

(9) ~~(4)~~ SPECIFY THAT:

~~1. ENVIRONMENTAL SITE DESIGN TECHNIQUES ARE THE PRIMARY METHOD FOR MANAGING STORMWATER;~~

~~2. STANDARD BEST MANAGEMENT PRACTICES MAY BE USED ONLY AS A BACK-UP TO CATCH RUNOFF NOT DEALT WITH THROUGH ENVIRONMENTAL SITE DESIGN TECHNIQUES; AND~~

~~3. A DEVELOPER HAS THE BURDEN OF PROOF TO SHOW THAT THE USE OF ENVIRONMENTAL SITE DESIGN TECHNIQUES IS NOT PRACTICAL; AND~~

(10) (I) ESTABLISH A COMPREHENSIVE PROCESS FOR APPROVING GRADING AND SEDIMENT CONTROL PLANS AND STORMWATER MANAGEMENT PLANS; AND

(II) SPECIFY THAT THE COMPREHENSIVE PROCESS ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TAKES INTO ACCOUNT THE CUMULATIVE IMPACTS OF BOTH PLANS.

(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.

~~(E) ON OR BEFORE OCTOBER 1, 2009, THE DEPARTMENT SHALL REVIEW THE DEPARTMENT'S STORMWATER MANAGEMENT FEE SYSTEM AND ESTABLISH AN APPROPRIATE SCHEDULE OF FEES NECESSARY TO ENFORCE THE PROVISIONS OF THIS SUBTITLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment shall evaluate options for a stormwater management fee system and an appropriate schedule of fees necessary to improve the enforcement of the provisions of Title 4, Subtitle 2 of the Environment Article.

(b) On or before December 1, 2007, the Department shall report its findings to the House Environmental Matters Committee and the Senate Education, Health,