15A NCAC 02H .1021 NON-COASTAL COUNTY HIGH QUALITY WATERS (HQW) AND OUTSTANDING RESOURCE WATERS (ORW)

The purpose of this Rule is to minimize the impact of stormwater runoff from development on the water quality of surface waters and to protect their designated best usages in management zones of Non-Coastal County High Quality Waters (HQW) and Outstanding Resource Waters (ORW).

(1) IMPLEMENTING AUTHORITY. This rule shall be implemented by the Division.

(2) APPLICABILITY. This Rule shall apply to development activities outside of Coastal Counties that require an Erosion and Sedimentation Control Plan pursuant to G.S. 113A-57and are either:

(a) within one mile of and draining to waters classified as HQW except that development located in WS-I or WS-II watersheds as set forth in 15A NCAC 02B .0212 and .0214 are excluded from the requirements of this Rule; or

(b) draining to waters classified as ORW.

(3) EFFECTIVE DATE. The effective date of prior Rules .1006 and .1007 of this Section is September 1, 1995.

(4) GENERAL REQUIREMENTS FOR NEW DEVELOPMENT. In addition to the requirements of this Rule, projects shall also comply with the requirements set forth in Rule .1003 of this Section.

(5) PROJECT DENSITY. A project shall be considered a low density project if meets the low density criteria set forth in Item (2) of Rule .1003 of this Section and contains no more than 12 percent built-upon area or no more than one dwelling unit per acre; otherwise, a project shall be considered high density. Low density projects shall comply with the requirements set forth in Item (2) of Rule .1003 of this Section. High density projects shall comply with the requirements set forth in Item (3) of Rule .1003 of this Section.

(6) REQUIRED STORM DEPTH. For high density projects designed to achieve runoff treatment, the required storm depth shall be one inch. Applicants shall have the option to design projects to achieve "runoff volume match" in lieu of "runoff treatment" as those terms are defined in Rule .1002 of this Section.

(7) VEGETATED SETBACKS. Vegetated setbacks from perennial waterbodies, perennial streams, and intermittent streams shall be at least 30 feet in width for both low and high density developments and shall comply with Rule .1003(4) of this Section.

History Note: *Authority G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a);*
Eff. January 1, 2017 (portions of this Rule previously codified in 15A NCAC 02H .1006 and .1007).