MARYLAND
Department of the Environment

Water Management Administration's Sediment, Stormwater, & Dam Safety Program

Erosion and Sediment Control and Stormwater Management in Maryland

Maryland's Erosion and Sediment Control Program

1961 Sediment control regulations are authorized; Attorney General determined that sediment was a pollutant based on an interpretation of the1957 Natural Resources Article 66C.

1965 Montgomery County develops the first sediment control program in the country.

1968 Baltimore County develops a sediment control program.

1970 Statewide program was mandated and included several fundamental elements:
- disturbances greater than 5,000 square feet regulated
- counties adopt grading ordinances, provide inspection and enforcement
- Soil Conservation Districts provide sediment control plan approval for local projects
- State provides sediment control plan review for State and federal projects and triennial review of local erosion and sediment control programs
- criminal penalties for sediment pollution established ($5,000 and/or 1-year imprisonment)

1973 Grading and building permits are tied to erosion and sediment control plan approval.

1980 Responsible personnel certification required for construction site operators. Refinements to penalties; each day constitutes a separate violation.

1984 Enforcement authority shifted to the State; locals may apply to the State for delegation of enforcement.

1987 Maryland Department of the Environment (MDE) created and Sediment and Stormwater Division transferred from DNR and elevated to an Administration.

1988 Waivers for single-family residential construction become more stringent. Administrative penalties authorized - $1,000 per day for each violation, up to $20,000 allowed.

1991 Clean Water Act regulations require National Pollutant Discharge Elimination System (NPDES) permits for construction activity.

1992 Sediment and Stormwater Administration eliminated and incorporated within MDE's Water Management Administration. Agricultural land management practices become subject to enforcement action for sediment pollution.

1994 Erosion and Sediment Control Standards and Specifications are updated to capture larger storm events and improve effectiveness.

2000 MDE convenes stakeholders for updating Standards and Specifications for Forest Harvest Operations (drafts circulated 2002 and 2005). MDE publishes video outreach package, "Environmentally Sound Practices in the Homebuilding Industry."

2002 MDE holds conferences providing technical outreach to local plan review and inspection agencies.

Maryland's Stormwater Management Program

1982 Stormwater Management Act passed by the Maryland General Assembly.

1983 Stormwater management regulations adopted (COMAR 26.17.02) requiring that new development mimic pre-development conditions as closely as possible.

1984 All Counties/municipalities required to have a stormwater management program and must establish ordinances; plan review and approval processes; and inspection and enforcement capabilities. MDE provides technical guidance; review of State and federal projects; and evaluation of local programs every 3 years.

1986 Water quality management generally applied across Maryland (first ½ inch of runoff)

1992 MDE helped enact enabling legislation for locals to establish a "system of charges" to finance stormwater management programs.

1993 Stormwater Management Committee established (business, government, and environmental leaders) and charged with improving Maryland's stormwater management program -- provide specific guidance for water quality, manage more frequent storm events, limit number of stormwater management waivers, and create incentives for environmentally sensitive design.

1996 Coastal Zone Management grant awarded for the development of a new stormwater design manual. Draft manuals circulated to stakeholders in 1997, 1998, and 1999.

2000 MDE re-writes COMAR and incorporates by reference the 2000 Stormwater Design Manual. Criteria now required for all new development include:

- maintain groundwater recharge
- meet specific pollutant removal goals
- reduce channel erosion
- prevent overbank flooding where appropriate, and
- pass extreme flood events safely

2001 Local programs adopt ordinances and begin implementing the 2000 Stormwater Design Manual.

2004 MDE develops stormwater guidance DVD, "Maryland's Stormwater Program: Managing for Results."

2005 MDE drafts a companion document to the 2000 Stormwater Design Manual for construction and maintenance inspections; local programs evaluated and results incorporated into the Manual.

2007 MDE publishes supplement to model ordinance providing guidance on advanced stormwater regulations (HB1141).

NPDES Permitting for Stormwater Discharges

1990 U.S. EPA issues regulations that require National Pollutant Discharge Elimination System (NPDES) permits for stormwater from designated Phase I dischargers:

- Industrial activity - construction, landfills, industrial waste dumps, vehicle maintenance facilities, hazardous waste storage, power plants, sewage treatment plants, land application sites, recycling facilities, and junk yards.
- Municipal separate storm sewer systems: Large = populations > 250,000 (Baltimore City; Anne Arundel, Baltimore, Montgomery, and Prince George's Counties; and the State Highway Administration) and Medium = populations > 100,000 (Carroll, Charles, Frederick, Harford, and Howard Counties).

1992 Applications due from NPDES Phase I dischargers characterizing stormwater runoff and proposing management programs to control pollutants.

1993 Begin issuing 1st generation NPDES stormwater permits to large municipalities: incorporate existing State programs for erosion and sediment control and stormwater management and add new elements to meet NPDES stormwater requirements; map storm drain system; monitor stormwater and inspect outfalls for illicit connections; and public outreach.

1994 Begin issuing NPDES stormwater permits to medium municipalities.

1998 Begin issuing 2nd generation NPDES stormwater permits to large and medium municipalities; require restoration for 10% of impervious surfaces.

1999 NPDES stormwater Phase II regulations promulgated by U.S. EPA. Dischargers include municipalities with populations < 100,000 (approximately 60 jurisdictions in Maryland) and large State and federal agencies.

2003 Two NPDES Phase II General Permits issued; one for local governments and the other for State and federal agencies. Permits require management programs, mapping, outfall inspection, pollution prevention, and public outreach. Begin issuing 3rd generation NPDES stormwater permits: require restoration for 20% of impervious surfaces.