

Article - Natural Resources

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.

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 agency has submitted and obtained approval of a stormwater management plan from the Department.

(C) (1) ON THE REQUEST OF A COUNTY OR MUNICIPALITY, THE DEPARTMENT OF NATURAL RESOURCES SHALL REQUIRE THAT A STATE AGENCY SUBMIT A STORMWATER MANAGEMENT PLAN TO THE REQUESTING JURISDICTION FOR REVIEW AND COMMENT, WHICH REVIEW AND COMMENT SHALL BE COMPLETED, RETURNED, AND RECEIVED BY THE STATE AGENCY WITHIN 21 CALENDAR DAYS OF RECEIPT OF THE PLAN.

(2) THE DEPARTMENT SHALL REQUIRE THAT THE STATE AGENCY INCLUDE THE LOCAL JURISDICTIONS' COMMENTS THAT ARE RECEIVED WITHIN THE TIME PERIOD REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION AS PART OF ITS STORMWATER MANAGEMENT PLAN WHICH IS SUBMITTED FOR APPROVAL TO THE DEPARTMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.