



Maryland Chapter

7338 Baltimore Avenue, Suite 111
College Park, MD 20740-3211

June 25, 2013

Mr. Brian Clevenger, Manager
Water Management Administration, Sediment, Stormwater, and Dam Safety Program
Maryland Department of the Environment
1800 Washington Blvd., Ste. 440
Baltimore, Maryland 21230-1708

Dear Mr. Clevenger,

Thank you for the opportunity to comment on the proposed National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) Discharge Permit, Number 11-DP-3314 MD00068284, the proposed MS4 permit for Prince George's County.

The Chapter has 14,000 members and over 30,000 supporters in the state of Maryland, thousands of whom reside in Prince George's County. Water protection and restoration ranges among two of our organization's key priorities.

Alongside other environmental organizations, we have discussed the importance of the MS4 permit for the county's stormwater program with Prince George's County Acting Executive Director Adam Ortiz and Acting Deputy Director Larry Coffman, and we all agree that the current draft permit needs to be strengthened for the county to meet its clean water goals.

In Maryland, at least 60% of water resources are degraded with significant consequences for the health and well-being of local communities, the viability of aquatic resources, and the economic potential of the state. The Chesapeake Bay has been polluted for decades with large, consistent summer dead zones characterizing its aquatic environment. The water quality of rivers and streams is in decline, impacted significantly by stormwater and agricultural runoff.

Stormwater runoff profoundly affects all of our urban streams, changing their physical structure, contributing to erosion, degrading water quality through nutrient and toxics pollution, reducing bio-diversity, and depositing large amounts of trash and debris. In Prince George's County, about 80% of the pollution in the Anacostia river is caused by stormwater runoff.

In the Phase I WIP, Maryland declared the re-issuance of the MS4 permits a key strategy in its efforts to reduce pollution from stormwater runoff in local rivers and streams, and to meet the goals of the Chesapeake Bay pollution diet. It is fair to say then that the MS4 permits are the regulatory and legal backbone of implementing the Chesapeake Bay tmdl. These permits also reflect the depth of the state's commitment to reduce water pollution in urban rivers and streams. A strong MS4 permit with enforceable standards, timetables and benchmarks reinforces the public's trust in Chesapeake Bay Restoration. A vague stormwater permit calls into question the state's commitment to the biggest and most promising watershed restoration effort ever to be undertaken in the United States.

Despite the improvements that have been made to the draft, this permit still lacks a number of specific and enforceable requirements; specific, measurable criteria and performance standards for all permittee programs; measurable goals or quantifiable targets for implementation, and deadlines for compliance. The permit as currently drafted unfortunately still raises doubts about its ability to deliver on the state's goals to achieve a restored Chesapeake Bay.

A weak permit could undercut Maryland's regional leadership role in advancing water pollution reductions. Why expect significant levels of commitment from other states in the watershed, if Maryland, which has more to gain from restoration than any other state in the watershed, is not willing to set high standards for regulating water pollution.

We therefore strongly recommend that MDE take into account the following outstanding issues as the permit gets revised for final issuance:

1. The language pertaining to local water quality in the permit must unequivocally prohibit non-authorized discharges into the MS4, and must mandate elimination of stormwater discharges in the MS4.
2. The permit must require public participation in the counties' stormwater management and restoration programs.
3. The permit must require a robust monitoring program so that the county is able to demonstrate progress towards achieving its clean water goals.
4. The permit must require the county to use environmental site design practices as a default. These practices have been shown to be most effective at nutrient removal and water volume reduction following a storm.
5. The permit must include enforceable milestones and benchmarks in the permit section referring to restoration plans; these restoration plans and their benchmarks must be incorporated into the permit.
6. The permit must include requirements for the county to develop a plan for inspecting and maintaining its stormwater management practices to ensure that these practices continue to be effective at reducing stormwater runoff.

Thank you for taking our comments into consideration.

Sincerely,

Claudia Friedetzky,
Conservation Representative
Maryland Chapter of the Sierra Club

cc: Jay Sakai

