

Bill No.: _____
Requested: _____
Committee: _____

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By: **Delegate Flanagan**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Flood Control Standards – Tiber–Hudson Branch, New Cut**
3 **Branch, and Plum Tree Branch**

4 **Ho. Co. 11–19**

5 FOR the purpose of requiring the Department of the Environment to adopt regulations that
6 establish certain flood control standards to be adopted by the Howard County
7 Council for a development or redevelopment project located in certain watersheds in
8 Howard County; requiring the Department to adopt regulations that specify that
9 certain stormwater management plans for a development or redevelopment project
10 located in certain watersheds in Howard County be designed to implement certain
11 flood control standards; and generally relating to flood control standards.

12 BY repealing and reenacting, without amendments,
13 Article – Environment
14 Section 4–203(a)
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2018 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Environment
19 Section 4–203(b)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2013 Replacement Volume and 2018 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That the Laws of Maryland read as follows:

5 **Article – Environment**

6 4–203.

7 (a) The Department of the Environment shall implement the provisions of this
8 subtitle and shall consult the Department of Natural Resources from time to time,
9 including during the adoption of regulations, concerning the impact of stormwater on
10 waters of the State.

11 (b) The Department shall adopt rules and regulations which establish criteria
12 and procedures for stormwater management in Maryland. The rules and regulations shall:

13 (1) Indicate that the primary goal of the State and local programs will be
14 to maintain after development, as nearly as possible, the predevelopment runoff
15 characteristics;

16 (2) Make allowance for the difference in hydrologic characteristics and
17 stormwater management needs of different parts of the State;

18 (3) Specify that watershed-wide analyses may be necessary to prevent
19 undesirable downstream effects of increased stormwater runoff;

20 (4) Specify the exemptions a county or municipality may grant from the
21 requirements of submitting a stormwater management plan;

22 (5) (i) Specify the minimum content of the local ordinances or the rules
23 and regulations of the affected county governing body to be adopted which may be done by
24 inclusion of a model ordinance or model rules and regulations; and

25 (ii) Establish regulations and a model ordinance that require:

1 1. The implementation of environmental site design to the
2 maximum extent practicable;

3 2. The review and modification, if necessary, of planning and
4 zoning or public works ordinances to remove impediments to environmental site design
5 implementation; and

6 3. A developer to demonstrate that:

7 A. Environmental site design has been implemented to the
8 maximum extent practicable; and

9 B. Standard best management practices have been used only
10 where absolutely necessary;

11 (6) Indicate that water quality practices may be required for any
12 redevelopment, even when predevelopment runoff characteristics are maintained;

13 (7) Specify the minimum requirements for inspection and maintenance of
14 stormwater practices;

15 (8) Specify that all stormwater management plans shall be designed to:

16 (i) Prevent soil erosion from any development project;

17 (ii) Prevent, to the maximum extent practicable, an increase in
18 nonpoint pollution;

19 (iii) Maintain the integrity of stream channels for their biological
20 function, as well as for drainage;

21 (iv) Minimize pollutants in stormwater runoff from new development
22 and redevelopment in order to:

23 1. Restore, enhance, and maintain the chemical, physical,
24 and biological integrity of the waters of the State;

25 2. Protect public health;

1 **1. NEW STRUCTURES AND SURROUNDING**
2 **INFRASTRUCTURE WILL BE PROTECTED FROM FLOOD DAMAGE; AND**

3 **2. THE PROJECT WILL NOT CREATE NEW, OR**
4 **EXACERBATE EXISTING, FLOODING PROBLEMS IN THE WATERSHED; AND**

5 **(II) SPECIFY THAT STORMWATER MANAGEMENT PLANS SHALL**
6 **BE DESIGNED TO IMPLEMENT THE FLOOD CONTROL STANDARDS ESTABLISHED**
7 **UNDER ITEM (I) OF THIS ITEM.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2019.