

2007 Stormwater Programs Annual Report

Environmental Review Commission
October 31, 2007



Overview

- Update on State Stormwater Programs
- Proposed Amendments to Coastal SW Rules

Why is Stormwater so important?

- The pollution associated with stormwater run-off is the number one water quality problem in North Carolina.

Stormwater Programs Update

- New Municipal Phase 2 Designations
 - Mooresville, Kings Mountain, Morehead City,
 - Atlantic Beach, Washington, Henderson
- New State Phase 2 Permit – Effective July 1
 - Effective in MSIs & Unincorporated Areas
- New Stormwater BMP Manual Released
- New Stormwater Online Map Viewer

Amendments to Coastal Stormwater Rule

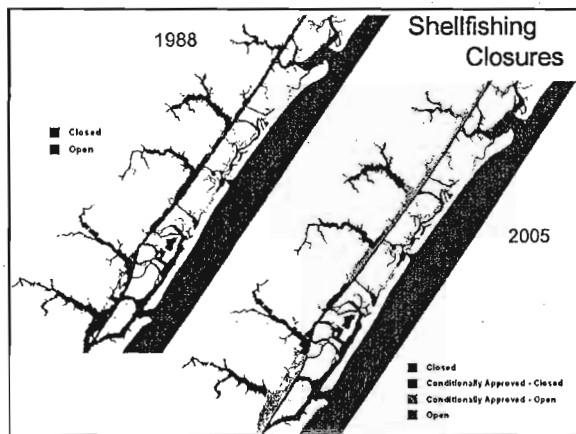
- EMC has proposed amendments to the Coastal Stormwater Rule for the 20 CAMA Counties.
- Rule citation: 15A NCAC 2H .1005.
- Public Comment period closed on Oct 15.

Why did the EMC propose changing these rules?

- DWQ study that the existing rules were not effectively protecting water quality.

Overview of DWQ Study

- Based on review of:
 - Statewide shellfish closure data
 - Statewide development trends
 - Effectiveness of rules in developing watersheds
 - Conversations with DMF, DCM, & others
- Review of available scientific literature
- Review of latest information on watershed protection
- NOT based on single study.
- NOT based on only one part of the Coast.



Study Conclusions

- Existing rules not protecting shellfishing use.
- 90% of closures due to stormwater runoff.
- Closure of additional 1200 acres in 2006.
- Coastal rules need to be updated & improved.
 - Non-coastal stormwater programs more protective.
- No evidence submitted to refute DWQ findings.

What is the EMC proposing?

- Extend Phase 2 Controls to all 20 Coastal Counties.
- Controls contained in Session Law 2006-246.
- Currently implemented in Brunswick, New Hanover, & Onslow Counties.

What is the EMC proposing?

Within ½ mile & draining to shellfishing (SA) waters

	Proposed		Existing
Low Density	12%		25%
Control Req.- High Density	1-yr, 24-hr storm		Runoff from 1.5" of rain.

What is the EMC proposing?

Not within ½ mile and draining to shellfish waters.

	Proposed		Existing
Low Density (BUA)	24%		30%
Control Req.- High Density	Runoff from 1.5" of rain.		Runoff from 1.0" of rain.

What else is open for consideration?

- Modify Threshold for Coverage
 - Current threshold: 1 acre or CAMA Major
 - Rule changes may lower threshold to 10,000 sq ft.
- Expand setback from 30 to 50 feet.
- Wetlands & Impervious Surface Calculations.
 - Rule changes may prohibit use of coastal wetlands or all wetlands in impervious surface calculations.

What happens next?

- Four Public Hearings already conducted.
- Public comment period closed on October 15.
- Final EMC decision in Jan 2008.
- Rule changes reviewed by Rules Review Comm.
- Legislative review.
- Changes could become effective Aug 1, 2008.

Other Option Available

- Universal Stormwater Management Program
- Optional program – Effective: January 2007.
- Allows for local control of stormwater program.
- Supersedes State programs within jurisdiction.



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