

House Bill 1099 Passes Legislature

The fifth version of HB 1099 was passed by the General Assembly in August 2009. The legislation extends the deadline for the Environmental Management Commission (EMC) to adopt a nutrient management strategy for Falls Lake from July 1, 2010 to January 15, 2011. The EMC must adopt temporary rules along with the permanent rules, which means that they will become effective immediately instead of after the conclusion of the applicable legislative adoption process (which took over a year in the case of Jordan Lake) and could produce final rules that differ from those adopted by the EMC.

The bill integrates the provisions of Senate Bill 1020 to provide early adoption credits to entities subject to the NMS who implement measures after January 1, 2007 and before the final rules become effective to better protect the lake. The legislation does not detail how credits would be calculated or tracked.

Most notably, the legislation shortened the time for local governments to implement controls on new development from 5 years to **2½ years**. This means that local governments in the basin who do not already have ordinances requiring that stormwater be controlled on new development will have a very short timetable to implement them if they wait until the final rules are approved.

The legislation also adds three new subsections to S.L. 2005-190:

- Section 3.(g) requires that compensatory mitigation for riparian buffer loss and nutrient impacts must be conducted within the Falls Lake watershed, and the EMC may further restrict the watersheds where mitigation takes place.
- Section 3.(h) creates additional standards for land-disturbing activities in water supply watersheds. These rules will become the new minimum standards, implemented by the state Division of Land Resources in areas that do not have locally delegated sediment and erosion control programs and implemented by the local governments in areas that do have locally delegated programs. Additional requirements pertain to ground cover, design storms (25-year), sediment basin efficiency, and channel design.
- Section 3.(i) directs DENR and the EMC to identify improvements in the design, operations, and siting of onsite wastewater systems that would reduce nutrient loading. DENR and the EMC must present a report by March 1, 2010 that includes recommendations for specific changes to be adopted by the Commission for Public Health.

The legislation also requires the State Sedimentation Control Commission to adopt rules controlling erosion and sedimentation from land-disturbing activities in water supply watersheds statewide by December 31, 2011.

New Initiative: Greater Triangle Stewardship Development Award

On August 27, a diverse group of professionals from the development community, local governments, thinktanks, and nonprofits met to discuss establishing an innovative program to encourage and reward developments that better steward natural and aquatic resources through the land development process and beyond.

The Greater Triangle Stewardship Development Award would be a noncompetitive program modeled after a highly successful program begun by New Hanover Soil & Water District in the Lower Cape Fear watershed. The program would accept applications annually for two levels of recognition. An independent panel of judges would evaluate the developments on a number of relevant environmental criteria and visit the development sites to see how well the principles are observed on the ground.

Jason Doll of Stantec Consulting, Sarah Bruce of the UNRBA, Shelly Baird of Div. of Soil & Water Conservation, Christy Perrin of NCSU Cooperative Extension, and Fred Royal of Chatham County Environmental Resources have been working up to this point to get the program started here in the Triangle.

The kickoff meeting August 27 was an important step in building the local coalition that would be necessary for a successful program. Participants were recruited to topical work groups that will govern the program, develop evaluation criteria, and handle publicity and funding. A banquet would be held to present awards and highlight best practices used by recipients.

A follow-up meeting to begin the work of establishing this innovative program in the Triangle will be held on Oct. 7 at Stantec Consulting in Raleigh. The meeting is open to anyone who wishes to help make this timely and valuable idea into a reality! Contact Sarah for more info.

Looking for Past Issues of the UNRBA Newsletter?

Past issues of the UNRBA newsletter are available on the UNRBA website at <http://www.unrba.org/downloads.htm>. In addition, you can find descriptions of UNRBA projects with supporting documents, technical reports, annual reports, maps and images, and meeting materials. Visit the website to see how we're working with you to protect your local watersheds!

Upper Neuse River Basin Association

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www.unrba.org



Upcoming Meetings

September 16, 2009 - 11:30 am:
UNRBA Executive Committee

Conferences and Workshops

Neuse River Foundation Muddy Water Watch Trainings

Hillsborough - Sept. 23 and 30, 5:30-7:30 p.m. (Orange County Main Library); Sept. 26, 10:00-11:00 a.m. (site visit with Terry Hackett of Orange County Erosion Control)

Durham - Oct. 21 & Nov. 2, 6-8:00 p.m. (Durham County Main Library); Oct. 24, 10:00 – 11:00 a.m. (site visit with Chris Roberts of Durham Sedimentation & Erosion Control)

The cost is \$25, which includes instruction, materials, Neuse River Foundation membership, and volunteer support following the workshop.

For more information visit <http://neuseriver.org/muddywater-watch.html>. To register, call Alissa Bierma at (919) 856-1180 or email her at alissa@neuseriver.org.

Who Is the UNRBA?

The Upper Neuse River Basin Association (UNRBA) formed in 1996 to provide an ongoing forum for voluntary regional cooperation on water quality protection and water resource planning and management within the 770-square-mile Upper Neuse Basin (Falls Lake watershed). We are a coalition of public entities in the watershed, including municipalities, counties, Soil & Water Conservation Districts, and South Granville Water and Sewer Authority. (See UNRBA Participants, below.)

What Is the UNRBA's Mission?

Our mission is to preserve the water quality of the Upper Neuse River Basin through innovative and cost-effective pollution reduction strategies and to constitute a forum to cooperate on water supply issues within the Upper Neuse River Basin.

Rain Garden Workshop: November 12-13, Cary, NC

Rain gardens are shallow depressions that collect and treat stormwater and reduce localized flooding. They can be retrofit into existing landscapes or included in initial landscaping plans. This workshop will present a simple method for sizing and designing rain gardens and detail proper construction techniques. Participants will learn why stormwater needs to be managed; principles of rain garden location, design, construction and maintenance; and selection of appropriate vegetation.

Participants will also tour several local rain gardens and be eligible to become certified in rain garden design and construction.

For more information and to register: <http://www.bae.ncsu.edu/stormwater/training/raingarden.html>.

Upper Neuse River Basin Association Participants

Jurisdiction	UNRBA Board of Directors Contact (Policy and Process Issues)		UNRBA Technical Advisory Committee Contact (Technical Issues)	
Butner	Thomas Marrow	tmarrow@butnenc.org	Melissa Hodges	mhodges@butnenc.org
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Upper Neuse River Basin Association Staff

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