



Rules Readoption Process & Stage I ED Update

Department of Environmental Quality



2B Nutrient Strategy Rules

Neuse, Tar-Pamlico, Randleman

2B Nutrient Rules Proposed for Amendment & Transfer to new .0700 Section

Neuse	Tar-Pamlico
.0232 Goals Rule	.0229 Non-Association
.0233 Buffer Protection	.0237 BMP Rate (repeal)
.0234 Wastewater	.0255 Ag Goals (repeal)
.0235 New Development	.0256 Agriculture
.0236 Ag Goals (repeal)	.0257 Nutrient Management (repeal)
.0238 Agriculture	.0258 New Development
.0239 Nutrient Management (repeal)	.0259 Buffer Protection
.0240 Nutrient Offset	.0261 Buffer Delegation
.0241 Buffer Delegation	
Randleman Lake	New Rules
.0248 Purpose and Scope	.0701 Definitions
.0249 Wastewater	.0730 Tar-Pamlico Purpose and Scope
.0250 Buffer Protection	
.0251 Stormwater	



Overview of Process & Stakeholder Input

02B Nutrient Strategy Rules – Neuse, Tar-Pamlico, Randleman



Overview of Process to Date

May 19, 2015	Stakeholder Input Session - All 02B Rules
December 2015	Redrafts Completed
2016	Internal Review / Department Review
April 19, 2017	Stakeholder Input Session on Redrafted Rules – All 02B Rules
2015 - 2017	Individual Meetings w/ Interested Parties
September 2017	Draft Rules Presented to WQC
October 18, 2017	Stakeholder Meeting: Wilson, NC (Neuse, Tar-Pam, Randleman)
November 8, 2017	Information Update to WQC



Next Steps

02B Nutrient Strategy Rules – Neuse, Tar-Pamlico, Randleman



Rulemaking Process Moving Forward

December 2017	Addressing Comments
January 2018	Present Draft Rules to WQC - Begin Development of Fiscal Note
May - July 2018	Present Draft Rules w/ Completed Fiscal Note to WQC
July - September 2018	Request Permission from EMC to Proceed to Public Comment - 60 Day Public Comment, Public Hearings, Hearing Officers
Early 2019	EMC Adoption of Rules / RRC Approval

Stage I Existing Development Implementation

Update / Timeline

- Existing Development Model Program
 - Stage I Jurisdictional Loads
 - Trading Framework
 - Implementation Guidance
 - Nutrient Credit Practices Catalog
- Will work w/ UNRBA on Development of Model Program
- Updated Timeline
 - Sept 2018 – Present to EMC for Approval

Stage I Jurisdictional Load Development

Update

- Reached out to all 14 Falls Local Governments
 - Held conference Calls w/ 12 of 14 LGs
 - Final two calls scheduled for this week
 - Discussed work done, methods, data availability, challenges
 - Identified guidance needs
- Most have used some version on the SNAP / JFSAT Tool
- Most have begun collection of development data ('07-'12)
 - Neuse Annual Reports or Impervious Data Records / GIS Data Layers
 - Different methods used to breakdown into land covers for tool

Draft Proposed Approach

- Include all permitted projects in interim period (2007-2012)
- Calculation Tools – SNAP 4.0
 - Use same tool for Pre / Post Comparison
- Forest In Development Project Area
 - Use same forest EMC in pre/post development calculations
- Include Roads that were part of development
- Include loading from MSS and DSF

Other Considerations

- Offset Payments
- Transport factors (developed by UNRBA)
- Annexation issues
- Others?

Next Steps

- Finish local government conference calls this week
- December: Work w/ LGs on data collection
- January-March: LG data collection / submit draft numbers
- March – April: Review calculations / methods
- April – May: Resolve any differences

QUESTIONS

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Slides in Reserve

(Purpose & Scope, Randleman, Definitions)

Slides in Reserve



- Nutrient Catalog
 - Part of Model Program – Creditable Practices
 - Includes SCMs, UNRBA Practices, DWR Practices

In Progress – To Be Completed by May 2018	Additional Practices
Buffer Improvement in Developed Areas	Stream Restoration
Forest Preservation	Urban Reforestation
Storm Drain Cleanout	Urban Tree Canopy
Wastewater Regionalization / Overtreatment	Cropland Conversion
Street Sweeping	Bioswales
Remedy Malfunctioning Septic Systems	Rural Buffer Restoration
Remedy Discharging Sand filters	Regenerative Conveyance