

MEMORANDUM

TO: Board of Environmental Protection  
FROM: Don Witherill, Bureau of Land & Water Quality, Augusta  
DATE: September 7, 2006  
RE: Chapter 500 and 502 Errata

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Since submitting the draft Chapter 500 and 502 rules to the Board packet, staff has found some minor errors that I recommend be corrected in the posted version of the rule. These include the following (page numbers refer to the draft rule page number, not the packet page number):

Page 1: Definition of "Developed area" should be amended to read: "Disturbed area" excluding area that within one calendar year of being disturbed is returned to a condition with the same drainage pattern that existed prior to the disturbance and is revegetated, provided the area is not mowed more than once per year.

Page 7: Section 4.B.(3)(e) should be revised to read:

Stormwater Management Law project including redevelopment. For a project requiring a Stormwater Management Law permit that includes redevelopment of impervious area that was in existence as of November 16, 2005 (the effective date of Chapter 500 revisions), the redevelopment of that impervious area is not required to meet general standards provided the department determines that the new use of the existing impervious area is not likely to increase stormwater impacts resulting from the proposed project's stormwater runoff beyond the level of impact already caused by the runoff from the existing impervious area. The requirements of Appendix D must still be met, if applicable.

Page 8: Section 4.B.(3)(f) should be revised to read:

(f) For a project requiring a Site Location of Development Law permit that includes redevelopment of impervious area that was in existence as of November 16, 2005 (the effective date of Chapter 500 revisions), the redevelopment of that impervious area is required to meet the general standards to the extent practicable as determined by the department. The requirements of Appendix D must still be met, if applicable.

Page 9: Section 4.D.(3) should be revised to read:

(3) Exception for a project including redevelopment. Redevelopment of an impervious area that was in existence as of November 16, 2005 is not required to meet the urban impaired stream standard provided the department determines that the new use of that impervious area is not likely to increase stormwater impacts resulting from the proposed project's stormwater runoff beyond the level of impact already caused by the runoff.

Page 12: Section 4.F.(3) the heading should be revised to read: Areas conveyed. The remaining language in that paragraph should remain unchanged from current rule.

Page 20: Section 7.E.(2) should be revised to read: Location map. The Notification form must be accompanied by a photocopy of a portion of a 7.5 minute USGS topographic map or other atlas showing the site's location and approximate property boundaries, if the size of the parcel and scale of the map allows it. A USGS topographic map can be useful for showing the general contour and topography of the project site.

Page 22: Section 8.A., the final sentence should be changed to a note and revised as follows: Note: A Site Law application for a new development project requires a pre-application meeting pursuant to Chapter 2, Section 10(B).

Page 30: Section 10.A.(10), the word "license" in the second and third lines should be changed to "permit."

In addition to the above changes, there are a number of format and grammatical corrections; e.g., changing words from upper to lower case (General Standards to general standards) that staff recommends be made.