



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 543

***Charles County - Cemeteries - Sediment Control, Stormwater Management, and
Forest Conservation***

Position: OPPOSE
Committee: Education, Energy, and the Environment
Date: March 08, 2023
From: Gabrielle Leach

The Maryland Department of the Environment (MDE) **OPPOSES** Senate Bill 543. Senate Bill 543 would provide an exemption for cemeteries located in Charles County from the requirement to obtain and implement an approved erosion and sediment control plan and an approved stormwater management plan. Cemeteries in Charles County would also be exempt from Forest Conservation requirements in the Natural Resources Article. While MDE is opposed to the legislation, the Department is committed to working with the Senator and affected parties to try and help resolve this issues given rise to the bill.

Water Protection Concerns: Charles County is home to approximately 41 Tier II high quality waters. The erosion and sediment control plan and the stormwater management plan provide some assurance that harmful stormwater discharges to those high quality waters will be prevented. These plans prevent harmful discharges from occurring. There is a greater likelihood that downstream impacts will occur if an approved plan is not implemented. .

Removes Certainty Over Erosion and Sediment Prevention Actions: Exemption from the approved stormwater management plan, prior to issuance of a grading permit, does not exempt the property owner from the requirement to prevent off-site stormwater impacts or from meeting the requirements of the General NPDES Permit for Stormwater Associated with Construction Activity (14-GP). The approved stormwater management plan provides a clear path towards prevention of unmanaged, off-site stormwater runoff. Without the plan, the site owner and the public are left to judge whether the requirements have been met. An approved erosion and sediment control plan is required to obtain coverage under the 14-GP. Senate Bill 543 would result in an inconsistency and without proper stormwater management, downstream flooding, erosion, and stormwater pollution can occur.

Increased Coordination Necessary: Senate Bill 543 will require MDE to modify regulations and model ordinances and provide education and outreach to Charles County and the Charles County Soil Conservation District. This bill would likely result in additional necessary coordination when a cemetery property is discharging stormwater runoff, is not in compliance with a NPDES discharge permit, or is impacting downstream properties.

For the reasons detailed above, MDE urges a **UNFAVORABLE** report for Senate Bill 543.