

MDEStat Meeting

March 15, 2010



Shari T. Wilson, Secretary

Sue Battle-McDonald, Stat Director

Table 1: Backlogged Wetlands Permit Applications Pre-3/1/08 Backlog (to be eliminated by 10/31/10)

1. Permit Type	2. BASELINE	3. 10/26/09	4. 11/23/09	5. 1/31/10	6. 3/1/10
Nontidal	1731	783	772	762	369
Tidal	4037	1394	1381	1360	255

Table 2: Wetlands Permit Backlog Elimination: Phase Two Schedule

Target Dates	Task
01/25/10 - 02/01/10	Development of boilerplate letters and detailed instructions by Program management to insure that Phase II is implemented in a consistent manner by Program staff.
02/02/10	Letters and instructions transmitted to staff.
02/02/10 - 02/19/10	Staff reviews assigned project files and either administratively closes the file in RAMS or contacts applicants via mail/email regarding backlogged projects.
02/22/10 - 03/22/10	Applicants respond to correspondence and staff updates database based on applicants' responses.
03/23/10 - 05/21/10	Applicants provide information necessary to complete the application.
05/24/10 – 06/30/10	Complete applications are removed from the backlog and incomplete applications are administratively closed.

Table 3: Overdue Wetlands Permit Applications

			Number of OVERDUE Applications (Received on or after 3/1/08 But Now Pending Longer Than Applicable Turnaround Time)				
1. Permit Type	2. Permit Sub-Type	3. Turnaroun d Time	4. 9/21/09	5. 10/26/09	6. 11/23/09	7. 1/31/10	8. 3/1/10
Nontidal Wetlands and Waterway s Permits	Minor Projects	10 Months (300 Days)	95	98	99	112	106
	Major Projects	12 Months (365 Days)	66	80	90	93	95
Tidal Wetland Licenses and Permits	Minor Projects	5 Months (150 Days)	129	113	114	115	109
	Major Projects	8 Months (240 Days)	166	157	167	162	163
Total			456	448	470	482	473

Table 4: Facilities Operating on Administratively-Extended WMA Permits

Permit Type	Goals	Percentage of Permits That Are Extended
Surface Discharge Permit (Industrial) Major Facilities	10% by 9/30/10 0% by 9/30/11	55.2% (16/29)
Surface Discharge Permit (Industrial) Minor Facilities	10% by 9/30/11 0% by 12/31/11	31.2% (80/255)
Surface Discharge Permit (Municipal) Major Facilities	10% by 9/30/10 0% by 9/30/11	14% (8/56)
Surface Discharge Permit (Municipal) Minor Facilities	10% by 9/30/11 0% by 12/31/11	33% (77/231)
ENR Facilities	10% by 9/30/10 0% by 9/30/11	16% (12/75)
Groundwater	20% by 7/1/2011	Overall – 25.7% (59/230) WMA3 – 25.6% (22/86) WMA4 – 25.7% (37/144)

Table 5: WMA's Bay Milestone Activities

Program	Units	Goal, Units Implemented by 2011	Goal, Nitrogen Reduced by 2011	Units Implemented, 1/10	Pounds of Nitrogen, 1/10	% of Goal Achieved
Stormwater Runoff Management Retrofits	acres	90,000	119,700	26,250	34,913	29%
Septic Retrofits Inside of Critical Area	systems	1,080	13,133	705	8,573	65%
Septic Retrofits Outside of Critical Area	systems	1,920	10,042	1,027	5,371	53%
3 State-owned non-DNR Septics	systems	3	16	3	16	100%

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Table 6: WMA Stormwater Management Restoration Tracking Initiatives

Task	Description/Comments	Target Completion Timeframe
Tracking SWM Outside MS4 Jurisdictions	Review historical retrofit data and identify watershed restoration not accounted for in MS4 annual reports. Use of interns or other staff to review SW project funding files in WQIP, conduct outreach to non-MS4 jurisdictions, coordinate with SSA on review of existing GIS data. One intern completed Baltimore County evaluation. Expect two more interns in 2010 to evaluate other MS4 jurisdictions.	Fall 2010
Local Government Update of MS4 Reports	Review of additional information from local MS4 jurisdictions to correct all tracked data to date. For example, PG County has submitted updated information on impervious land area. WMA is evaluating PG county submission.	Fall 2010
SHA Updates	WMA is working with SHA to update restoration activities and improve tracking of restoration activities.	Fall 2010
Additional Funding to Improve Tracking/Reporting	<p>WMA has received approval from the Office of Budget to use approximately \$20k to hire a consultant this fiscal year to help capture stormwater retrofits implemented State-wide. This funding will help to continue SWM Program's work with MES or with other consultants to capture SWM retrofits and improve GIS tracking and reporting essential for the BayStat and upcoming TMDL reporting.</p> <p>Timeline: Long-term project</p> <p>In January 2010 EPA issued draft guidelines describing various grants, including new CBIG grant of \$11.2 million for all Bay States, which is intended to support regulatory and enforcement to control nutrient, phosphorus and sediment from wastewater, urban, suburban and ag runoff. EPA indicated that it will distribute the grants non-competitively to signatories of the Bay Agreement. Final EPA guidelines are expected by March 2010. In response to the draft guidance, SWM Program has developed a draft grant proposal which emphasized development of new tracking systems, which will improve and streamline SWM BayStat and TMDL reporting. Other areas of the proposal included enhancements, new requirements, standards, better enforcement, new inspection and construction guidance, changes to Maryland's program to provide and address concerns with enforcement, etc. Timeline: Long-term project.</p>	Not provided

Table 7: Status of WMA BPW PINs

	Positions Received	Positions Filled
June 08	15	15
January 09	19	18
Wetlands	14	13
Compliance	4	4
OAG	1	1
June 09	10	8
Sediment & Stormwater	7	5
Compliance	3	3

Table 8: WMA Vacancies of Concern

PIN	Vacancy Date	Status and EDC for Next Step
087297	01/07/09	Selected candidate from February interviews declined offer; proceeding to next candidate. Selection package forwarded to OFP 3/4/10; EDC for OFP approval 3/5/10.
087548	06/17/09	Selected candidate from January interviews declined offer; proceeding to next candidate. Selection package forwarded to OFP 3/4/10; EDC for OFP approval 3/5/10.
087551	06/17/09	Selected candidate from January interviews declined offer; proceeding to next candidate. Selection package forwarded to OFP 3/4/10; EDC for OFP approval 3/5/10.

**Table 8: WMA Vacancies of Concern
(Continued)**

PIN	Vacancy Date	Status and EDC for Next Step
014500	10/31/09	Hiring exception denied by DBM 3/3/10; Director's Office has written justification to OB&F Director for resubmitting the hiring exception to DBM.
048661	02/27/07	In interviews; EDC 3/9/10.
055441	09/30/09	In interviews; EDC 3/12/10.
055577	10/31/09	MS-22 approved; Interview questions received; EDC for contacting RCE III applicants 3/11/10.
058926	02/24/09	DBM approved exception 1/6/10; Recruiting with PIN 087294; 29 applications received; OHR will screen applications when screening criteria is approved; EDC 3/11/10.
063294	05/06/08	DBM denied exception for 3 rd time 1/6/10. Director's Office has written justification to OB&F Director for resubmitting the hiring exception to DBM.
076251	07/31/09	19 applications screened; in interviews; EDC 3/26/10
087294	10/19/09	See comment for Graves PIN 058926 above.
073041	02/09/10	Hiring exception prepared; PRF needs to be submitted.

Table 9: WMA Compliance Enforcement Cases in OAG by Priority Level, 3/8/10 Status

	WMA Totals				3/8/10 Data by Program		
	11/23/09	12/14/09	1/31/10	3/8/10	Compliance	Dam Safety	Water Supply
5	60	45	50	54	50	4	0
4	92	91	86	98	97	0	1
3	303	263	265	318	317	0	1
2	63	51	55	64	64	0	0
1	24	32	34	41	37	0	4
Total	542	482	486	575	565	4	6

Table 10: Enforcement Cases Returned by OAG to WMA: 3/8/10 Status

Measure	# Comp	#WSP	#Dams	Total
Total Number of Cases Returned	99	9	16	124
Total Number of Returned Cases Still Pending in WMA	0	2	5	7
Penalty Value of Returned Cases Still Pending in WMA	\$0	\$2,500	\$0	\$2,500
Number of Cases Returned Before 12/8/10 and Still Pending in WMA	0	2	1	3
Number of Cases Returned That Have Been Resolved by WMA	52	7	10	69
Number of Cases Returned That Were Subsequently Re-ferred to OAG	47	0	2	49