

Proposed Amendment to R-46-18

Whereas the 2000 Maryland Stormwater Design Manual is the official guide for stormwater management principles, methods, and practices in Maryland. The Design Manual was originally published in October 2000, and was revised in May 2009.

And Whereas All local jurisdictions in the State of Maryland are required to have stormwater management (SWM) laws that are consistent with State SWM regulations and are approved by the Maryland Department of the Environment (MDE). The result is that SWM regulations have only minor variations from jurisdiction to jurisdiction, with most of those being where a particular jurisdiction has chosen to be more restrictive than MDE recommends. The Annapolis SWM regulations are codified as Chapter 17.10 in the Annapolis City Code.

And Whereas On December 29, 2010, the U.S. Environmental Protection Agency (EPA) established the Chesapeake Bay Total Maximum Daily Load (TMDL). The TMDL is a historic and comprehensive "pollution diet" to restore clean water in the Chesapeake Bay and the region's streams, creeks, and rivers (U.S. EPA). In order to meet the US EPA Chesapeake Bay TMDLs, the Maryland Department of the Environment (MDE) is expected to issue a new Phase II National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) General Permit. The Phase II General Permits are required for municipalities with populations between 1,000 and 100,000. This new Phase II General Permit will require the City of Annapolis (the City) to meet the Chesapeake Bay TMDLs for total nitrogen, total phosphorus, and total suspended solids. This upcoming Phase II permit is also expected to require treatment of 20 percent of impervious surfaces in the City by 2025.

And Whereas Funding is needed to Comply with the Upcoming NPDES MS4 Phase II and Chesapeake Bay TMDL Requirements and the Cost to Implement BMP Projects through 2025 .

And Whereas it is prudent to request Private Development to optimize their SWM implementation and to exceed the minimum to reduce exposure of increasing Stormwater Fee to finance the aforementioned installations.