15A NCAC 02H .1015 is proposed for adoption as follows:

**15A NCAC 02H .1015 NON-COASTAL COUNTY HQW AND ORW: MINIMUM DESIGN CRITERIA**The purpose of this Rule is to minimize the impact of stormwater runoff from new development on the water quality of surface waters and to protect their designated usages in Non-Coastal County High Quality Waters and Outstanding Resource Waters.

(1) IMPLEMENTING AUTHORITY. This rule shall be implemented by the Division.

(2) APPLICABILITY. This Rule shall apply to all new developments outside of Coastal Counties that are required to obtain a Sediment and Erosion Control Plan and are either:

 (a) Within one mile and draining to waters classified as HQW; or

 (b) Draining to waters classified as ORW.

(3) EFFECTIVE DATE. The stormwater requirements contained in this Rule became effective on September 1, 1995.

(4) GENERAL REQUIREMENTS FOR NEW DEVELOPMENT. In addition to the requirements of this Rule, new development shall also comply with the general requirements for all stormwater programs set forth in 15A NCAC 02H .1013.

(5) PROJECT DENSITY. A project shall be considered a low density project if it contains no more than 12percent built-upon area or no more than one dwelling units per acre and meet the low density criteria set forth in 15A NCAC 02H .1003(2); otherwise, a project shall be considered high density.

(6) DESIGN STORM. For high density projects that are designed to achieve runoff treatment, the design storm shall be one inch. For high density projects that are designed to achieve runoff volume match, the post-development runoff volume shall not exceed the pre-development runoff volume for the 90th percentile storm.

(7) VEGETATED SETBACKS. Vegetated setbacks from perennial and intermittent waters shall be at least 30 feet in width and comply with 15A NCAC 02H .1013(4)(a).

*History Note: Authority G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a);*

*Eff. September 1, 1995.*

*ORW rule amended effective December 1, 1995*