

NOTES

12/17/2024 NC DWR Jordan New Development TAG #2

Attendees

Local Governments:

- Alexander Geddie, Karen Pageau, Nancy Daly, Theo Udeigwe - Wake Co W'shed Mgmt
- Chris Sandt, Orange Co. ("Sont")
- Betsy Pearce, Durham Co.
- Sally Hoyt, Raleigh
- Josh Johnson, AWCK - small Jordan muni's
- Lisa Booze, Cary – Stormwater and Floodplain Mgmt
- Raven McLaurin, Akinola Akinrotimi – Durham Stormwater
- Jana Stewart, Virginia Spillman, Donna Spiel?, other reviewers – Greensboro
- Dylan Kirk, Carrboro Stormwater Manager
- Jessica Bolin,

Developers:

- Christi Cooper Bragg, Sean Talbott, Donna Crowder - Fourstar Group – national residential developer
- Will Yearn, Granville Homes
- Judy Stalder, TREBIC
- Hunter Freeman, McAdams
- Brandon Miller, Withers Ravenel
- Salman Moazzam, consultant

DOT:

- Brian Lipscomb
- Andy McDaniel

Others

- Donna Myers, American Rivers
- Grady O'Brien, NCCN
- Trevor Clements, Tt

DWR

- Joey Hester
- Trish D'Arconte
- John Huisman
- Rich Gannon
- Ellie Rauh
- Nora Deamer

Discussion

Brian L, DOT – all new dev't? Distinguish linear transport vs other? Yes; linear transport going to DOT will follow DOT Toolbox requirements.

Sally – Currently local gov't transport projects are in same rule as developers – separate rule? Anyone doing a linear project to be taken up by DOT follows those requirements.

Ernest - If in situ soil doesn't allow for volume reduction pre/post, can you hold difference and release it slowly over days? Sally – clarification that proposal is for recharging % of design storm, e.g. D soil is 7%.

Brandon – challenging where D soils are down in wetlands/buffers and good soils upland.

Sally – positive of proposal – gets multiple benefits of runoff reduction in proportion to soils on site and doesn't require an unreasonable amount. Have worked for 20+ years in MD which has CP, Piedmont and mountains.

Negative of proposal – counting nutrients is working elsewhere in NC. Why reinvent wheel. Nutrients are also an excellent proxy for general WQ.

Andy – important we have a clearly worded goal and objective statement in rule as sounding board for ideas that emerge. Need to judge new ideas appropriateness.

Andy – DOT Toolbox is a design manual and that's all. Doesn't set regulatory requirements. Those are in NPDES post-construction permit program. SL 201?-01 allows other parties to use design manual, but will need something else to direct other parties on what will be required.

Josh – much stricter than any other stormwater rule in NC. Identified a number of things that can help and then chose to do all of them. If had implemented more limited Jordan New D originally, would be a lot further along in Jordan now. 1.2"; 12% BUA and 0% BUA if curb & gutter (if town or city streets, ~100% use C&G; swales are maintenance headache, towns prefer C&G); and runoff reduction.

Ernest – definition for slow-filtered discharge? Working on.

Betsy – difficult to enforce with developers; need specific requirements. E.g. DIS – if you exceed certain level, bunch of things have to do on back end that require babysitting developer, and just not going to happen.

Hunter – like framework. Using SNAP was always a complication of doing high density developments. Like the simplification. Will be devilish details on practices crediting.

- MD is working – what does that mean? Bay improvement or running smoothly?
 - o Sally – permitting system is > 20 yrs old, it's doable and accepted by engineers, standard part of process. Might have a detention pond, but then also have better infiltrating practice on site.

- Some MD, some VA – are we cherry-picking what we want, does it make sense together?
- Secondary SCMs need to be on table.

Salman – if new rules allow small multiple SCMs rather than large ones, may give flexibility to developers.

Sally – positive: from enviro standpoint, requiring SCMs at lower BUA

Jana – are there any evaluations taking place of specific cases to understand impacts? A: not yet, but fully intend to. Also echo Josh’s <12% requirement for C&G to treat; it’s what Greensboro does too. Don’t understand impacts of the VRRM yet. And vs SNAP.

- Hunter – can offer some sites to evaluate.
- Sally – can also send examples.

Hunter – would be nice to have whole state / other stormwater reg’s on same program.

Sally – negative – treating 100% of BUA in primary SCM is difficult on many sites. Biggest complaint that Raleigh gets, b/c some is just not capturable b/c of topo draining away on parts that can’t be caught. Maybe require 90-95% of it captured. Four thumbs up.

Akinola – would be great to know how many secondary SCMs of a type in series equals one primary. For TSS compliance purposes.

Sally – considerations for increasing from 1” to 1.2” – while this would be more protective, the 1” was arbitrary to begin with, recognizing it’s impossible to treat all runoff, 1” was trying to optimize. Altogether, getting rule passed is more important.

Sally – negative vs 2009 rule: getting rid of nutrient buy-down means will be less watershed nutrient reduction associated with linear LG transpo projects.

Alexander – have had clients get stuck on projects due to lack of available nutrient credits in other watersheds.

Lisa Booze – for projects straddling both Jordan and Neuse, may be difficult to 1) require developments to adhere to 2 different rules or 2) determine which would be considered more restrictive since they don’t use the same method (N/P targets vs runoff reduction).

Poll Q: would you like to see N/P pounds accounting vs tiered concept? Yes 15%; No 38%; Maybe 46%.

- Jana – don’t understand impact of VRRM yet, and vs N/P targets.

Sally – while VRRM makes it theoretically possible to give credit for other practices, a) is there enough incentive in this equation, and b) are the options enforceable? Possibly this is just making things more complicated w/o a real impact.

Sally – should we be comparing this proposal to Neuse, Falls, old Jordan, ...?

Lisa B – can foresee possible issues with developers trying to reconcile the difference b/t Rv coefficient approach and peak matching requirements. Despite that they would be non-overlapping, will create confusion/occasion for disputation.

Sally – Don't think the toolbox is the issue. There are benefits to having the same rules everywhere. But not every watershed is the same Especially w.r.t. whether there are existing MS4 programs.

Wake Co already has Neuse rules, Falls rules and Swift Creek rules. Adding a fourth one would add more confusion. What happened to USMP? Lisa thumbs up.

Sally – consideration: from LG review standpoint, would be easier if applicability threshold were a certain amount of BUA added. Instead of using LOD, which conflates issues of post-construction control with ESC and leads to unrealistic LODs and potential for impacts outside the LOD. Also leads to LG needing to track the LOD of each time a parcel does a project, which would be a nightmare.

Lisa – Sally, sites will also intentionally reduce disturbed area to just under threshold to claim exemption and then come in after the fact with a second project to add more and claim exemption again.

Akinola – why isn't SNAP using CN method? A: legacy approach continued for a while, tried CN, ran into problems w/P loading rates, have not resolved them. Doesn't rule out going to it, but will see.