



## House Bill 508

*Environment – Local Stormwater Management Charges – State Property*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Environmental Matters Committee  
From: Leslie Knapp Jr.

Date: February 20, 2013

The Maryland Association of Counties (MACo) **SUPPORTS** HB 508 **WITH AMENDMENTS**. As introduced, the bill would subject property owned by the State to a stormwater fee levied by a county or a municipality, subject to certain restrictions. Property owned by the Maryland Department of Transportation, including roads, and the University System of Maryland would be exempt from the charges.

HB 987 of 2012 required a county or municipality subject to a National Pollutant Discharge Elimination System (NPDES) Phase I municipal separate storm sewer system permit to adopt and implement a stormwater remediation fee to provide financial assistance for the implementation of local stormwater management plans through stormwater management practices and stream restoration activities. Properties owned by the State or a unit of State government, a county, municipality, or volunteer fire department were exempt from paying the fee.

MACo supports HB 508 with amendments offered by the bill's sponsor that would provide that property owned by an entity other than a county, municipality, or volunteer fire department would be subject to the stormwater fee required under the provisions of HB 987. However, if the property was subject to a current NPDES municipal separate storm sewer system permit, the property could only be charged the fee if the entity and county or municipality charging the fee mutually agree. The amendments also clarify that a county or municipality charging the fee must reduce a portion of the fee to account for any stormwater treatment or reduction that the property owner must undertake under an NPDES industrial stormwater permit.

The amendments would provide that a State-owned facility that is not required to mitigate stormwater runoff under its own permit be subject to the local fee. Additionally, by subjecting State property to the fee, federally-owned property would likely also be subject to

the fee. Currently, if State property is exempted from a local stormwater fee, federal rules provide that federal property may be exempted from the fee.

MACo believes that the amendments create a fair system that holds State property to the same mitigation standards as property owned by local governments and would also increase the likelihood that federal property not subject to an NPDES permit would have to pay the fee or conduct its own stormwater mitigation activities. Accordingly, MACo urges the Committee to issue a report of **FAVORABLE WITH AMENDMENTS** on HB 508.