

## **CHAPTER 191, STORMWATER MANAGEMENT SUMMARY OF PROPOSED CODE CHANGES**

Several changes adopted by the State in the Stormwater Management Act of 2007 which relate to Carroll County's Stormwater Management Chapter 191 are proposed in order to maintain compliance with the State law. The County is required to adopt the changes by May 4, 2010. Below is a summary of the required changes:

**§ 191-1. Purpose; authority; and disclaimer of liability:** Changes made to this section to specify that the goal is to manage stormwater by using environmental site design (ESD) to the maximum extent practicable (MEP).

**§ 191-3. Definitions:** Changes have been made to this section to address the State changes and to provide uniform definitions in all the Carroll County environmental codes.

**§ 191-4. Scope:** Language has been added to the Code which indicates projects which have not received final stormwater management (SWM) and sediment control approvals prior to May 4, 2010, and will need to comply with the new Code.

**§ 191-5. Exemptions:**

Clarification has been added to the Agricultural Land Management Practice exemption. All agricultural land management practices must be included in a Total Farm Resource Management System (RMS) Plan in order to be considered exempt from the code. These RMS plans are handled through the Natural Resource Conservation Service (NRCS). See § 191-5A.

Changes made to these sections relating to cumulative disturbance. See § 191-5B and § 191-5C.

**§ 191-7. Waivers; watershed management plans:** Clearly defines the process for granting a waiver provided the environmental site design (ESD) has been implemented to the maximum extent practicable (MEP).

**§ 191-8. Redevelopment:** Changes were made to this section to provide alternative SWM measures which can be used if the owner/developer satisfactorily demonstrates that impervious area reduction has been maximized and the environmental site design (ESD) implemented to the maximum extent practicable (MEP).

**§ 191-9. Variances:** Detailed variance procedures have been added to the Code to provide uniformed procedures in all environmental codes.

**§ 191-10. Minimum control requirements:** Language has been added requiring that the planning techniques, non-structural practices, and design methods specified in the Design Manual be used to implement ESD to the MEP.

**§ 191-11. Stormwater management measures:** The new State Law emphasizes the use of nonstructural SWM techniques which Carroll County has been requiring since 2004. Changes have been made to the Code to prioritize planning techniques, ESD treatment practices for both structural and non-structural SWM measures, and update design requirements.

**§ 191-13. Review and approval of stormwater management plans:** Code changes were made to better outline the three part review and approval process required in the State law. Approvals must be obtained relating to both SWM and sediment control on plan submissions prior to submission of the next level of plan review.

**§ 191-14. Contents and submission of stormwater management plans:** Revisions to this section clearly identify the three distinct levels of plan submission and the requirements relating to each level.

**§ 191-21. Inspection schedule and reports:** Clarified inspection requirements.

**§ 191-22. Inspection requirements during construction:** Clarified inspection requirements.

**§ 191-26. Enforcement:** Clarified enforcement action.

**§ 191-29. Penalties:** Increased maximum penalty to \$50,000 as allowed by State law.