

## ***Stormwater Management Act of 2007***

On April 24, 2007, Governor Martin O'Malley signed the "Stormwater Management Act of 2007" (Act), and it became effective on October 1, 2007. Prior to this Act, environmental site design (ESD), was encouraged through a series of credits found in Maryland's Stormwater Design Manual. The Act requires that ESD, through the use of better site design techniques, alternative surfaces, nonstructural techniques, and micro-scale practices, be implemented to the maximum extent practicable. Charged with implementing the Act, the Maryland Department of the Environment (MDE) has adopted new regulations and updated the Design Manual. The Department is creating a new model stormwater management ordinance to assist localities in complying with the new requirements. A copy of the Act is available on the web at [http://mlis.state.md.us/2007RS/chapters/noln/Ch\\_122\\_hb0786T.pdf](http://mlis.state.md.us/2007RS/chapters/noln/Ch_122_hb0786T.pdf).

Below are some of the highlights of the Stormwater Management Act of 2007:

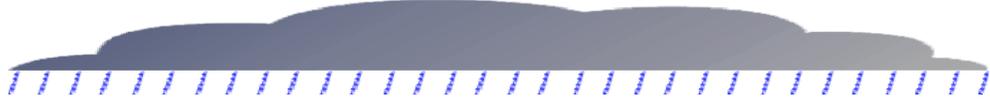
- ESD is defined as using small-scale stormwater management practices, nonstructural techniques, and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water resources.

ESD includes:

- Optimizing conservation of natural features, such as drainage patterns, soils, and vegetation;
- Minimizing use of impervious surfaces, such as pavement, concrete channels, roofs, and pipes;
- Slowing down and holding runoff to maintain discharge timing, increase infiltration, and allow evapotranspiration; and
- Other nonstructural practices and innovative technologies (e.g., impervious surface disconnections, rain barrels, green roofs, rain gardens) as approved by MDE.



- MDE will develop a model ordinance for local governments to follow that requires:
  - An applicant to demonstrate that:
    - ESD is implemented to the maximum extent practicable; and
    - Best management practices, other than ESD, are used only where absolutely necessary to control volume.



## **Stormwater Management Act of 2007 (Continued)**

- The review and modification, if necessary, of planning and zoning or public works ordinances to remove impediments to ESD implementation.
- Specify all stormwater management plans shall be designed to:
  - Prevent soil erosion from any development project;
  - Prevent, to the maximum extent practicable, an increase in nonpoint pollution;
  - Maintain the integrity of stream channels for their biological function, as well as for drainage;
  - Minimize pollutants in stormwater runoff from new development and redevelopment in order to:
    - Restore, enhance and maintain the chemical, physical, and biological integrity of the waters of the State;
    - Protect public health;
    - Safeguard fish and aquatic life and scenic and ecological values;
    - Enhance the domestic, municipal, recreational, industrial, and other uses of water as specified by the Department.
  - Maintain 100% of the predevelopment groundwater recharge volume for the site;
  - Capture and treat stormwater runoff to remove pollutants and enhance water quality;
  - Implement a channel protection strategy to reduce downstream erosion in receiving streams;
  - Implement quantity control strategies to prevent increases in the frequency and magnitude of out-of-bank flooding from large, less frequent storm events; and
  - Establish a comprehensive process for approving grading and sediment control plans and stormwater management plans that takes into account the cumulative impacts of both.
- MDE will continue to confer with local governments, businesses, and environmental to provide assistance in implementing the new regulations. As part of these discussions, options will be evaluated for establishing a fee system to fund the implementation and enforcement of stormwater management programs in Maryland

