

(a) Any new development activity that disturbs one acre or more of land within the Goose Creek watershed and will add built-upon area shall control and treat the difference in the stormwater runoff from the predevelopment and post-development conditions for the one-year, 24-hour storm, with stormwater control measures (SCMs), with the exception of NC Department of Transportation activities that shall be regulated in accordance with provisions of that agency's National Pollutant Discharge Elimination System (NPDES) Stormwater Permit. Development and redevelopment shall implement stormwater management measures that promote infiltration of flows and groundwater recharge for the purpose of maintaining stream base flow or the delegated local government shall maintain a written explanation when it is not practical to use infiltration methods.

(c) Local governments may submit a written request to the Commission for delegation authority to implement and enforce the State's stormwater protection requirements of G.S. 143-214.7 and S.L. 2006-246 within their jurisdiction. The written request shall be accompanied by information that shows:

- (d) Within 90 days after the Commission has received the request for delegation, the Commission shall notify the local government based on standards as set out in Paragraph (c) of this Rule whether it has been approved, approved with modifications, or denied.

(f) The Division shall have jurisdiction to the exclusion of local governments to implement the state's stormwater protection requirements for the following types of activities:

- (g) Delegated local authorities shall maintain on-site records for a minimum of five years and shall furnish a copy of these records to the Director within 30 days of receipt of a written request for them. The Division of Energy, Mineral, and Land Resources shall audit local stormwater programs to ensure that the programs are being implemented and enforced in keeping with an approved delegation.

History Note: Authority G.S. 143-214.1; 143-214.7; 143-215.3(a)(1); 143-215.3(a)(4); 143-215.8A; S.L. 2006-246;
Eff. February 1, 2009;
Readopted Eff. June 1, 2019.