



**National Pollutant Discharge Elimination System
Small Municipal Separate Storm Sewer System General Permits**

**Chesapeake Bay Restoration
Getting Started**

National Pollutant Discharge Elimination System (NPDES) permit coverage is required for eligible small municipal separate storm sewer systems (MS4s) in certain portions of the State of Maryland. These permits are required under the federal Clean Water Act (CWA) in order to improve water quality in Maryland's streams, rivers, and Chesapeake Bay. The Maryland Department of the Environment (MDE) administers two general permits for controlling stormwater discharges from eligible small municipalities and State and federal agencies. These general permits are currently expired; however, as allowed by the Code of Federal Regulations, both are administratively continued until new ones are issued. This fact sheet is to advise the community of small MS4s of anticipated new requirements when the MS4 general permits are reissued.

Maryland's MS4 stormwater permits are playing an increasing role in controlling urban pollutants and restoring local waters and Chesapeake Bay. Therefore, new permit requirements will support Maryland's Watershed Implementation Plan (WIP) for achieving Chesapeake Bay restoration goals. The WIP strategy for achieving Chesapeake Bay nutrient and sediment load reductions for small MS4s is to provide impervious area restoration on existing developed lands that have little or no stormwater management.

Impervious Area Restoration

Impervious area restoration involves implementing water quality treatment practices on unmanaged urban areas. Acceptable water quality best management practices (BMPs) include the use of environmental site design, structural BMPs, and retrofitting existing stormwater management practices that were not designed for water quality treatment (e.g., converting a dry pond to a wetland). The design criteria for stormwater BMPs are outlined in the *2000 Maryland Stormwater Management Design Manual*. In addition, MDE's *Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated* (Guidance) provides information to determine restoration credit for traditional and alternative BMPs. Alternative BMPs described in the Guidance include street sweeping, buffer planting, reforestation, stream restoration, shoreline stabilization, and impervious area removal.

Getting Started

MDE encourages all small MS4s to begin preparing for restoration requirements by evaluating the level of water quality treatment provided on existing impervious areas within their jurisdiction. Collection of site data is the first phase of any planning effort, including:

- Develop an inventory of the total impervious area within the small MS4. This area includes all roadways, parking areas, buildings, and any surface that prevents stormwater runoff from soaking into the ground.
- Inventory stormwater BMPs within the permit area in order to determine the impervious surfaces that are treated and surfaces that do not have adequate water quality treatment.
- Evaluate opportunities for BMP implementation and retrofitting on existing unmanaged or under-managed impervious areas.
- Develop a BMP database and document routine maintenance and inspection activities for all new and existing BMPs.

Getting Credit toward Future Permit Requirements

Initiating the activities described above can help small MS4s begin to develop a strategy and budget resources for complying with future permit requirements. Any restoration BMPs installed between 2006 and the issuance of the next permit will be credited toward the new requirements. MDE strongly recommends that small MS4s begin this planning effort.

Redevelopment and Impervious Acre Credit

Maryland's stormwater management regulations for redevelopment are intended to provide water quality treatment on existing developed lands. Therefore, when water quality treatment BMPs are installed to address State redevelopment regulations, the existing impervious area treated by the practices may count toward restoration requirements. If additional volume above the regulatory requirements is provided, additional credit will be allowed as described in the Guidance.

Establishing Partnerships

One goal of the small MS4 general permits is to encourage partnerships to improve water quality and meet CWA requirements. Permittees may partner or share responsibilities with other MS4 entities for compliance with any requirement of the MS4 general permit. This may entail exploring offsite restoration opportunities by collaborating with the surrounding County, another municipality, or State or federal facility performing similar activities under the requirements of an NPDES MS4 permit. These efforts can be an efficient and cost effective method for meeting permit requirements. MDE will remain flexible when any permittee pursues this option.

MS4 General Permits in Maryland

More information on the municipalities and State and federal agencies covered under the small MS4 general permit is provided on MDE's website at:

http://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Pages/NPDES_MS4_New.aspx

Questions can be directed to Deborah Cappuccitti (Deborah.Cappuccitti@maryland.gov), Michelle Crawford (Michelle.Crawford1@maryland.gov), or Christina Lyerly (Christina.Lyerly@maryland.gov).