officer on February 12, 2024. The stormwater fee-in-lieu requirement is hereby waived.

Please contact Ella Kaplan, E.I.T. at 410-887-3768 should you have any questions.

Very truly yours,

/signed/

Kritty Udhin, P.E., Manager
Stormwater Management
Department of Environmental Protection
& Sustainability

KU:eak