

3.21 EROSION/SEDIMENT CONTROL AND STORMWATER MANAGEMENT PLAN APPROVALS

- ❑ *Question: Is the project undertaken by a State or Federal agency or local government agencies or private concerns? If so, will 5000 square feet or more or 100 cubic yards or more of earth be disturbed? OR*
- ❑ *Question: Will the project impact an existing storm water management facility or storm drain?*

Why do I need this approval?

The purpose of Maryland's erosion/sediment control and stormwater management programs is to reduce stream channel erosion, pollution, siltation, and local flooding caused by land use changes associated with urbanization.

Erosion/sediment control plan approval is required, before construction, to prevent siltation due to releases of sediment (soil) from active construction sites. For example, before a housing development begins, the land needs to be cleared and graded. Erosion/sediment control plan implementation is needed to control the exposed soil from washing away into the storm drains, streams, rivers, and the bay. Plan approval is required for any construction activity that disturbs 5,000 square feet or more of soil, or results in the excavation of 100 cubic yards or more of soil.

Stormwater management plan approval is required to prevent stream bank erosion by controlling the rate of stormwater runoff from newly developed areas by using infiltration practices, shallow marshes, retention, and detention ponds. For example, prior to construction, land is typically covered with grass and trees, which help slow down the rate of stormwater runoff and promotes infiltration. This reduces flooding and soil from being washed away. After construction, stormwater runoff typically increases due to the loss of ground cover and the increase of impervious surfaces such as roofs, sidewalks, roads, and parking lots. So, stormwater management is needed to control runoff to the same rate prior to construction. This approval is required for any new development project that disturbs 5,000 square feet or more of land. It can be obtained at the same time as the erosion and sediment control approval.

What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 4, Subtitle 1 for erosion and sediment control, and Subtitle 2 for stormwater management. These statutes are further defined in COMAR 26.17.01 and 26.17.02.

What is the process to get this approval?

For erosion/sediment control and stormwater management plan approval for State and federal projects:

- 1) The applicant submits one set of erosion/sediment control and stormwater management plans and calculations to the Department.
- 2) The Department either approves the plans or responds with comments to be addressed by the applicant before approval can be granted.
- 3) Upon approval, the Department informs the applicant in writing.
- 4) The Department conducts site inspections. Plans must be approved and implemented prior to the start of construction.

For erosion/sediment control and stormwater management plan approval for private and local government projects:

- 1) Contact your local government for information on applications and review process for stormwater management plan approval.
- 2) Contact your local soil conservation district for application and review process for erosion/sediment control approval.

Are there any other requirements?

STATE AND FEDERAL PROJECTS:

Erosion/sediment control plans and stormwater management plans are reviewed and approved by the Department. The erosion/sediment control plans must meet the [2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control](#), and stormwater management plans must meet the [2000 Maryland Stormwater Design Manual](#). Plans must also adhere to And the [Maryland Stormwater Management and Erosion & Sediment Control Guidelines for State and Federal Projects issued by the Department in February 2015](#). For more information, refer to MDE's webpage for State and federal projects.

PRIVATE and LOCAL GOVERNMENT PROJECTS:

Erosion/sediment control plans and stormwater management plans are reviewed by the local authorities.

How long should I expect it to take to get this approval once I submit a complete application?

6 months for erosion/sediment control and stormwater management plans for state and federal facilities. Contact your local government and soil conservation district for review time for private and local government projects.

Once I get this approval, how long will it last?

Type of Approval	Term
Erosion/sediment control approval	three years
Stormwater management plan approval	three years

How much will this approval cost?

No fee for State and federal projects. For private and local government projects, please contact the local government authority.

Do I need to know any additional information?

Copies of publications are available by downloading from website or calling (410) 537-3543. Local agencies may also require grading permits. You may also need the general permit for construction activity [see here](#).

Who do I contact with additional questions?

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Related link:

<https://mde.maryland.gov/programs/Permits/WaterManagementPermits/Pages/waterpermits.aspx>

