

Coastal Stormwater Rules

AFTER MORE THAN 20 YEARS OF FAILURE, IT'S TIME TO GET IT RIGHT.

That's the message North Carolinians who live, visit or cherish our coast need to tell state legislators, who may be considering critical changes in the way we control stormwater pollution on the coast.

Stormwater is rain runoff from developed areas, such as roads, roofs, parking lots and driveways, that pollute our coastal water and trigger hazardous flash flooding. Polluted stormwater carries bacteria and assorted chemicals to our rivers and sounds and is now the primary cause of 90 percent of all contaminated shellfish beds. More than a hundred thousand acres of shellfishing waters along our coast are permanently closed or close temporarily after moderate rains.

The state determined in 2005 that the rules that have been in place since 1985 to control stormwater in the 20 coastal counties have failed to protect the quality of our water. In response, the N.C. Environmental Management Commission (EMC) has approved new, more effective rules that were the subject of four public hearings along the coast last summer and fall.

The rules will be subject to review by the state legislature when it returns on May 13.

Specific improvements to the rules include:

- Effective stormwater controls for development that will have more than 12 percent built-upon area near shellfish (SA) waters and 24 percent elsewhere. 12 percent is not a cap on development, it's merely a trigger for requiring effective stormwater controls.
- Effective stormwater controls for developments that disturb more than 10,000 square feet.
- 50-foot natural vegetative buffers along all waterways. A similar buffer is in effect in the Neuse and Tar-Pamlico river basins.
- Excludes most wetlands from calculations for built-upon areas. You can't build on wetlands or use them for stormwater control, so why should they be part of the built upon area determination?
- Developments near shellfish (SA) waters must control the runoff from the one-year, 24-hour storm. Elsewhere developments must control the first 1½ inches of rain. These performance standards encourage low-impact development.

Please contact your state legislators and ask them to end two decades of failure and allow the coastal stormwater rules to go into effect without changes to protect our coast's waters.