

**Jordan Nutrient Rules Engagement Process**  
**New Development Stormwater Technical Advisory Group (TAG)**  
**Meeting 1: May 1, 2024 10am-noon on Teams**

1 <sup>st</sup> hour	Introductions and overview of TAG purpose and timeline	Ellie Rauh, DWR
	Foundations of Jordan Stormwater Rules	Trish D’Arconte, DWR
	Discussion on current implementation	Trish D’Arconte and Ellie Rauh, DWR
2 <sup>nd</sup> hour	General new concept overview, research questions, and initial surveys	Ellie Rauh, DWR
	Discussion on how to regulate ND going forward	Ellie Rauh, Trish D’Arconte and Rich Gannon, DWR
	Closing	Ellie Rauh, DWR

Main meeting discussion questions:

- Questions/comments about current implementation?
- Questions/comments on how to regulate ND in the future?
- Comments about requiring treatment below 24%?
- Comments about first flush metrics – 90th % storm and 1inch?
- Is there support for stream protection criteria?
- Is there support for soil rehab requirements?

Post-meeting main next steps:

- DWR: Complete state data pulls, interviews with developers and LGs, write up supporting research and new concepts.
- TAG: Read write up and email/prepare comments before next TAG meeting.

**ATTENDEES**

**Municipalities:**

Amy Barber, Burlington Stormwater Mgr.  
 Lisa Booze, Cary Stormwater Administrator  
 JV Loperfido, Durham WQ Projects, MS4 permit  
 Raven McLaurin, Durham Watershed Restoration Coordinator  
 Akinrotimi Akinola, Durham  
 Johnnie Hill, Greensboro Engineering Supvsor Plan Review Section  
 Virginia Spillman, Greensboro Asst Dir Water Resources Dept  
 Tammi Thurm, Greensboro City Council  
 Sally Hoyt, Raleigh Stormwater Plan Review

**Counties:**

Drew Blake, Chatham Co Asst Watershed Protection Director  
Taylor Burton, Chatham Co W'shed Protection – FP, Buffers, Stormwater  
Ryan Eaves, Durham Co Stormwater Mgr.  
Mark A Hamlett, Wake Co GSA Dep Director  
Theo Udeigwe (oo-deej-way?), Wake Co WQ Division Director

State:

Brian Lipscomb, DOT Hydraulics Unit

Development:

Mike Robinson, B&C Flow Administration Coordinator  
Annette Lucas, McAdams  
Phil Warrick, Greensboro HBA  
Judy Stalder, TREBIC  
Jacob Dorman, Contech

NGO:

Donna Myers, AR  
Grady O'Brien, NCCN  
Terri Buckner, JLOW Asst Dir (ED TAG, listening)

DWR: Ellie, Trish, John, Nora, Rich

Presentation ppt and recordings available: <https://www.deq.nc.gov/about/divisions/water-resources/water-planning/nonpoint-source-planning/jordan-lake-nutrient-strategy#RulesReadoptionProcess-9705>

Ellie presentation – TAG purpose, rulemaking process, current stormwater in Jordan

Trish presentation – Jordan vs other NMS stormwater rules, SCMs, SNAP

**Stakeholder comments, Q&A:**

- Donna M: Clarifications on local implementation of stormwater with the SL delays and bars.
- Grady: how much has annual runoff volume match been used? Little to none, with Falls being an odd exception with a little use.

10:38 Ellie 2<sup>nd</sup> presentation – new proposal: drivers/objectives, concepts, research status

- Terri B – live in existing neighborhood surrounded by new d; do rules address impact of new d on existing d? Trish – we assume the method of control for new d is adequate for not impacting adjacent development.

DISCUSSION QUESTIONS

- JV – how new ideas relate to Triassic soils, which are HSG D; would rehab requirements be effective on them? Trish – criteria may involve being conducive to plant growth, or may require keeping topsoil and redistributing it.
- Tammi Thurm – soil rehab from developer’s standpoint; huge question, daunting, to know all soils, etc.
  - o Trish – considering range of possibilities. For site fingerprinting, would want to know all soils across site.
- Sally
  - o Soil rehab – love idea but significant concerns about how implemented, inspected. Will be more difficult than confirming SCM construction. In MDC development, concept of primary SCM was it was good enough treatment. Would support approach similar to MD’s recharge requirement; it’s become well-accepted. Don’t have to do a lot, but a little bit of recharge, adjusted by HSG. On large S/D, multiple SCMs, might have mix of ponds and BR to meet requirement. Something that gets partial volume reduction like that would be beneficial.
  - o Trish – when did MDC, it was strictly focused on TSS.
- Lisa Booze – agree with Sally on idea of partial volume reduction. Cary has both Neuse and Jordan, have had developments straddling them. Idea of two completely different sets of rules/ordinances challenging.
  - o RG – example of Greenville adopting more stringent across jurisdiction. Want to make progress where can. Likelihood of Cary doing that?
    - Lisa – do already do flood protection up to 100 yr. wouldn’t want to force developer to have multiple devices to meet multiple requirements. Peak flow ponds already. Recharge too will force difficult choices.
- Judy Stalder – need menu of options with soil rehab being one. More flexibility. E.g. different soil types.
  - o Jacob D – TN new NPDES permit incorporates menu concept, going into effect later this year. From 1” to 1 yr 24 hr as state design storm.
- Grady: like idea of stream protection as goal that measures could follow from.
- Sally: first flush metrics – feel strongly we should stick w/1”. Uniformity vs 90<sup>th</sup> percentile varying a little one town to next, especially w/political atmosphere. Big problem with how implemented volume match option – required using forest as pre and 90<sup>th</sup> percentile storm; would see more use if make existing conditions the pre and use 1”. Trish –
  - o Donna – been identifying data that supports 95<sup>th</sup> percentile storm, recommended to DWR. EPA 2009 study. Required for federal buildings.
  - o Jacob – research showing that 1” not enough – Jon Hathaway UT e.g.. Even MD evaluating whether raise stormwater volume for extended detention up from 2.7” to 3”. SCMs currently first 1” of that but may raise up also. That said, new development shouldn’t be the one source holding the whole bag for improvement equity-wise. Reason VA was able to go back and lower P LRT was back-eval, new data.
- Donna – echo support for stream protection criteria. Soil rehab – if there’s data supporting soil rehab reducing sedimentation pollution?

- Akinrotimi – channel protection is part of unified sizing criteria that involve water quality, recharge, channel and flood. Would be good to require whole thing in a uniform framework. MD, MN, others use same framework.
- Trish – a lot of comments at Welcome to MDC yesterday about everyone, all LGs applying same standards.
  - o Sally – Unified Sizing Criteria was developed by CWP, is in EPA guidance for developing Phase II programs, was used in MD, MN, GA, ... .
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