



Charles County Government
**DEPARTMENT OF PLANNING &
GROWTH MANAGEMENT**

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August 15, 2013

By Electronic Mail & First Class Mail

Mr. Brian Clevenger
Maryland Department of the Environment
Sediment, Stormwater and Dam Safety Program
1800 Washington Boulevard
Baltimore, Maryland 21230

Re: Tentative Determination to Reissue Anne Arundel County's MS4 Permit

Dear Mr. Clevenger:

On behalf of Charles County, I am writing to comment on the Tentative Determination referenced above. As you are aware, Frederick, Charles and Harford Counties have been working together to review proposed Phase I MS4 permits, and, thus far, each county has provided comments on proposed permits for Baltimore City and Prince George's and Baltimore Counties. We greatly respect the staff in each of these localities; however, MDE has said that it will use prior permits as a template for later permits. Thus, our goal has been to highlight text we would object to if it were included in our own permit. It may be that MDE plans to incorporate some of Charles County's suggested changes when it issues the Tentative Determination for our locality. We hope this is the case, and, for our part, we have narrowed our issues to only those that are critical for our future success and compliance.

For these reasons, we reiterate our earlier comments with regard to significant issues that remain unchanged in Anne Arundel County's proposed permit. For example, we note that MDE is still incorrectly defining the regulated permit area; has not clarified restoration planning and impervious area restoration requirements; and continues to include inappropriate special programmatic conditions for Chesapeake Bay restoration and comprehensive planning. In addition, the proposed permit includes inconsistent references to both the *2000 Stormwater Design Manual* and to *MDE's Stormwater Accounting Guidance*, as well as inappropriately implying that ESD techniques are mandatory for restoration. Lastly, MDE has not adopted Charles County's suggested edits relating to the Attachment A data to recognize future changes to MDE's new geodatabase.

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We ask that MDE consider our comments for reissuance of future permits. In the meantime, please feel free to contact Mr. Charles Rice at (301) 645-0651 or e-mail ricec@charlescounty.org if you have any questions regarding this correspondence.

Sincerely,

A handwritten signature in black ink that reads "Steven Ball". The signature is written in a cursive style with a large, stylized "S" and "B".

Steven Ball, AICP, LEED AP
Planning Director

Copy (By Electronic Mail) to:

Mr. Raymond Bahr, MDE
Charles Rice, PGM, Planning
Karen Wiggen, PGM, Planning
Matthew Clagett, Associate County Attorney