

Overview of DENR's Stormwater Programs

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Agenda

- Transfer of the Stormwater Permitting Program from the former Division of Water Quality to the Division of Energy, Mineral, and Land Resources
- General overview of the different stormwater programs
- Update on legislative change to Built Upon Area and associated definition of gravel as pervious
- Highlights from the October 1, 2013 Annual Stormwater Program Report

Transfer of Stormwater Permitting Program

- Effective August 1, 2013, the former Division of Water Quality's Stormwater Permitting Unit was transferred from DWR to DEMLR at the Secretary's direction
- The Stormwater Permitting Program is housed in DEMLR's Land Quality Section alongside the Erosion and Sedimentation Control Program, Safe Dams Program, and Mining Program

Reasons for Transfer of DWQ Stormwater Program to DEMLR Land Quality Section

Improve efficiency/effectiveness during both the permitting and compliance processes in light of similar regulatory focus

- Construction stormwater permit/erosion & sedimentation control plan approval and mining general SW permit/mining permit
- Eliminate conflicting recommendations from two separate Divisions
- More efficient and timely permit review, comment and issuance
- Flexibility in reviewing and approving designs not prescribed in guidance manuals
- Avoid overdesign of measures

Reasons for Transfer (cont.)

- Enable one cross-trained inspector to handle compliance issues for both construction stormwater and erosion and sedimentation control and mining SW general permit and mining permit
- While construction and mining related consolidation offers the most timely opportunities for efficiency, DEMLR LQS is evaluating efficiency improvements between other related program areas
- “Service” improvements already realized by customers (internal and external to DENR)

Initial Transition of Former DWQ Stormwater Program into DEMLR Land Quality Section

(Effective August 1, 2013)

- Certification of 30 Stormwater Program positions (appropriated and receipt based)
 - 9 Raleigh Central Office positions
 - 21 Regional Office positions
- Certification of Stormwater Program Operating Budget (based on combination of appropriations and stormwater permit receipts)
- August 8, 2013 DEMLR Statewide Videoconference
 - DENR Mission and DEMLR Goals/Culture
 - Organizational Structure and Initial Transition Activities

Progress To Date

- Delegation of authority from DWR to DEMLR for stormwater program implementation
- DEMLR Director sub-delegations to Land Quality Section Chief, LQS Chief Engineer, Stormwater Program Supervisor, and Regional Supervisors for certain actions
- Initial on-the-job cross training underway
- Formalized cross training program for regional staff almost complete and ready for rollout

Progress To Date

- Updated Technical Bulletin – “NPDES Stormwater Discharge Permit for Construction Activities”
- Combined “Sedimentation/Construction Stormwater Inspection Report”
- Combined “Inspection and Monitoring Records for Activities Under Stormwater General Permit NCG010000 and Self-Inspection Records for Land Disturbing Activities per GS 113A-54.1”
- New Electronic Plan Submittal and Approval Process – under construction with delivery in February 2014

Progress To Date

- Statewide Land Quality Section Staff Meeting held on September 25, 2013 in Raleigh to ensure consistent message and program implementation:
 - Updates on DEMLR Reorg/Culture and LQS Programs
 - Detailed Discussion on Stormwater Programs – Permitting and Compliance Activities
 - DEMLR's Role in Delegated Local Program Implementation
 - Recordkeeping and Database Management Systems
- More detailed consistency training planned for regional offices via eastern and western regional sessions

Why is Stormwater Management Required?

- Stormwater Runoff is a key source of water pollution in NC and the US as it carries all types of pollutants to waterways:
 - Sediment, Nutrients, Bacteria, Metals, Oil, Grease, etc.
- Implementation Through:

Federal Mandate: Clean Water Act of 1972



N.C. Statutes and Administrative Code



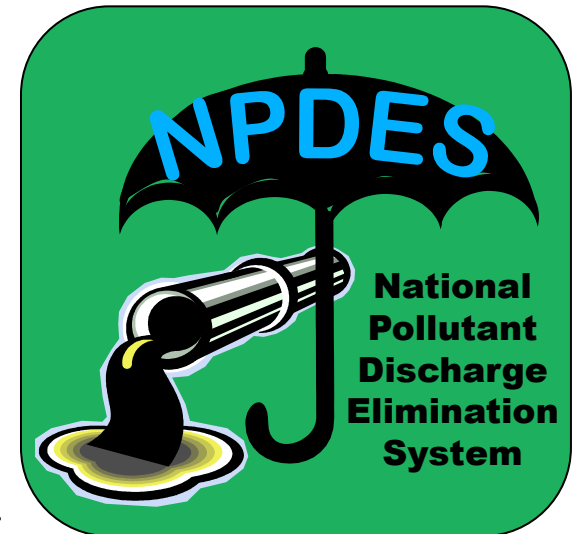
Local Ordinances & Programs

Overview of Stormwater Programs

- Federal NPDES Stormwater Program Areas
 - Industrial Stormwater Activities
 - Construction Stormwater Activities
 - Municipal (MS4) Entities
- State Stormwater Program Areas
 - Coastal Stormwater Management
 - Water Supply Watershed Protection
 - High Quality Waters/Outstanding Resource Waters
 - Post-Construction Stormwater (Phase II areas)
 - Other Areas – Requires continued coordination with DWR

Federal NPDES Program

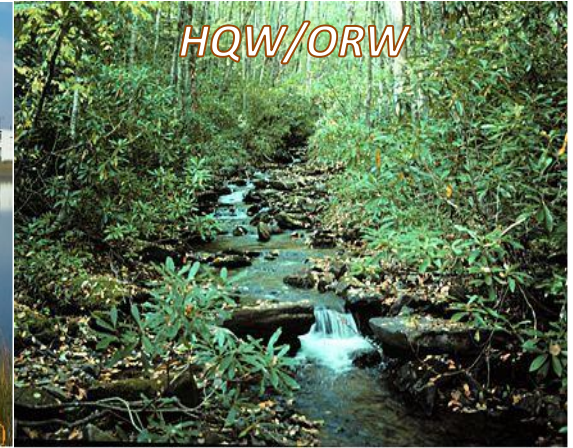
- National Pollutant Discharge Elimination System (NPDES)
 - NC delegated to implement in 1975
- Stormwater → Phase I–1990 → Phase II–2000
- Activities covered:
 - Industrial – 10 categories of facilities
 - Construction – 1 acre disturbed & more
 - Municipal – urbanized areas
- EPA Rule Making:
 - Post-Construction and Electronic Reporting



Modified from City of Rock Island, Illinois

State Stormwater Program Areas

Post-Construction Stormwater Control



Currently applies to approximately 65% of the state.

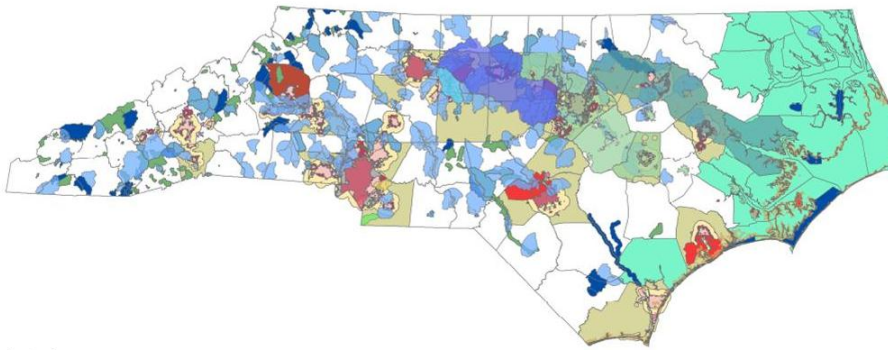
State Stormwater Program: Post-Construction Stormwater

- Minimize Built-Upon Area (BUA) or Imperviousness
- Passive Stormwater Management
- Engineered Controls Where Necessary



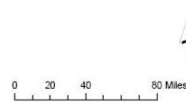
Post-Construction Stormwater Management Programs

- 65% of the State Has Some Program Requirement
- On-Line Map Viewer
 - Helps track where programs apply



Legend

Neuse NSW Strategy Area	NPDES-Exempt Phase II Municipalities + ETJs
Tar-Pamlico NSW Strategy Area	NPDES Permit - Phase I MS4/Military
Goose Creek Watershed	NPDES Permitted Ph II MS4/Co
Jordan Reservoir Watershed	NPDES Permitted Phase I MS4
Randleman Reservoir Watershed	NPDES Permitted Phase III city ETJ
Sixmile Creek Watershed	NPDES Permitted Phase II MS4
Waxhaw Creek Watershed	Phase II MSIs (from 2008 Boundaries)
Counties	Designated Phase II Municipalities
Water Supply Watersheds	Urbanizing Areas (2000 Census)
ORW	Phase II Tipped Counties (Post-Construction)
HOW (non-coastal)	Coastal Stormwater (CAMA Counties)
SA (Shellfish) Areas	



NC DENR Division of Energy, Mineral and Land Resources

Stormwater Permitting Map Viewer

Enter Address: Find Address Reset

Latitude (decimal degrees, N): Longitude (decimal degrees, W): Find Location

Need to convert degrees, minutes, seconds to decimal format? Or, just enter coordinates in the ADDRESS field like this: (deg min sec) (deg min sec), then click Find Address. Need help with this map? Contact Bethany Georgoulas at (919) 807-6372 or bethany.georgoulas@denr.gov.

Click on the map to see permitting information. Please check with the local government to verify current boundaries and specific stormwater requirements.

Permitting

- No Program - Verify Locally
- Local Permitting Authority
- State Permitting Authority
- Multiple Permitting Authorities
- SA Within 1/2-mi of Shellfish Waters

Update on H74 Changes to Built Upon Area and Definition of Gravel

- House Bill 74 – Amendment to Built Upon Area definition: Defines “gravel” as a pervious surface
 - DENR and EMC may develop a temporary rule to further clarify the definition of “gravel”
 - Designers are advised to use caution in the interim in designing E&SC and stormwater/post construction measures using gravel area as pervious surface
 - Reality = runoff from compacted gravel will result in higher velocities/volumes; measures may be undersized, overtopped, bypassed resulting in water quality violations

Highlights of 2013 Annual Stormwater Program Report

- Integration with other DEMLR Regulatory Programs
- Technical Review Workgroups
- Program Efficiency Measures
 - Electronic renewal for general permits
 - Implementation of new permit transfer procedures for bankrupt projects
- Draft stormwater rules for oil and gas development
- Outreach/Education efforts

Questions?

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