

**Summary of Changes to the Durham County Stormwater Ordinance**

**Falls / Jordan Lake Rules:  
New Development**

Stormwater Reviews and Permit issuance are also the responsibility of the S & E Division. At present the contact person for questions regarding County Stormwater issues is:

Chris Roberts, PE

Following approval of the Falls and Jordan Lake Nutrient Reduction Rules by the Environmental Management Commission and State Legislature, Durham County (as well as all other local governments within these drainage basins) are required to create or modify programs to control stormwater runoff and nutrients from new developments. These are:

- 15A NCAC 02B .0277 for Falls
- 15A NCAC 02B .0265 for Jordan

On June 11, 2012, County staff presented the County Stormwater Ordinance amendments to meet these rule requirements to the County Board of Commissioners. The board approved these amendments with the rule implementation deadlines of July 12, 2012 for Falls portions and August 10, 2012 for Jordan portions.

Also, in early October 2012, NCDWQ requested that all applicants for new developments requiring to adhere to these rules start submitting a nutrient accounting form along with the development plan package. This will directly help in accounting of the County's nutrient loading to the lakes. These forms may be found at:

<http://dconc.gov/index.aspx?page=182>

The Falls and Jordan Lake Rules may be found at:

<http://portal.ncdenr.org/web/fallslake/home>

<http://portal.ncdenr.org/web/jordanlake>

The summary of changes are as below. Please note that the County is now divided into three areas for the stormwater rules. Those are Upper Neuse (Falls Lake), Lower Neuse (Below Falls Lake), and Cape Fear (Jordan Lake). A map of these areas is located on our website.

|   | Upper Neuse (Falls Lake Drainage Area)   | Cape Fear (Jordan Lake Drainage Area)   | Lower Neuse   |
|---|--|---|---|
| <b>Stormwater Runoff Volume Calculations</b>                        | No increase in the 1 year/24 hour storm event  | No increase in the 1 year/24 hour storm event   | 10% Rule  |
| <b>Nutrient Loading</b>   | 2.2 Lbs/Acre/Year Nitrogen, 0.33 Lbs/Acre/Year Phosphorus  | 2.2 Lbs/Acre/Year Nitrogen, 0.82 Lbs/Acre/Year Phosphorus   | 3.6 Lbs/Acre/Year for Nitrogen in the Neuse only  |
| <b>Redevelopment</b>  | Meet the New Dev Requirements or Reduce by 40% Nitrogen and 70% Phosphorous                                      | Meet the New Dev Requirements or Reduce by 35% Nitrogen and 5% Phosphorous                                    | No Redevelopment Requirements   |
| <b>Offset Rule</b>  | 30-50% Nutrient Reduction On-site first  | 6 or 10 Lbs/Acre/Year Reduction On-site First   | 6 or 10 Lbs/Acre/Year Reduction On-site First   |
| <b>Amount of Disturbed Land Area to be Subject to the Ordinance</b> | ½ Acre for Single Family Residential, 12,000 SF for Multifamily Residential, Commercial, Industrial, Intuitional | 1 Acre for Single Family Residential, ½ Acre for Multifamily Residential, Commercial, Industrial, Intuitional | 1 Acre for Single Family Residential, ½ Acre for Multifamily Residential, Commercial, Industrial, Intuitional |
| <b>DWQ Approved Nutrient Accounting Tool</b>                        | Required   | Required  | Not Required  |



# Durham County Sedimentation and Erosion Control Newsletter

October 20, 2012



**COMPLIANT GROUND COVER WITH MULCH WADDLES**

Durham County  
Engineering and Environmental Services  
Department  
120 East Parrish St.  
Durham, NC 27701  
919-560-0735

Contacts

Sediment and Erosion Control Division

\*\*\*\*\*

Chris Roberts, PE  
S & E  
Division Manager

919-560-0739

Stormwater Reviews and Permits

\*\*\*\*\*

Chris Roberts, PE  
S & E  
Division Manager

919-560-0739

S & E Technicians

\*\*\*\*\*

Tim Holland

919-560-0737

Bob Sokolowski

919-560-0734

Stormwater Hotline / Illicit Discharges

\*\*\*\*\*

919-560-0739

This newsletter is intended to clarify some of the requirements set forth in the S & E Ordinance, as well introducing you to the NEW Jordan Lake and Falls Lake Rules. If you have any questions about any of this information, please contact Chris Roberts by phone at (919)560-0739, or by e-mail at [croberts@dconc.gov](mailto:croberts@dconc.gov) (note new email address). Information, including required forms and fee information is also available on the following website: <http://dconc.gov/index.aspx?page=182>

## Guide to Erosion Control Plan Submission and Land Disturbance Permit Process

### Erosion Control Plan Submittal (If Required):

Any project involving a land disturbance of more than 20,000 square feet requires the submission of a Sedimentation and Erosion Control Plan. The threshold in M/LR-A, M/KLR-B, F/J-A or E watershed protection overlay districts is 12,000 sq. ft. As per Section 12.10.2 of the Durham City/County UDO

Any Plan submitted must include the following components:

- A completed Financial Responsibility form.
- A plan review fee payable to Durham County.
- Three copies of erosion control plans including:
  - A Cover sheet with any relevant notes and a location map.
  - An existing conditions plan.
  - A site plan
  - A grading plan / erosion control plan including (but not limited to) a seeding schedule / seedbed preparation detail, construction sequence, and a stabilization timeframe detail as per Section 12.10.4 of the UDO or per NPDES NCG010000 Permit.
  - Detail sheets using Durham County Details located at: <http://dconc.gov/index.aspx?page=1122>

Note: The erosion control submittal may be submitted and approved before the issuance of a site plan approval.

### Land Disturbing Permit:

A land disturbing permit cannot be issued until the following items have been completed or received as per Section 3.8.2(B.1):

- A land disturbance permit fee payable to Durham County.
- Zoning compliance checkoff letter issued by the City/County Planning Office (if a site plan is required, this is automatic)
- A completed Financial Responsibility form (if no erosion control plan is required).
- Approved erosion control plan (if required)
- Improvement Security (if disturbed area is above 5 Acres)
- Tree protection fence installation certification if required (If shown on the approved site plan, certification form can be found on <http://dconc.gov/index.aspx?page=1104>)

**“ Publicly funded projects are the responsibility of The Land Quality Division of NCDENR ”**

## NPDES UPDATE

The North Carolina Division of Water Quality issued the new NPDES General Stormwater Permit for Construction Activities, NCG 010000, on August 3, 2011. Copies have been sent to regional offices and local programs. The cover bulletin, permit and inspection logs can also be directly downloaded at:

<http://portal.ncdenr.org/web/wq/ws/su/construction>

### NCDENR

**Please call the Land Quality Section for additional information:**

Erosion and sedimentation control **919-791-4200**

These forms are also included with your land disturbance permit. Forms must be filled out monthly as instructed.

Also, the permit now requires stricter ground stabilization requirements that must be included on your erosion control plan set.

## Helpful Tips

*Poor maintenance of erosion control measures on active sites can present an ongoing problem. Maintenance shortcomings can lead to Notices of Violation and potential severe fines. The best way to avoid fines and violations is to pay close attention to the condition of your erosion control measures. Inspect them regularly, especially after heavy rain. Be certain that all basins and skimmers are functioning properly. Keep streets clean and drop inlets protected. Most of all, make sure that any failures are addressed and repaired as soon as possible. Finally, make sure that ground cover is in place as required and that areas where ground cover has failed are restored quickly.*

*Following these tips will likely minimize your risk of violations and/or fines.*

*With winter coming, two common issues always increase, ground cover stabilization and maintaining construction entrances.*

*Constant cold temperatures through the winter months make growing ground stabilization very difficult. Make sure that you are using the proper winter seed mixes and if necessary, use straw blankets in environmentally sensitive areas.*

*Maintaining your construction entrance is very important during this time of year. Less ground cover means more muddy areas and tires to track - out onto the street. Track-out is considered off-site sedimenta-*

Stormwater Reviews and Permit issuance are also the responsibility of the S & E Division. At present the contact person for questions regarding County Stormwater issues is:

Chris Roberts, PE

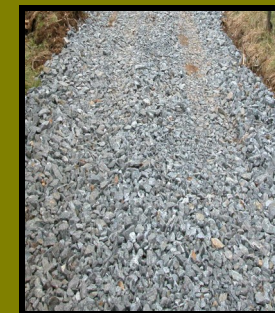
He can be reached at:

919-560-0739

Or by email at:

[croberts@dconc.gov](mailto:croberts@dconc.gov)

## Maintaining Adequate Winter Ground Cover and Construction Entrances



COMPLIANT CONSTRUCTION ENTRANCE