

Jordan Watershed Nutrient Rules Implementation Update 10/31/2019

The Jordan Lake nutrient rules (Title 15A NCAC 02B .0263-.0273) went into effect August 2009 with the passage of Session Laws 2009-216 and 2009-484.

From 2011 to 2018, amendments were made through session law to delay certain aspects of the rules that had yet to be implemented. In addition, session law has required:

- Review and readoption of all the Jordan rules,
- Barring of local implementation of current Jordan stormwater rules, and
- Nutrient management research and modeling conducted by the NC Policy Collaboratory.

The result is that certain Jordan rules are implemented as originally adopted, others were delayed but have since been implemented, and implementation of local stormwater rules is barred in favor of the rules readoption process. The Jordan watershed rules readoption process will start after receipt of the NC Policy Collaboratory studies, which are expected by December 31, 2019.

Rules currently not affected by session law:

- State and Federal Entities Stormwater (.0271) new development section: Implemented by Division of Energy, Mineral and Land Resources, continues unaffected.
- Existing Development Stormwater (.0266): Stage 1 continues unaffected.
- Riparian Buffer Protection (.0267): Not delayed.
- Fertilizer Management (.0272): Not delayed.
- Offsetting Nutrient Loads (.0273): Not delayed.
- Wastewater Dischargers (.0270): Phosphorus not delayed, nitrogen delayed to 2019.
- Agriculture (.0264): Compliance date delayed to 2018, however collective compliance achieved based on initial accounting in 2013; compliance maintained since.

Rules currently affected by session law:

- State/Federal Entities Stormwater (.0271): Existing development section delayed until readoption
- New Development Stormwater (.0265): Rule delayed and local implementation barred.
- Existing Development Stormwater (.0266): Stage 2 (nutrient reduction section) delayed and local implementation barred.

Jordan Watershed Management and Nutrient Rules Readoption

The NC Division of Water Resources (DWR) will implement a collaborative public involvement process to help develop and review a nutrient management strategy for the Jordan Watershed. DWR is also an advisory and planning member of Jordan Lake One Water (JLOW) - a watershed-wide organization, committed to develop an integrated water management plan for the Jordan watershed, encompassing environmental, social, and economic benefits. JLOW and DWR will collaborate to further the reach and benefits of the public involvement process. The resulting products will help DWR develop nutrient strategy options for the Jordan Lake watershed.