



Maryland

Department of the Environment

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

Ben Grumbles
Secretary

March 19, 2019

Eva Kerchner, Assistant Director
Inspections and Permits
Anne Arundel County
Heritage Office Complex
2664 Riva Road, MS6201
Annapolis, MD 21401

Dear Ms. Kerchner:

The Maryland Department of the Environment, Water and Science Administration (the Department) has completed a review of Anne Arundel County's application for continued delegation of erosion and sediment control enforcement authority. As part of this evaluation, the Department conducted field inspections and a review of erosion and sediment control enforcement procedures in accordance with the County's approved ordinance.

On December 11, 2018, Department staff accompanied County personnel and the Anne Arundel Soil Conservation District (SCD) to inspect ten active construction sites totaling 94 acres of earth disturbance. Results of this field audit, attached for your use, found the majority of sites to be in good condition and routine enforcement by the County inspection staff generally effective in gaining compliance. However, of concern to the Department is the recurring need for timely stabilization or re-stabilization. The Department and County staff discussed this issue, and County staff communicated a commitment to improve stabilization through increased enforcement.


Based on the findings of this evaluation and the understanding that the County will address this issue, the Department is granting Anne Arundel County's request for continued delegation of erosion and sediment control enforcement authority for two years. This delegation of authority is effective through June 30, 2021. The Department has also determined that the County's program is in compliance with the erosion and sediment control program elements stipulated in Part IV.D.2. of Anne Arundel County's municipal separate storm sewer system (MS4) permit (11-DP-3316 MD0068306).

Because effective erosion and sediment control is fundamental in our effort to protect local streams and restore the Chesapeake Bay, I would like to thank you and your staff for your continued efforts and assistance during the review process.

Eva Kerchner, Assistant Director
March 19, 2019
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If you have any questions or comments regarding this evaluation, please contact me at 410-537-3561, or have a member of your staff contact Stewart Comstock, Sediment and Stormwater Program Review Division at 410-537-3550, or Stewart.Comstock@Maryland.gov.

Sincerely,



for

Jennifer M. Smith, P.E.
Program Manager
Sediment, Stormwater, and Dam Safety Program
Water and Science Administration

Enclosures

cc: John Czajkowski, District Manager, Anne Arundel County Soil Conservation District

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION
EROSION AND SEDIMENT CONTROL
PROGRAM EVALUATION**

Jurisdiction: Anne Arundel County

Review Dates: December 11, 2018

Ordinance
Reference Citation: Anne Arundel County Code, Article 16, Floodplain Management, Erosion and Sediment Control, and Stormwater Management

First Adopted by Jurisdiction: 1985

State Approval Issued: March 11, 1985

Most Recent Modification: September 29, 2015 - Article 16 amended to reflect changes in State Code.

Current Status: Acceptable

Procedures
Description: Currently, Anne Arundel County's inspection and enforcement procedures are consistent with the Code of Maryland Regulations (COMAR) 26.17.01.

Total Inspections Performed: 10,761 (annual average based on FY17 and FY18 data)

Violation Notices Issued: 1226

Stop Work Orders Issued: 125

Amount of Fines or Bonds Collected: \$19,688

Court Cases: 5

Comments: Procedurally, Anne Arundel County should be able to administer an effective erosion and sediment control program.

Workload (annual average based on FY17 and FY18 data)

Permits Issued: Major: 436 (566 acres) Minor: 303 (35 acres)

Permits Active: Major: 393 (509 acres) Minor: 272 (30 acres)

Staff Size: Supervisory Staff: 2

Inspection Staff: 11

Administrative Support: 1 (2 part time staff)

Current Status: The County's Department of Inspections and Permits staff conduct erosion and sediment control inspections and enforcement.

Comments: Adequate

Field Enforcement
Total Number of Sites Visited: 10

E&SC Delegation	Plan Data		Adequate Implementation/Maintenance										Enforcement													
	Disturbed Acres	3-Year Approval		Provides Adequate Control		Grading		Stabilization		Water Conveyance		Erosion Control		Filtering		Dewatering		Sediment Trapping		Off-Site/Potential Water Impacts		Documented Inspections		Adequate Enforcement		
		Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	
Anne Arundel December 11, 2018																										
Site Name																										
1 Killarney House Watershed Improvement	3	x			x																					
2 Police Academy	11	x			x																					
3 Bestgate Self Storage	3	x			x																					
4 Gambrills Center	4	x																								
5 Riverwalk	22	x			x																					
6 Wades Grant	23	x			x																					
7 Mill Race Detention Retrofit	4	x			x																					
8 197 Business Park Ph. IV	8	x			x																					
9 St. Martins Church/School	1	x			x																					
10 Creekside at Tanyard Cove Sec. 5	15	x			x																					
Totals	94	10	0	9	1	2	0	7	3	4	1	6	0	7	2	6	0	4	0	1	9	10	0	9	1	
Percent																										

Site Comments: Site 2. Stockpile is larger than on plans and prevented flow to earth dike as per plan; asphalt berm required minor maintenance. The 12/12/2018 inspection report indicated that the site was in compliance; however, the 1/23/2019 report requested that the contractor "Complete flow channel from stockpile to sediment trap #1 as previously discussed on 12/12/2018". The County provided documentation indicating that maintenance needs were addressed. Site 3. Standard inlet protection (SIP) not installed per specification. Site 4. Re-stabilization required; rill erosion present. The County provided documentation indicating that maintenance needs were addressed. Site 5. Stabilization and restabilization required; rill erosion observed near future environmental site design (ESD) practices; runoff from curb cuts pooled around inlet protection; maintenance and additional controls required in some areas of the site where no practice was installed and the sediment trap was phased out for construction. While on-site, inspector indicated that the engineer will be contacted regarding corrective actions. The County provided documentation indicating that maintenance needs were addressed. Site 6. Off-site discharge; high clay content caused discolored discharge from sediment basin. Site 8. Silt fence and non-woven geotextile used to protect installed ESD practices; this is unsatisfactory as material is permeable and will allow fines into the facility; full isolation and runoff diversion required. Site 10. High clay content is contributing to offsite sediment laden discharge. Completed ESD practices are not fully protected through the use of silt fence and geotextile; runoff must be diverted around facilities until all areas are fully stabilized.

MDE Reviewers: Brian Cooper, Pat Depkin, Stewart Constock, Rory Maymon

Anne Arundel County Delegation Review

December 11, 2018

Reviewers: Brian Cooper, Pat Depkin, Stewart Comstock, and Rory Maymon

General Notes

- Visited 10 sites in the County.

Police Academy

County Staff: Ashley Weaver and Geoffrey Bobersky

Anne Arundel (AA) Soil Conservation District (SCD) Staff: Shelly Garrett and Justin Walker

MDE Staff: Brian Cooper and Rory Maymon

Plan Approval Date: 10/6/2017

Disturbed Area: 11.13 acres

Type of project: Capital

Stage: Building Construction

- One stockpile required maintenance for grading and to ensure that drainage to the sediment trap was stable and non-erosive as per plan.
- County inspection report from 12/12/2018 did not address any maintenance needs for the stockpile and drainage to the sediment trap. However, the 1/23/2019 report requested that the contractor "Complete flow channel from stockpile to sediment trap #1 as previously discussed on 12/12/2018". The County provided documentation indicating that maintenance needs were addressed.



Stockpile larger than indicated on plans



Stockpile altered drainage to sediment trap



Asphalt berm required maintenance

Bestgate Self Storage

County Staff: Scott Schneck and Geoffrey Bobersky

AA Soil Conservation District (SCD) Staff: Shelly Garrett and Justin Walker

MDE Staff: Brian Cooper and Rory Maymon

Plan Approval Date: 8/15/2017

Disturbed Area: 3.05 acres

Type of project: Commercial

Stage: Building Construction

- While onsite, MDE observed that the standard inlet protection was not installed per specification and used nonwoven geotextile instead of the woven geotextile as per the specification. During MDE's review, the County inspection supervisor directed the County inspector to have the inlet protection removed.



Inlet protection not per specification

Gambrills Center

County Staff: Thomas Newquist and Geoffrey Bobersky

AA SCD Staff: Shelly Garrett and Justin Walker

MDE Staff: Brian Cooper and Rory Maymon

Plan Approval Date: 8/14/2017

Disturbed Area: 4.05 acres

Type of project: Commercial

Stage: Rough Grading

- Grading created an unapproved swale that concentrated flow and caused rill erosion.
- The County issued an inspection report, dated 2/1/ 2019, indicating that a Stop Work Order was issued due to a “[f]ailure to comply with approved grading permit plans.” Additional documentation, dated 2/21/2019, was provided indicating that maintenance needs were addressed.



Re-grading and re-stabilization required



Re-grading and re-stabilization required;
unapproved dike concentrated flow



Re-stabilization required; rill erosion



Re-stabilization required

Riverwalk

County Staff: Thomas Newquist and Geoffrey Bobersky

AA SCD Staff: Shelly Garrett and Justin Walker

MDE Staff: Brian Cooper and Rory Maymon

Plan Approval Date: 4/30/2018

Disturbed Area: 21.87 acres

Type of project: Residential

Stage: Building Construction

- Sediment traps were phased out as per plan but areas of the site were left without adequate erosion and sediment controls. While on-site, inspector indicated that the engineer will be contacted regarding corrective actions.
- On 12/14/2018, the County issued a correction notice requesting maintenance and the addition of a filter log near the curb cut that was causing rill erosion. A following inspection report, dated 1/8/2019, indicated that the site was in compliance.



Re-stabilization required; rill erosion near future environmental site design (ESD) practice



Stabilization required



Re-stabilization required; rill erosion



Curb cut where runoff exits and created erosion; runoff pooled near inlet protection; maintenance required

I97 Business Park Ph. IV

County Staff: Stephen Kravetsker

AA SCD Staff: Kevin Holland

MDE Staff: Pat Depkin and Stew Comstock

Plan Approval Date: 6/01/18

Disturbed Area: 7.58 acres

Type of project: Commercial

Stage: Building Construction and Finished Grading

- Some ESD facilities have been constructed but have not been sufficiently protected from sediment laden runoff. Drainage areas have been stabilized with seed and straw, but germination has not occurred due to seasonal climate (winter).



Marginal protection of completed ESD practice

Creekside at Tanyard Cove Sec. V

County Staff: Ronnel Roulhac

AA SCD Staff: Kevin Holland

MDE Staff: Stew Comstock, Pat Depkin

Plan Approval Date: 8/17/17

Disturbed Area: 15.19 acres

Type of project: Residential

Stage: Building Construction and Final Stabilization

- Completed ESD practices are not fully protected through the use of silt fence and geotextile; runoff must be diverted around facilities until all areas are fully stabilized. Silt fence is a filter, not a diversion.



Basin with suspended clays



Basin outfall discharged suspended clays



Runoff not diverted around practice

Wades Grant

County Staff: Stephen Kravetsker
AA SCD Staff: Kevin Holland
MDE Staff: Pat Depkin and Stew Comstock
Plan Approval Date: 5/29/18
Disturbed Area: 22.5 acres
Type of project: Residential
Stage: Rough Grading and Utility Installation

- Offsite discharge of sediment laden water.



Sediment trap outlet with pooled sediment laden water

