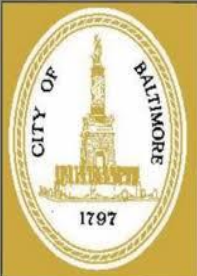


FROM	NAME & TITLE	Jason W. Mitchell, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Resolution Bill 21-0070R		

November 5, 2021

TO:

Health, Environment and Technology Committee

I am herein reporting on City Council Resolution 21-0070R introduced by Council Members McCray, Bullock, Middleton, Cohen, Burnett, Ramos, Porter, Glover, and Conway.

The purpose of the Resolution is to invite representatives from the Departments of Planning, Public Works, Recreation and Parks, Housing and Community Development, Transportation, the Office of Sustainability, and the Environmental Control Board to address their current roles in soil conservation and urban agriculture and servicing Baltimore City farmers.

The City of Baltimore has delegated authority from the Maryland Department of the Environment to implement, manage, and when necessary, enforce soil erosion and sediment controls in Baltimore City. This delegated authority is embodied in Article 7 {Natural Resources} Division III of the Baltimore City Code, the goal of which is to "... minimize soil erosion and prevent off-site sedimentation by using soil erosion and sediment control practices designed in accordance with governing laws and regulations." The Department of Public Works' Office of Compliance and Research implements and enforces Division III of the Code. The guiding documents for this work are the latest iterations of the *Maryland Standards and Specifications for Soil Erosion and Sediment Control* and the City's Erosion and Sediment Control Manual. While no person may disturb land without implementing the required soil erosion and sediment controls, the following exemptions are allowed under the Code: agricultural land practices; agriculture best management practices; clearing or grading activities that disturb less than 100 cubic yards of earth; and clearing or grading activities that are subject to State approval and enforcement under State law and regulations. However, these exemptions may not be granted without first submitting a plan to Public Works for review to confirm that an exemption is warranted.

Similarly, Article 7 Division II of the Baltimore City Code embodies the City's delegated authority for stormwater management, the goal of which is to minimize the quantity of runoff from a development or redevelopment site, and improve the quality of stormwater runoff

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released from the site. The Department's Office of Compliance and Research implements and enforces this Division II. The guiding documents for this work are the latest iterations of the Maryland Stormwater Design Manual, the City's Stormwater Design Manual, and the USDA Natural Resources Conservation Service Maryland Conservation Practice Standard Pond Code 378. No person may develop any land without implementing appropriate stormwater measures, unless the project is a single-lot residential construction that establishes stormwater management measures in accordance with a standard stormwater management plan prepared in accordance with the City's Design Guideline and approved by the Department; or establishes stormwater measures that control or manage runoff from the development and incorporates those measures into phased stormwater management plans approved by the Department. As with Division III (sediment and erosion control), Division II does exempt agricultural land management practices from stormwater controls that "...employ methods and procedures to further crop and livestock production and conservation to conserve soil and water resources ..." provided that a plan is presented to the Department for review to confirm that the agricultural exemption is warranted.

The Department of Public Works would like to clarify a statement in the recitals of City Council Resolution 21-0070R. Article 7 of the City Code does not commit the Department to helping establish concept plans to combat soil erosion and employ sediment control. It designates the Department as the regulatory agency who enforces the requirements of addressing erosion and sediment control during the planning and construction phases of all qualifying land disturbance activities.

Representative of the Department of Public Works will attend the Informational Hearing on City Council Resolution 21-0070R to present information about its role in sediment and erosion control and urban agriculture, and to assist the Committee with questions on these topics.


Jason W. Mitchell
Director

JWM:MMC