



Maryland
Department of
the Environment

FILE COPY

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

April 20, 2023

The Honorable Wes Moore
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Bill Ferguson
President
Senate of Maryland
State House, H-107
Annapolis Maryland 21401

The Honorable Adrienne A. Jones
Speaker
Maryland House of Delegates
State House, H-101
Annapolis Maryland 21401

Re: Report required by State Government Article § 4-802 (MSAR #12147)

Dear Governor Moore, President Ferguson, and Speaker Jones:

I am pleased to provide you with the *Annual Report on Environmental Violations from Delegated Jurisdictions: Erosion and Sediment Control, 2022*, prepared as required in Section 4-802 of the Environment Article, Annotated Code of Maryland (MSAR #12147). As required five (5) hard color copies of each report will be mailed to the DLS library.

If you would like to further discuss this report, please contact me at 410-537-3567 or Gabrielle Leach, Deputy Director, Legislative and Intergovernmental Relations at 410-537-3744 or by email at gabrielle.leach@maryland.gov.

Sincerely,

D. Lee Currey, Director
Water and Science Administration

Enclosure

cc: Sarah Albert, Department of Legislative Services (5 copies)
Gabrielle Leach, Deputy Director, Legislative and Intergovernmental Relations



Maryland
Department of
the Environment

Annual Report on Environmental Violations from Delegated Jurisdictions: Erosion and Sediment Control -2022-

Prepared for:

Senate Education, Health, and Environmental Affairs Committee
House Environment and Transportation Committee

Wes Moore, Governor
State of Maryland

Aruna Miller, Lt. Governor
State of Maryland

Bill Ferguson, Senate President
Maryland General Assembly

Malcolm Augustine, Senate President Pro Tempore
Maryland General Assembly

Adrienne A. Jones, House Speaker
Maryland General Assembly

Sheree Sample-Hughes, House Speaker Pro Tempore
Maryland General Assembly

MARYLAND DEPARTMENT OF THE ENVIRONMENT
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I. Introduction

Under the Environment Article, Title 4, Subtitle 1, the Maryland Department of the Environment (Department or MDE) is required to implement an erosion and sediment control program to control sediment-laden runoff from land disturbing activities. The law allows for the delegation of enforcement authority to local jurisdictions found capable of enforcing compliance with the provisions of this subtitle, and that have the capability comparable to that of the Department in terms of laws and procedures, manpower, equipment, and overall effectiveness. Obligations for the delegation include reporting the number of permits issued and violations that occurred within the jurisdiction.

In 2019, Chapters 517 and 518 of the Acts of 2019 (HB 703/SB 505) required that delegated jurisdictions provide additional reporting to the Department on environmental violations in the Critical Area and Sensitive Areas of the state. In addition, the legislation requires the Department to publish the data submitted by the jurisdictions and submit the data to the Governor and General Assembly on or before March 1 of each year. To meet these requirements, the Department revised its data collection and submission process for the delegation of enforcement authority to reflect the 2019 law. These changes included developing an internet-based data collection form that was shared with the delegated jurisdictions. This form included two new sections on inspection and enforcement in the Critical Area and Sensitive Areas.

This *Annual Report on Environmental Violations from Delegated Jurisdictions: Erosion and Sediment Control, 2022*, published March 2023 (Annual Report), fulfills the requirement of §4-802(d), Environment Article, Subtitle 8 of the *Annotated Code of Maryland*. The following summarizes the data collected by the Department from the delegated jurisdictions.

II. Primary Information

The enforcement of erosion and sediment control laws and regulations has been delegated by the Department to 22 jurisdictions (see Table 1) that include 12 counties, 9 municipalities, and the Washington Suburban Sanitary Commission (WSSC). Delegation is granted to each jurisdiction for a period of 2 years, unless renewed by the Department. In the year preceding the expiration of the delegation authority, the Department conducts a review of each jurisdiction’s program to determine if it should be granted continued delegated authority.

Table 1. Delegated Jurisdictions for Erosion and Sediment Control

Counties:		Municipalities:	
1.	Anne Arundel	1.	Aberdeen
2.	Baltimore City ¹	2.	Annapolis
3.	Baltimore	3.	Bel Air
4.	Calvert ²	4.	Bowie
5.	Carroll	5.	Gaithersburg
6.	Charles	6.	Greenbelt
7.	Frederick	7.	Laurel
8.	Harford	8.	Rockville
9.	Howard	Other:	
10.	Kent	1.	Washington Suburban Sanitary Commission (WSSC)
11.	Montgomery		
12.	Prince George’s		
13.	Worcester		

¹ Due to its geographical size and population, Baltimore City is assessed in this report as a county.

² Calvert County has been delegated enforcement authority for single-lot residential construction only.

III. Summary of Environmental Violations in Maryland

Data collected from the 22 delegated jurisdictions are presented in Tables 2 through 8. The summary presented below covers data submitted by all 22 jurisdictions for FY22 (i.e., July 1, 2021 to June 30, 2022).

Permit Information

- A total of 4,807 major permits were issued.
 - Major permits typically include grading, building, and sediment control associated with an engineered erosion and sediment control plan.
 - The total disturbed acreage for the major permits was 9,065 acres.
- A total of 5,290 other permits were issued.
 - Other permits typically include those associated with a standard erosion and sediment control plan for minor earth disturbances or single-lot residential agreements in lieu of requiring custom designed or engineered plans.
 - The total disturbed acreage for these other issued permits was 3,246 acres.

**NOTE: In the following tables the use of “-” indicates that data were not reported by the delegated jurisdiction.*

Table 2. Total Number of Permits Issued

Jurisdiction	Major Permits				Other Permits			
	Issued		Active		Issued		Active	
	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres
Counties:								
Anne Arundel	405	431	1,060	881	230	24	163	11
Baltimore City	115	190	243	896	309	2	309	2
Baltimore	166	755	243	2,789	179	-	-	-
Calvert	466	176	454	99	195	20	N/A	N/A
Carroll	133	912	114	823	666	844	580	718
Charles	1,238	973	1,307	4,125	24	794	50	1,732
Frederick	43	361	122	3,123	1,118	181	216	63
Harford	312	1,721	284	967	48	389	12	18
Howard	244	663	444	2,110	53	33	63	53
Kent	61	21	40	8	344	3	285	3
Montgomery	662	417	1,075	411	18	4	18	4
Prince George's	175	1,420	645	5,236	138	950	44	220
Worcester	206	269	156	221	0	0	0	0
Municipalities:								
Aberdeen	5	56	11	105	13	2	4	0
Annapolis	12	22	55	77	0	0	0	0
Bel Air	3	13	2	13	0	0	0	0
Bowie*	4	76	4	548	0	0	0	0
Gaithersburg	10	61	18	126	0	0	0	0

Jurisdiction	Major Permits				Other Permits			
	Issued		Active		Issued		Active	
	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres	# of Permits	Disturbed Acres
Greenbelt	3	14	3	14	0	0	0	0
Laurel	222	59	222	59	1,946	0	380	0
Rockville	33	72	18	47	0	0	0	0
Other:								
WSSC	289	385	173	228	9	N/A	4	N/A
TOTALS	4,807	9,065	6,693	22,906	5,290	3,246	2,128	2,604

*City of Bowie reported information for the Calendar Year 2022

Site Inspections and Enforcement Efforts

Inspections

- A total of 77,489 site inspections were performed by delegated jurisdiction to monitor earth disturbance activities.
- The inspections were performed by 111 inspectors.

Violations

- A total of 3,447 sediment control violation notices were issued.
- A total of 3,185 building and grading violation notices were issued.
- A total of 649 stop work orders were issued.

Fines and Compliance Assistance

- The sum of \$1,761,796 was collected in fines or securities.
- A total of 43 court cases were reported.
- 1,073 sediment control complaints were received.
- Assistance was provided to correct violations in 1,925 instances.

Table 3. Total Inspection and Enforcement Data - Violations and Fines

Jurisdiction	Sediment Control		Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
	Inspectors	Inspections Performed	Sediment Control	Building and Grading		Penalties	Amount (\$)
Counties:							
Anne Arundel	12	10,802	881	1,112	165	11	6,500
Baltimore City	6	3,034	24	20	8	22	30,100
Baltimore	5	5,378	860	1,129	269	0	0
Calvert	5	469	9	94	6	0	0
Carroll	5	3,816	392	219	18	0	0
Charles	5	6,372	10	4	16	16	8,032
Frederick	3	2,605	82	82	16	6	6,000
Harford	6	3,272	252	N/A	19	0	0
Howard	13	7,675	82	82	4	0	0
Kent	2	150	4	5	4	2	8,000
Montgomery	11	18,256	328	281	72	36	26,200
Prince George's	17	10,494	114	10	13	43	26,943
Worcester	1	581	45	41	33	0	0
Municipalities:							
Aberdeen	1	98	18	0	3	0	0
Annapolis	3	1,140	114	96	3	4	1,750
Bel Air	1	115	10	0	0	0	0
Bowie*	2	211	3	0	0	0	0
Gaithersburg	2	170	3	10	0	0	0
Greenbelt	3	128	20	0	0	0	0
Laurel	2	91	0	0	0	6	1,638,021
Rockville	1	643	109	0	0	6	9,000
Other:							
WSSC	5	1,989	87	N/A	0	5	1,250
TOTALS	111	77,489	3,447	3,185	649	157	1,761,796

*City of Bowie reported information for the Calendar Year 2022

Table 4. Total Inspection and Enforcement Data - Court Cases and Complaints Received

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded (\$)		
Counties:				
Anne Arundel	10	0	271	390
Baltimore City	0	0	19	8
Baltimore	-	-	186	-
Calvert	0	0	2	1
Carroll	0	0	79	2
Charles	0	0	32	0
Frederick	0	0	68	68
Harford	0	0	57	0
Howard	0	0	77	416
Kent	0	0	2	8
Montgomery	33	9,600	105	767
Prince George's	0	0	82	41
Worcester	0	0	55	0
Municipalities:				
Aberdeen	0	0	3	0
Annapolis	0	0	18	0
Bel Air	0	0	2	0
Bowie*	0	0	2	3
Gaithersburg	0	0	4	0
Greenbelt	0	0	0	20
Laurel	0	0	0	0
Rockville	0	0	3	109
Other:				
WSSC	0	N/A	6	92
TOTALS	43	9,600	1,073	1,925

*City of Bowie reported information for the Calendar Year 2022

Inspections and Enforcement in the Critical Area

- 11 jurisdictions indicated that they have Critical Area within their boundary.
- A total of 3,164 sediment control inspections were performed in the Critical Area.
- A total of 189 sediment control violation notices were issued.
- A total of 103 building and grading violation notices were issued.
- A total of 59 stop work orders were issued.
- The sum of \$10,402 was collected in fines or securities.
- 60 complaints were received.
- The jurisdictions provided assistance to correct violations in 43 instances.

Table 5. Inspection and Enforcement Data for Critical Area - Violations and Fines

Jurisdiction	Critical Area within Jurisdiction	Total Number of Sediment Control Inspections	Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
			Sediment Control	Building and Grading		Number	Amount (\$)
Counties:							
Anne Arundel	Yes	1,815	116	44	36	0	0
Baltimore City	Yes	220	3	0	0	3	1,900
Baltimore	Yes	10	-	-	-	-	-
Calvert	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Carroll	No	N/A	N/A	N/A	N/A	N/A	N/A
Charles	Yes	64	1	1	1	502	502
Frederick	No	N/A	N/A	N/A	N/A	N/A	N/A
Harford	Yes	41	0	N/A	0	0	0
Howard	No	N/A	N/A	N/A	N/A	N/A	N/A
Kent	Yes	60	4	4	3	2	8,000
Montgomery	No	N/A	N/A	N/A	N/A	N/A	N/A
Prince George's	Yes	48	0	0	0	0	0
Worcester	Yes	319	31	22	18	0	0
Municipalities:							
Aberdeen	No	N/A	N/A	N/A	N/A	N/A	N/A
Annapolis	Yes	572	34	32	1	0	0
Bel Air	No	N/A	N/A	N/A	N/A	N/A	N/A
Bowie*	No	N/A	N/A	N/A	N/A	N/A	N/A

Jurisdiction	Critical Area within Jurisdiction	Total Number of Sediment Control Inspections	Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
			Sediment Control	Building and Grading		Number	Amount (\$)
Gaithersburg	No	N/A	N/A	N/A	N/A	N/A	N/A
Greenbelt	No	N/A	N/A	N/A	N/A	N/A	N/A
Laurel	No	N/A	N/A	N/A	N/A	N/A	N/A
Rockville	No	N/A	N/A	N/A	N/A	N/A	N/A
Other:							
WSSC	Yes	15	0	N/A	0	0	0
TOTALS	11	3,164	189	103	59	507	10,402

*City of Bowie reported information for the Calendar Year 2022

Table 6. Total Inspection and Enforcement Data for Critical Area - Court Cases and Complaints Received

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded (\$)		
Counties:				
Anne Arundel	0	0	14	41
Baltimore City	0	0	0	0
Baltimore	-	-	-	-
Calvert	N/A	N/A	N/A	N/A
Carroll	N/A	N/A	N/A	N/A
Charles	0	0	15	0
Frederick	N/A	N/A	N/A	N/A
Harford	0	0	0	0
Howard	N/A	N/A	N/A	N/A
Kent	0	0	2	2
Montgomery	N/A	N/A	N/A	N/A
Prince George's	0	0	0	0
Worcester	0	0	29	0
Municipalities:				
Aberdeen	N/A	N/A	N/A	N/A
Annapolis	0	0	0	0
Bel Air	N/A	N/A	N/A	N/A

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded (\$)		
Bowie*	N/A	N/A	N/A	N/A
Gaithersburg	N/A	N/A	N/A	N/A
Greenbelt	N/A	N/A	N/A	N/A
Laurel	N/A	N/A	N/A	N/A
Rockville	N/A	N/A	N/A	N/A
Other:				
WSSC	0	0	0	0
TOTALS	0	0	60	43

*City of Bowie reported information for the Calendar Year 2022

Inspections and Enforcement in Sensitive Areas

- 20 jurisdictions indicated that they have Sensitive Areas within their boundary.
- A total of 6,809 sediment control inspections were performed in Sensitive Areas.
- A total of 309 sediment control violation notices were issued.
- A total of 166 building and grading violation notices were issued.
- A total of 75 stop work orders were issued.
- The sum of \$11,306 was collected in fines or securities.
- There were no court cases.
- 142 complaints were received.
- The jurisdictions provided assistance to correct violations in 286 instances.

Table 7. Inspection and Enforcement Data for Sensitive Areas - Violations and Fines

Jurisdiction	Do You Have Any Sensitive Area(s)?	Total Number of Sediment Control Inspections	Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
			Sediment Control	Building and Grading		Number	Amount (\$)
Counties:							
Anne Arundel	Yes	513	74	24	20	0	0
Baltimore City	Yes	195	4	4	1	4	3,800
Baltimore	Yes	-	-	-	-	-	-
Calvert	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Carroll	Yes	314	73	0	2	0	0
Charles	Yes	637	3	0	3	1,506	1,506
Frederick	Yes	2,501	70	70	16	6	6,000
Harford	Yes	287	0	0	0	0	0
Howard	Yes	1,107	6	6	1	0	0
Kent	Yes	13	0	0	0	0	0
Montgomery	Yes	228	16	16	0	0	0
Prince George's	Yes	0	0	0	0	0	0
Worcester	Yes	557	43	39	32	0	0
Municipalities:							

Jurisdiction	Do You Have Any Sensitive Area(s)?	Total Number of Sediment Control Inspections	Violation Notices Issued		Stop Work Orders Issued	Fines or Securities	
			Sediment Control	Building and Grading		Number	Amount (\$)
Aberdeen	No	N/A	N/A	N/A	N/A	N/A	N/A
Annapolis	Yes	96	7	7	0	0	0
Bel Air	Yes	23	3	0	0	0	0
Bowie*	No	N/A	N/A	N/A	N/A	N/A	N/A
Gaithersburg	Yes	21	0	0	0	0	0
Greenbelt	Yes	53	0	0	0	0	0
Laurel	Yes	28	0	0	0	0	0
Rockville	Yes	16	1	0	0	0	0
Other:							
WSSC	Yes	220	9	N/A	0	0	0
TOTALS	20	6,809	309	166	75	1,516	11,306

*City of Bowie reported information for the Calendar Year 2022

Table 8. Total Inspection and Enforcement Data for Sensitive Areas - Court Cases and Complaints Received

Jurisdiction	Court Cases		Sediment Control Complaints	Compliance Assistance Provided to Correct Violations
	Number	Awarded Cases (\$)		
Counties:				
Anne Arundel	0	0	31	62
Baltimore City	0	0	0	0
Baltimore	-	-	-	-
Calvert	N/A	N/A	N/A	N/A
Carroll	0	0	5	1
Charles	0	0	15	0
Frederick	0	0	68	68
Harford	0	0	0	0
Howard	0	0	7	100
Kent	0	0	0	3
Montgomery	0	0	16	52
Prince George's	0	0	0	0
Worcester	0	0	0	0
Municipalities:				
Aberdeen	N/A	N/A	N/A	N/A
Annapolis	0	0	0	0
Bel Air	0	0	0	0
Bowie*	N/A	N/A	N/A	N/A
Gaithersburg	0	0	0	0
Greenbelt	0	0	0	0
Laurel	0	0	0	0
Rockville	0	0	0	0
Other:				
WSSC	0	0	3	9
TOTALS	0	0	142	286

*City of Bowie reported information for the Calendar Year 2022

IV. Appendices

Appendix A. Environment Article §4-802
Environmental Violations - Reporting Requirements

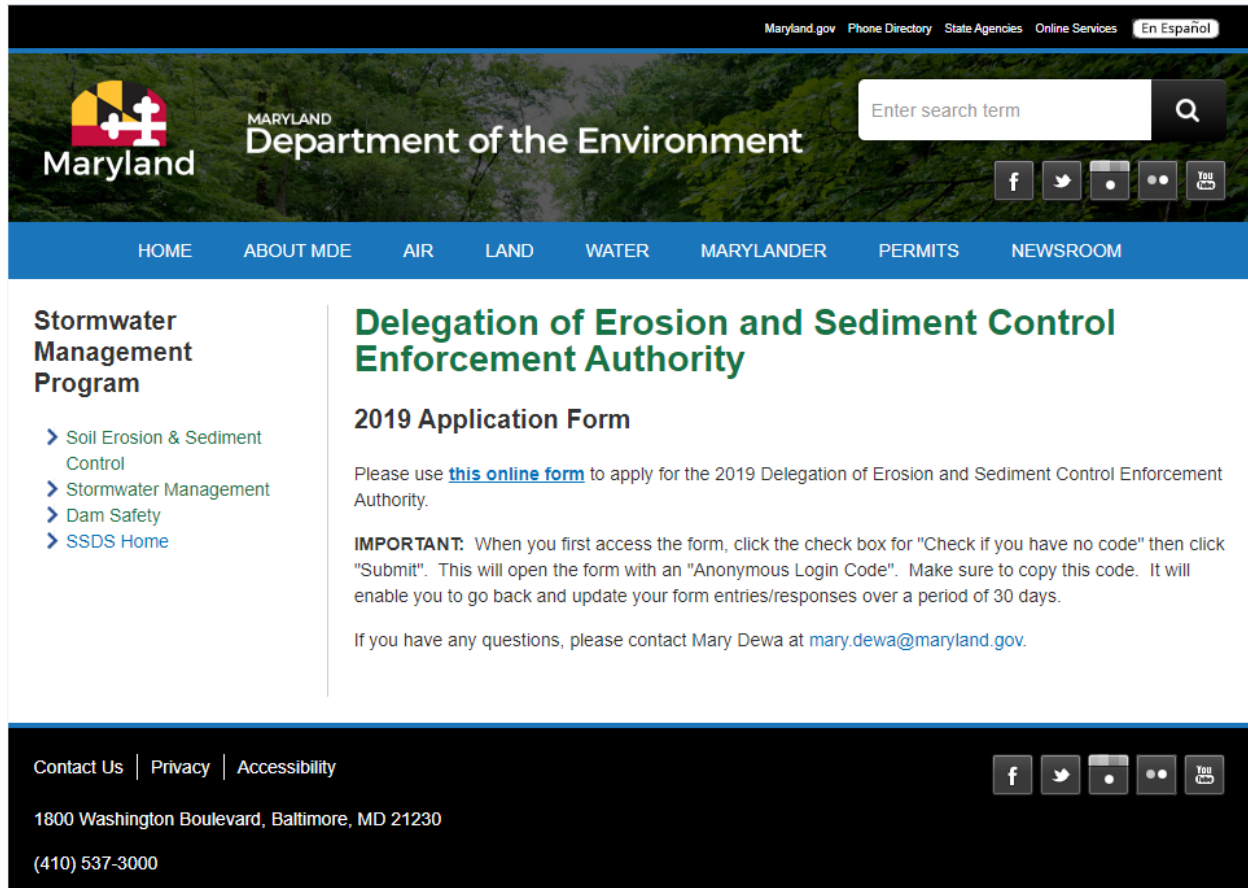
§4-802.

- (a) (1) On or before January 1 each year, each jurisdiction that has delegated authority under Subtitle 1 of this title to enforce sediment and erosion control laws and regulations shall report to the Department on:
 - (i) The total number of cases alleging violations of:
 - 1. Sediment and erosion control laws and regulations; and
 - 2. Building and grading permits; and
 - (ii) The total number of cases alleging violations in the Critical Area of:
 - 3. Sediment and erosion control laws and regulations; and
 - 4. Building and grading permits.

- (2) The information reported to the Department under paragraph (1) of this subsection shall include:
 - (i) The number and nature of:
 - 1. Formal complaints issued by the jurisdiction and whether the complaint is in the Critical Area;
 - 2. Stop work orders issued by the jurisdiction; and
 - 3. Alleged violations reported by citizens to the jurisdiction;
 - (ii) The number of court proceedings involving an alleged violation, including the final disposition of each court proceeding;
 - (iii) The dollar amount of fines levied and collected by the jurisdiction as a result of a violation;
 - (iv) The dollar amount of civil and criminal penalties imposed and collected as a result of a violation;
 - (v)
 - 1. Whether the jurisdiction provided compliance assistance to correct a violation and the nature of that assistance; and
 - 2. Whether the compliance assistance provided by the jurisdiction led to compliance; and
 - (vi) The number of inspectors and other staff of the jurisdiction assigned to inspection and enforcement of:
 - 1. Title 8, Subtitle 18 of the Natural Resources Article;
 - 2. Sensitive areas ordinances;
 - 3. 100-year floodplain ordinances;
 - 4. Sediment and erosion control laws and regulations; and
 - 5. Building and grading permits.

Appendix B. Instructions to Jurisdictions on Using the Web Application to Submit the Requested Data

Step 1: Navigate to the Department's Application Page:



The screenshot displays the Maryland Department of the Environment website. At the top, there is a navigation bar with links for Maryland.gov, Phone Directory, State Agencies, Online Services, and En Español. The main header features the Maryland logo and the text "MARYLAND Department of the Environment". A search bar is located on the right side of the header. Below the header is a blue navigation menu with links for HOME, ABOUT MDE, AIR, LAND, WATER, MARYLANDER, PERMITS, and NEWSROOM.

The main content area is divided into two columns. The left column is titled "Stormwater Management Program" and contains a list of links: "Soil Erosion & Sediment Control", "Stormwater Management", "Dam Safety", and "SSDS Home". The right column is titled "Delegation of Erosion and Sediment Control Enforcement Authority" and contains the following text:

2019 Application Form

Please use [this online form](#) to apply for the 2019 Delegation of Erosion and Sediment Control Enforcement Authority.


IMPORTANT: When you first access the form, click the check box for "Check if you have no code" then click "Submit". This will open the form with an "Anonymous Login Code". Make sure to copy this code. It will enable you to go back and update your form entries/responses over a period of 30 days.

If you have any questions, please contact Mary Dewa at mary.dewa@maryland.gov.

At the bottom of the page, there is a footer with links for Contact Us, Privacy, and Accessibility. The footer also includes the address "1800 Washington Boulevard, Baltimore, MD 21230" and the phone number "(410) 537-3000". Social media icons for Facebook, Twitter, and YouTube are also present in the footer.

Step 2: Follow the steps to generate a login code:

SELECTSURVEY.NET V5.0


classapps

Enter Anonymous Code

Check if you have no code:
(Then click Submit)

SUBMIT

Powered by SelectSurvey.NETv5.024.001
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Step 3: Copy the Code found on the next screen and proceed to Login:

Delegation of Erosion and Sediment Control Enforcement Authority Application - 2019

Anonymous Login Code: m2K01n9KH41 [Code Entry Page](#) Page 1 of 7

Save this code which is required to update your response at a later time.

The Maryland Department of the Environment, Water and Science Administration (the Department) is pleased to announce that applications are being accepted for continued delegation of erosion and sediment control enforcement authority for the fiscal year 2021. The Department has revised the application process and application form this year to reflect regulatory changes enacted in March of 2019 that require new reporting on environmental violations in sensitive areas of the State. Details on the Law can be found [here](#).

Instructions:

Please make sure to copy your Anonymous Login Code displayed at the top of this form. This code is needed so you may be able to resume or update your entries/responses on the form over a period of 30 days.

You may leave the form using the **Cancel** button and use your Login Code to get back into the form. To re-enter the form, use the "this online form" link found here:

<https://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Pages/ESC-enf-delegation.aspx>

Then click "Code Entry Page" to enter your Login Code.

All questions with a red asterisk (*) are required.

Clicking the **Done** button at the end of this Application Form will trigger recording of all your final responses. It will also trigger sending you an email (using the email address you provided on the form) with a copy of all your responses.

1. Jurisdiction*
2. Email address*
3. Full Name of Contact Person*
4. Phone*