

MAINTAINED BY THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION; OR

(II) A STORM DRAINAGE SYSTEM OR FACILITY THAT IS LOCATED IN A ROAD MAINTAINED BY THE STATE HIGHWAY ADMINISTRATION, WHICH SHALL BE MAINTAINED BY THE STATE.

(2) THE WSSC SHALL MAINTAIN EVERY STORM DRAINAGE SYSTEM AND PART OF EVERY SYSTEM THAT HAD BEEN CONSTRUCTED AS OF JULY 1, 1966 LOCATED IN A STREET, ALLEY, PUBLIC WAY, OR PUBLIC SPACE, ANY OF WHICH HAD BEEN:

(I) CONSTRUCTED IN AREAS DEDICATED TO THE PUBLIC USE OR GRANTED TO ANY PUBLIC AGENCY BY DEED OR OTHER APPROPRIATE CONVEYANCE; AND

(II) 1. CONSTRUCTED PURSUANT TO APPROVED PLANS AND SPECIFICATIONS; OR

2. DETERMINED BY THE WSSC, AFTER AN INSPECTION, TO HAVE BEEN ADEQUATELY CONSTRUCTED.

(d) (1) In [connection with its] THE WSSC'S review and approval of the requirements for storm drainage or stormwater management, the [commission] WSSC may require the owner [or owners] OF ANY LAND TO BE DEVELOPED:

(I) [to] TO provide right of way or easement areas for storm drainage facilities or on-site stormwater management facilities[,]; and

(II) [may require the owner or owners to] TO agree to construct the necessary facilities or to provide for [such] THE construction by posting a bond in an amount sufficient to construct the storm and surface water drainage facilities or on-site stormwater management facilities [deemed necessary by the Commission] THAT THE WSSC CONSIDERS NECESSARY.

(2) (I) If the [commission deems it] WSSC DECIDES [desirable] to construct a stormwater management facility to serve more than [one] 1 development OR IF THE WSSC AGREES TO ENTER INTO AN AGREEMENT TO ALLOW THE OWNER OR DEVELOPER TO CONSTRUCT A STORMWATER MANAGEMENT SYSTEM, the [commission] WSSC may enter into an agreement with the developers of new developments for payment by the developers of a fee in lieu of on-site stormwater management facilities.

(II) The fee in lieu of on-site stormwater management facilities shall be based on an equitable pro rata share of the net cost of the facility after deducting any state or federal grants applied to the construction of the facility.