Arundel Rivers FEDERATION

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Committee: **House Environment & Transportation**
Legislation: **HB 295**
Position: **SUPPORT**
Date: **January 21, 2021**

Dear Chairman Barve and Members of the Committee:

The Arundel Rivers Federation is a non-profit watershed organization dedicated to protecting, preserving, restoring and enhancing the waters of the South River, Rhode River, West River, Herring Bay in Anne Arundel County. The Federation requests a favorable report for House Bill 295. This bill requires the Maryland Department of the Environment to regularly update precipitation data underlying stormwater management regulations in the built environment. Current regulations are based on obsolete precipitation frequency models, and do not account for increased frequency of high-precipitation events observed since their creation, and forecasted for Maryland in the coming decades by the National Oceanic and Atmospheric Administration, among other authorities. These updates will provide better stormwater management protections to our towns and municipalities as well as our rivers and streams.

Specifically, the bill requires the Department to update stormwater regulations, consult with a defined stakeholder group prior to regulatory changes, update discharge permits issued after the regulations are adopted, and modify the State's Watershed Implementation Plan to reflect offsets of pollution attributable to climate change.

The bill is timely, as overall precipitation, and especially high-intensity precipitation events are increasing. The National Oceanic and Atmospheric Administration reports of Maryland that "[a]nnual mean precipitation has been above average for the last two decades (Figure 2d). The annual number of extreme precipitation events (days with more than 2 inches) averaged 2.5 days per year during 2005-compared to 1.8 days per year during 1950-2004 (Figure 4)."[1] Similarly, "[t]he 100-year rain storm event, as defined by historical data, is expected to occur every 20 to 50 years by the end of the century." The EPA notes that "between 1958 and 2012, the northeastern United States saw a more than 70 percent increase in the amount of rainfall measured during heavy precipitation events—more than any other region in the nation." The rising frequency of days with extreme precipitation events highlights the importance of robust and responsive stormwater management controls.

Maryland's largest jurisdictions are already spending millions of dollars to construct, update and retrofit sustainable stormwater management infrastructure to comply with the Bay's Total Maximum Daily Load requirements. The regulatory updates contemplated in HB 295 can be the ounce of prevention that saves the pounds of cure we would otherwise need to keep paying for in the coming decades as the Bay's watershed continues to increase in population.

[1] NOAA National Centers for Environmental Information | State Summaries 149-MD

The Chesapeake bay Program notes that "stormwater runoff is the fastest growing source of pollution to Chesapeake Bay"[2] even as other forms of pollution are ratcheted down. This fast rise of pollution comes despite measures at the State and local level to control stormwater. Improving the data by which these State and local agencies assess permits, compliance, and design is a necessary first step toward reversing this trend.

Thank you for the opportunity to present these comments.

Respectfully Submitted,

Jesse L. Iliff, Esq.
South, West & Rhode RIVERKEEPER®

[2] Chesapeake Bay Program, available at: https://www.chesapeakebay.net/issues/stormwater_runoff#:~:text=Stormwater%20runoff%20is%20the%20fastest,to%20the%20Bay%20in%202015.