

~~DIFFERENT GEOGRAPHIC AREAS OF THE STATE AND SHALL CONSULT WITH THE AFFECTED COUNTIES AND MUNICIPALITIES BEFORE ADOPTION OF THE INITIAL RULES AND REGULATIONS.~~

(C) BEFORE THE REGULATIONS REQUIRED UNDER THIS SUBSECTION ARE FINAL, THE DEPARTMENT SHALL HOLD AT LEAST ONE PUBLIC HEARING IN THE AFFECTED IMMEDIATE GEOGRAPHIC AREAS OF THE STATE AND SHALL CONSULT WITH THE AFFECTED COUNTIES AND MUNICIPALITIES.

(D) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE, TRAINING, RESEARCH, AND COORDINATION IN STORMWATER MANAGEMENT TECHNOLOGY TO THE LOCAL GOVERNMENTS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.

8-11A-04.

(A) AFTER JULY 1, 1984, UNLESS EXEMPTED, A PERSON MAY NOT DEVELOP ANY LAND FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL, OR INSTITUTIONAL USE WITHOUT SUBMITTING A STORMWATER MANAGEMENT PLAN TO THE COUNTY OR MUNICIPALITY THAT HAS JURISDICTION, AND OBTAINING APPROVAL OF THE PLAN FROM THE COUNTY OR MUNICIPALITY. A GRADING OR BUILDING PERMIT MAY NOT BE ISSUED FOR A PROPERTY UNLESS A STORMWATER MANAGEMENT PLAN HAS BEEN APPROVED THAT IS CONSISTENT WITH THIS SUBTITLE.

(B) THE DEVELOPER SHALL CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION, DEVELOPMENT, AND DRAINAGE WILL BE DONE ACCORDING TO THE PLAN.

(C) EACH COUNTY OR MUNICIPALITY MAY PROVIDE BY ORDINANCE FOR THE REVIEW AND APPROVAL OF STORMWATER MANAGEMENT PLANS BY THE LOCAL SOIL CONSERVATION DISTRICT.

(D) EACH COUNTY OR MUNICIPALITY MAY ADOPT A FEE SYSTEM TO COVER THE COST OF REVIEWING STORMWATER MANAGEMENT PLANS AND IMPLEMENTING STORMWATER MANAGEMENT PROGRAMS. THE FEE SHALL TAKE EFFECT UPON ENACTMENT BY THE LOCAL GOVERNING BODY. ~~ANY FEES COLLECTED UNDER THIS SYSTEM SHALL BE SUPPLEMENTARY TO COUNTY AND STATE FUNDS AND MAY NOT~~

~~(1) BE USED TO REDUCE COUNTY OR STATE FUNDS, AND~~

~~(2) EXCEED THE COST OF REVIEWING THE PLANS.~~

8-11A-05.

(A) THE PROVISIONS OF § 8-11A-04 OF THIS SUBTITLE DO NOT APPLY TO THE CONSTRUCTION ACTIVITIES OF THE STATE AGENCIES.

(B) AFTER JULY 1, 1984, A STATE AGENCY MAY NOT UNDERTAKE ANY LAND CLEARING, SOIL MOVEMENT, OR CONSTRUCTION ACTIVITY INVOLVING SOIL MOVEMENT UNLESS THE