

BOARD OF ALDERMEN

ITEM NO.: E(1)

AGENDA ITEM ABSTRACT

MEETING DATE: MARCH 4, 2003

TITLE: Final Review of the Town's Draft Stormwater Management Plan and Permit Application

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ __ NO <u>X</u>
ATTACHMENTS: A. Resolution B. Permit Application C. Final Plan D. Advisory Board Recommendations	FOR INFORMATION CONTACT: PHILIP J. PRETE, 918-7326

PURPOSE:

The Board of Aldermen held a public hearing on February 11, 2003 to receive public comment on the Draft Stormwater Management Plan that is required as part of the Town's application for coverage under the State Stormwater Management Permit. The final draft of the plan has been prepared considering public comment and is presented to the Board for review. The Administration recommends that the Aldermen authorize the Interim Manager to submit the attached application and plan to the State.

INFORMATION:

The Federal Clean Water Act established the National Pollutant Discharge Elimination System (NPDES) Program in 1972 to control point source discharges (pipes, ditches, etc.) to rivers, lakes, estuaries, and other surface waters. The state of North Carolina is delegated by the Environmental Protection Agency to implement the NPDES permit program, which consists of several component programs – including stormwater - primarily through the issuance and enforcement of permits.

Phase II of the NPDES Stormwater program was signed into law in December of 1999 requiring small (population 10,000 to 100,000) Municipal Separate Storm Sewer Systems (MS4s) to be permitted and establishes a deadline for submission of a permit application and a stormwater management plan by March 10, 2003.

The North Carolina Environmental Management Commission approved temporary rules for implementation of the Phase II NPDES requirements on October 10, 2002, with an effective date of November 1, 2002. The Department of Environment and Natural Resources Division of Water Quality (DWQ) Stormwater Unit issued a required format for the submission of the application, and the plan on November 5, 2002. Carrboro was notified by letter addressed to Mr. Robert W. Morgan, dated November 6, 2002, from the Stormwater Unit Supervisor of Carrboro's designation as a regulated community, and that the Town is subject to the requirements of the Phase II Rules.

Small MS4s under Phase II are required to develop and implement a comprehensive stormwater management program that includes six minimum measures:

- (1) Public education and outreach on stormwater impacts,
- (2) Public involvement/participation,
- (3) Illicit discharge detection and elimination,
- (4) Construction site stormwater runoff control,
- (5) Post-construction stormwater management for new development and redevelopment, and
- (6) Pollution prevention/good housekeeping for municipal operations.

The rules require a public participation process. A draft summary of the plan was presented at a public hearing on February 11, 2003. The Planning Department also announced in the public hearing notice a public comment period to extend to February 24, 2003 for written comments. The complete permit application (Attachment B) and final plan (Attachment C) are provided for review. A draft summary of the plan was presented for Joint Review by the Environmental Advisory Board and the Planning Board on February 6, 2003. Recommendations from both advisory boards in support of the plan elements are provided (Attachment D). All comments from the Advisory Boards and the public have been considered in revising the plan.

FISCAL IMPACT:

The plan was developed with the intent of implementing it using existing staff resources; however, depending on details of specific strategies as yet undeveloped, full implementation may require additional staff and equipment expenditures, or contractual arrangements to implement the inspections and enforcement component in future years. Some expenditure for printed materials development may also be necessary. Some additional engineering fees will also be required.

ADMINISTRATION RECOMMENDATION:

The Administration recommends that the Aldermen adopt the attached resolution (Attachment A) authorizing the Interim Town Manager to submit the attached application and plan to the State.