



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

February 24, 2021

The Honorable Larry Hogan
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)

I am pleased to provide you with the *Annual Report on Environmental Violations, 2019*, prepared as required in Section 4-802(d) of the Environment Article, *Annotated Code of Maryland* (MSAR #12147). The October 2019 revisions to Maryland's erosion and sediment control program resulted in new reporting requirements for the jurisdictions within the State of Maryland that are delegated the authority to enforce sediment and erosion control laws and regulations. Provided in this report is the Maryland Department of the Environment's summary of delegated authorities' environmental violations.

This report is the culmination of numerous local and state employees' work, your support, and the support of other elected officials. All are commended for their efforts in developing and implementing this important environmental program for improving local water resources and restoring the Chesapeake Bay.

If you or your staff would like to discuss any aspect of this report, please call me at 410-537-3084 or D. Lee Currey, Director, Water and Science Administration at 410-537-3567 or by email at Lee.Currey@Maryland.gov.

Thank you.

Sincerely,

Ben Grumbles
Secretary

BG/dc

cc: D. Lee Currey, Director, Water and Science Administration
Sarah Albert, Department of Legislative Services (5 copies)



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February 24, 2021

The Honorable Paul G. Pinsky
Chairman, Senate Education, Health & Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401-1991

The Honorable Kumar P. Barve
Chairman, House Environment & Transportation Committee
251 House Office Building
Annapolis, Maryland 21401-1991

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

Dear Chairman Pinsky and Chairman Barve:

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Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Grumbles".

Ben Grumbles
Secretary

BG/dc

cc: D. Lee Currey, Director, Water and Science Administration
Sarah Albert, Department of Legislative Services (5 copies)



**Annual Report on Environmental Violations
-2019-**

Prepared by:
The Maryland Department of the Environment

Prepared for:
Governor Larry Hogan
**The Senate Education, Health, and Environmental Affairs
Committee**
The House Environment and Transportation Committee

July 2020

Larry Hogan, Governor | Boyd K. Rutherford, Lt. Governor | Ben Grumbles, Secretary | Horacio Tablada, Dep. Secretary

For further information concerning this document contact:

Legislative and Intergovernmental Relations
Maryland Department of the Environment
Baltimore, MD 21230
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I. Introduction

Environment Article, Title 4, Subtitle 1, requires the Maryland Department of the Environment (Department or MDE) 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 delegation include reporting the number of permits issued and violations that occurred within the jurisdiction.

In 2019, the Governor approved Chapters 517 and 518, of the Acts of 2019 (House Bill 703/Senate Bill 505). This legislation requires 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 recently enacted 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, 2019*, published July 2020 (Annual Report), fulfills the requirement of §4-801, Environment Article, Subtitle 8 of the *Annotated Code of Maryland*. The following summarizes the data collected by the Department from the delegated jurisdictions.

III. Summary of Environmental Violations in Maryland

Data collected from the delegated jurisdictions are presented in Tables 2 through 8. The summary presented below covers data submitted by all 22 jurisdictions for fiscal year 2019 (i.e., July 1, 2018 to June 30, 2019) or “FY19.”

Permit Information

- A total of 3,819 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 13,317 acres.
- A total of 4,101 other permits were issued. Other permits typically include permits 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 3,746 acres.

**NOTE: In the following tables the use of “-” indicates that data were not reported by the local 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	394	1,420	1,186	1,420	586	54	586	54
Baltimore County	207	1,138	207	1,138	61	-	61	-
Calvert	390	870	610	910	0	0	0	0
Carroll	127	1,905	99	892	2015	3,121	615	923
Charles	1,039	1,844	1398	7,250	-	-	-	-
Frederick	67	891	118	2,872	822	283	933	321
Harford	52	622	144	1,888	118	198	335	198
Howard	233	547	454	2,422	71	61	69	60
Kent	97	739	15	6	-	-	-	-
Montgomery	383	576	265	408	102	17	65	12
Prince George’s	163	1,123	163	1,123	4	3	4	3
Worcester	186	333	136	267	-	-	-	-
Municipalities:								
Aberdeen	8	72	14	106	5	1	1	0.5
Annapolis ¹	19	7	94	73	0	0	0	0
Baltimore City	131	265	362	868	256	3	256	3
Bel Air	7	18	4	14	2	0.6	0	0

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	11	11,376	986	0	224	40	67,214
Baltimore	6	5,125	772	772	67	0	2,010
Calvert	3	2,945	58	67	10	10	750
Carroll	5	4,126	816	461	10	0	0
Charles	6	6,747	30	53	30	30	24,327
Frederick	4	2,547	363	363	0	0	0
Harford	6	3,771	1,380	1,380	36	0	0
Howard	16	10,401	147	147	7	0	0
Kent	2	856	12	8	15	1 ¹	18,328
Montgomery	11	16,789	396	387	60	75	41,225
Prince George's	19	21,206	237	-	25	-	8,050
Worcester	1	465	64	61	41	0	0
Municipalities:							
Aberdeen	1	54	5	0	0	0	0
Annapolis ²	2	444	80	2	1	11	6,050
Baltimore City	5	2,647	27	27	10	6	48,400
Bel Air	1	162	51	0	3	0	0
Bowie	3	243	2	0	0	0	0
Gaithersburg	3	356	3	36	0	0	0
Greenbelt	2	116	12	0	0	0	0
Laurel	3	216	11	0	0	0	0
Rockville	1	839	196	196	-	5	11,000
Other:							
WSSC	5	2,297	118	0	3	19	5,000
TOTALS	116	93,728	5,766	3,960	542	197	232,354

¹ Estimate by the Department due to incomplete jurisdiction data

² Data were reported for calendar year 2019

Inspections and Enforcement in the Critical Area

- 12 jurisdictions indicated that they have Critical Area within their boundary.
- A total of 1,428 sediment control inspections were performed in the Critical Area.
- A total of 101 sediment control violation notices were issued.
- A total of 72 building and grading violation notices were issued.
- A total of 46 stop work orders were issued.
- The sum of \$19,553 was collected in fines or securities.
- 274 complaints were received.
- The jurisdictions provided assistance to correct violations in 41 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	-	-	-	-	-	-
Baltimore County	Yes	-	-	-	-	-	-
Calvert	Yes	640	38	10	10	10	300
Carroll	No	-	-	-	-	-	-
Charles	Yes	37	1	1	0	1	100
Frederick	No	-	-	-	-	-	-
Harford	Yes	30	12	12	1	0	0
Howard	No	-	-	-	-	-	-
Kent	Yes	330	0	5	0	1 ¹	17,653
Montgomery	No	-	-	-	-	-	-
Prince George's	Yes	21	1	0	0	0	0
Worcester	Yes	292	40	39	33	0	0
Municipalities:							
Aberdeen	No	-	-	-	-	-	-
Annapolis ²	Yes	42	8	1	1	4	1,500
Baltimore City	Yes	23	1	1	1	0	0
Bel Air	No	-	-	-	-	-	-
Bowie	No	-	-	-	-	-	-

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 (\$)		
Baltimore City	0	0	1	1
Bel Air	-	-	-	-
Bowie	-	-	-	-
Gaithersburg	-	-	-	-
Greenbelt	-	-	-	-
Laurel	-	-	-	-
Rockville	-	-	-	-
Other:				
WSSC	0	0	0	0
TOTALS	0	0	274	41

¹ Data for calendar year 2019

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 (\$)
Baltimore City	Yes	19	1	1	1	0	0
Bel Air	Yes	53	23	0	3	0	0
Bowie	Yes	1	0	0	0	0	0
Gaithersburg	No	-	-	-	-	-	-
Greenbelt	No	-	-	-	-	-	-
Laurel	Yes	21	3	0	0	0	0
Rockville	Yes	14	6	0	0	1	1,000
Other:							
WSSC	Yes	380	33	0	1	6	3,000
TOTALS		2,433	286	103	54	13	5,209

¹ Data for calendar year 2019

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	-	-	-	-
Baltimore	-	-	-	-
Calvert	0	0	-	-
Carroll	-	-	36	15
Charles	0	0	2	-
Frederick	-	-	-	-
Harford	0	0	26	0
Howard	-	-	-	-
Kent	0	0	-	-
Montgomery	-	-	3	74

II. 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 shows 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 an 'En Español' button. The main header features the Maryland Department of the Environment logo and a search bar. 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 a section for the '2019 Application Form'. This section includes instructions to use an online form and an important note about the login code. At the bottom of the page, there is a dark footer with contact information and social media icons.

Maryland.gov Phone Directory State Agencies Online Services En Español

MARYLAND Department of the Environment

HOME ABOUT MDE AIR LAND WATER MARYLANDER PERMITS NEWSROOM

Stormwater Management Program

- > Soil Erosion & Sediment Control
- > Stormwater Management
- > Dam Safety
- > SSDS Home

Delegation of Erosion and Sediment Control Enforcement Authority

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 Mar. DeJia at mar.dejia@maryland.gov

Contact Us | Privacy | Accessibility

1800 Washington Boulevard, Baltimore, MD 21230
(410) 537-3000

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

This is the Login Code

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 Log in 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 Log in 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

Cancel Next

