



Stormwater Management Watershed Protection and Restoration Program

What is the Watershed Protection and Restoration Program?

The Watershed Protection and Restoration Program (HB987) was signed into law in April 2012. The program establishes a system of stormwater remediation fees and a local watershed protection and restoration fund (WPRF) that must be implemented by counties and municipalities that are subject to a National Pollutant Discharge Elimination System (NPDES) Phase I Municipal Separate Storm Sewer System (MS4) permit in Maryland.

Which jurisdictions must implement a WPRF?

The following jurisdictions are subject to an NPDES Phase I MS4 permit and must implement a WPRF.

- Anne Arundel County
- Baltimore City
- Baltimore County
- Carroll County
- Charles County
- Frederick County
- Harford County
- Howard County
- Montgomery County
- Prince George's County

Charles, Montgomery, and Prince George's Counties currently implement a stormwater remediation fee (e.g., a stormwater utility, ad-valorem tax, or environmental service fee).

What does the WPRF pay for?

- The WPRF pays for stormwater management, and stream and wetland restoration projects to improve water quality and reduce phosphorus and nitrogen levels entering Chesapeake Bay and its tributaries.
- The WPRF may be used for public education and outreach relating to stormwater management, and stream and wetland restoration.
- The WPRF may be used to pay for the operation and maintenance of existing stormwater management programs and facilities, and for local stormwater management planning activities.
- The WPRF provides funding for local stormwater management planning, including:
 - Mapping and assessment of impervious surfaces;
 - Monitoring, inspection, and enforcement activities to carry out the program; and
 - Reviewing stormwater management plans and permit applications for new development provided that any existing charges or fees collected are deposited into the fund.

How are stormwater remediation fees collected?

- Counties or municipalities with a WPRF are required to collect a stormwater remediation fee from the owners of property located within their jurisdiction.
- This fee may be based on a flat rate, a graduated rate determined by impervious cover, or another method of calculation selected by the jurisdiction.
- Property owned by the State, a unit of State government, a county, a municipality, or a regular volunteer fire department that is used for public purposes may not be charged stormwater remediation fees.

May stormwater remediation fees be reduced?

- Counties or municipalities may establish policies and/or procedures to reduce these fees to account for stormwater management systems, facilities, services, or other related activities that improve the quality or reduce the amount of stormwater runoff.
- Any policy or procedure for reducing stormwater remediation fees must include:
 - Guidelines for determining which systems, services, facilities, or activities may be used to reduce remediation fees;
 - Method(s) for calculating the amount of any fee reductions; and
 - Procedures for verifying the effectiveness of any practices that are used to reduce applicable fees.
- Jurisdictions may conduct on-site inspections, authorize a third party to perform inspections on the jurisdiction's behalf, or require property owners to hire a third party to conduct inspections.
- All policies and procedures regarding fee reductions, and modifications to local ordinances must be approved by MDE.

When does the Watershed Protection and Restoration Program go into effect?

- Counties and municipalities must adopt any necessary local laws or ordinances needed to establish the WPRF by July 1, 2013.

If there are any questions, please contact WMA at 410-537-3543 or www.mde.state.md.us.

