JORDAN LAKE NUTRIENT MANAGEMENT STRATEGY

Key issues for local governments charged with new rule implementation:

The Jordan Lake Nutrient Management Strategy ("Jordan Rules") aims to restore and maintain water quality, protect the lake's classified uses and maintain or enhance protections currently implemented by local governments in existing water supply watersheds. The rules (15A NCAC 02B. 0262-.0273) became effective Aug. 11, 2009. Session Laws 2009-216 and 2009-484 modified the rules.

Outreach, education and training resources may be found at www.jordanlake.org. Materials include an interactive map, links to legislation, contact information and training events. Additional resources and

Photo by NC Div. of Parks and Recreation

Stormwater Rules – New Development

► Local governments are required to develop stormwater programs that:
  - Approve stormwater management plans for new development.
  - Follow specific requirements of water supply watershed rules.
  - Ensure maintenance of best management practices (BMPs).
  - Ensure enforcement and compliance.

► Timeline for initial stages of new development stormwater implementation:
  - Feb. 2011* – DWQ submits model stormwater program, including model ordinance and accounting tool for nutrient loading.
  - Sept. 2011* – Local governments submit stormwater programs for review.

► Stormwater management plans are required for Federal and State (non-NCDOT) projects that disturb one-half acre or more of land.
  - Timeline: Feb. 2011* – Federal and State (non-NCDOT) entities must submit stormwater management plans to DWQ for review.

Agriculture Rules

► Nutrient reduction goals for agricultural operations have been established.
  - Reduction goals must be met at the subwatershed level

► Watershed Oversight Committee is being established to initially implement rules.
  - Local advisory committees may be established if required.

Stormwater Rules – Existing Development

► Local governments must develop a Stage One program that includes the following:
  - Public education program.
  - Program to map MS4 system, outfalls, waters of U.S. and sanitary sewers.
  - Program to identify and remove illegal discharges.
  - Program to identify opportunities for retrofitting existing development.
  - Program to ensure maintenance of BMPs.

► DWQ is required to maintain a monitoring program in each arm of the Jordan Reservoir.
  - If monitoring results show impairment, local governments, state and federal entities must implement a Stage Two adaptive management program.

► Timeline for initial stages of existing development stormwater implementation:
  - Dec. 31, 2009 – Local governments must submit their Stage One program.
  - March 1, 2014 – If monitoring report shows impairment of Upper New Hope Creek, Stage Two program must be developed and implemented.
  - March 1, 2017 – If monitoring report shows impairment of Lower New Hope Creek or Haw River, Stage Two program must be developed and implemented.

Fertilizer Management Rules

► By August 2012, fertilizer application shall be made by an applicator that has completed nutrient management training OR pursuant to a nutrient management plan.

► Rule does not apply to use of fertilizer by homeowner on residential property.

*Indicates date is approximate.

Riparian Buffer Rules

► 50-foot wide riparian buffers are required on all surface waters, including intermittent and perennial streams, lakes, ponds and reservoirs. These features must be present on one of the following to be subject:
  • Most recent printed version of the soil survey maps prepared by the Natural Resources Conservation Service; or
  • 1:24,000 scale quadrangle topographic maps prepared by U.S. Geologic Survey; or
  • Map approved by the Geographic Information Coordinating Council and the EMC.

► Local governments must develop and implement buffer programs except where DWQ has jurisdiction. DWQ shall implement buffers for:
  • Local government, state & federal activities.
  • Activities under multiple jurisdictions.
  • Forest harvesting and agricultural activities.
  • Activities conducted in a location where there is no local government implementing one of the following programs at the time of the activity: NPDES stormwater, water supply or voluntary local stormwater or buffer initiative.

► Diffuse flow is required before stormwater runoff enters the buffer from any new ditch or manmade conveyance. It is required on all buffered streams, regardless of property size or type of land use.

► Timeline for initial stages of implementation:
  • Aug. 11, 2009 – DWQ begins implementing riparian buffer rules in its jurisdiction.
  • Oct. 2009 – DWQ makes model buffer ordinance available to local governments.
  • May 2010* – Local governments submit local buffer programs for DWQ review.

Photo by USDA NRCS

Wastewater Discharge Rule

► Applies to existing wastewater treatment facilities that receive nutrient-bearing wastewater and whose discharges are subject to individual NPDES permits.
  • Distributes waste-load allocations of nitrogen and phosphorus among the dischargers within each subwatershed.
  • Sets limits on nitrogen and phosphorus loads from larger dischargers (permitted flow at or above 0.1 MGD).
  • Larger dischargers must optimize facilities to minimize nitrogen loads while process improvements are completed.
  • Provides for group compliance approach which allows dischargers to work collectively to meet their combined nutrient limits.

► Timeline for wastewater rule implementation:
  • Feb. 2010* – Submit optimization reports.
  • Aug. 2010* – Implement optimization.
  • 2010 – Compliance for phosphorus limits.
  • 2016 – Compliance for nitrogen limits.

Options for Offsetting Nutrient Loads

►Provides activities subject to various Jordan Rules (new and existing development, state and federal entities, agriculture and point sources) the option to purchase reduction credit from other sellers.
  • Must meet minimum onsite reduction requirements before purchasing credit.

Note: An online version of this fact sheet that includes direct links to the full text of the Jordan Rules, related documents and associated legislation is available at: www.jordanlake.org.

*Indicates date is approximate.