

BOARD OF ALDERMEN

ITEM NO. D(3)

AGENDA ITEM ABSTRACT

MEETING DATE: April 19, 2005

TITLE: Jordan Lake Nutrient Management Strategy

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO _ X _
ATTACHMENTS: A. Resolution B. Upper New Hope Arm Map C. DENR Proposed Nutrient Strategy APP.V2 D. DENR Public Meeting Notice	FOR INFORMATION CONTACT: Noah Ranells, 918-7326

PURPOSE

The purpose of this item is to request that the Board designate the Town Manager or his designee 1) to serve as the Town's authorized representative in the multi-jurisdiction stakeholder work group for the Upper New Hope Arm of Jordan lake and 2) to represent the Town's interests related to the nutrient management strategies and total maximum daily load (TMDL) standards for Jordan Lake to the State of North Carolina Environmental Management Commission (EMC). A resolution has been prepared for consideration (*Attachment A*).

INFORMATION

The Board of Aldermen was presented with a staff report on the Jordan Lake Stakeholder Process on 7 December 2004 (http://elvis.ci.carrboro.nc.us/BoA/Agendas/2004/12_07_2004_E1A.pdf). At the 3 November 2004 Orange County Board of County Commissioners meeting, the Commissioners requested that a local stakeholder meeting be held. A multi-jurisdictional staff-level group representing Carrboro, Chapel Hill, Orange County, and OWASA met 19 January 2005 to discuss the proposed strategy following a request of the Orange County Board of Commissioners. It was determined by the group that further discussion was warranted to discuss issues and develop comments and recommendations regarding a Total Maximum Daily Load and Nutrient Management Strategy specific to the Upper New Hope Arm of Jordan Lake watershed. The Upper New Hope watershed includes the Town of Carrboro and its planning jurisdiction (*Attachment B*).

On 9 March 2005, the EMC's Water Quality Committee met, received, and approved a report from the Division of Water Quality concerning the Jordan Lake Nutrient Management Strategy. On 1 April 2005, a Jordan Lake Nutrient Management Strategy & Total Maximum Daily Load 'Public Review Draft' was made available by NC Department of Environment and Natural Resources (DENR; http://h2o.enr.state.nc.us/tmdl/TMDL_list.htm#Draft_TMDLs). Appendix V.2 of the document addresses the 'Proposed Nonpoint Source Nutrient Strategy for Jordan Lake Nutrient Sensitive Waters' (*Attachment C*). A Public Meeting on the Nutrient Management Strategy and TMDL has been scheduled for 6 pm on 2 May 2005 at the Alamance Community College in Graham (*Attachment D*; <http://h2o.enr.state.nc.us/tmdl/documents/jordannmsprevnotice.pdf>). The agenda includes a discussion on the Cape Fear River Basinwide Water Quality Plan and the Jordan Lake Nutrient Management Strategy.

The proposed non-point source target reduction for total nitrogen (TN) is 35% and 5% for total phosphorus (TP). Specific non-point source management strategies are being considered for the Upper New Hope Arm of Jordan Lake which will impact the Town of Carrboro (Table 1). Other nutrient management strategies not mentioned address agriculture, forestry, onsite wastewater treatment systems, and spray-field irrigation.

Table 1. Nonpoint source strategies for the Upper New Hope watershed that impact Carrboro

Strategy	Requirement	Staff Comment
Nutrient Management	<ul style="list-style-type: none"> ◆ Training & continuing ed for managers of 10+ acres. ◆ Implement written nutrient management plan for N & P for lands where nutrients are applied. 	<ul style="list-style-type: none"> ◆ Public Works staff will be affected relatd to maintenance of town-owned parks and facilities.
NPDES Phase II	<ul style="list-style-type: none"> ◆ Obtain an NPDES Phase II permit 	<ul style="list-style-type: none"> ◆ The Town of Carrboro expects to obtain an NPDES Phase II Permit on July1, 2005.
Stormwater Rule: New Development & Re-development	<ul style="list-style-type: none"> ◆ New development & re-development must achieve & maintain net annual loading not in excess of 4.1 lbs / acre / year TN and 1.1 lbs / acre / year TP. 	<ul style="list-style-type: none"> ◆ Additional staff resources will be required to verify loading rates during project approval process and for continuous oversight to ensure that standards are maintained. ◆ TN & TP limits will likely pose technical & fiscal challenges for landowners seeking to develop property. ◆ Discussions with other stakeholders will provide a mechanism for more accurate estimates of fiscal impact.
Stormwater Rule: Existing Development	<ul style="list-style-type: none"> ◆ Analyze existing land uses ◆ Identify & implement BMPs to achieve & maintain net annual loading not in excess of 4.1 lbs / acre / year TN and 1.1 lbs / acre / year TP. 	<ul style="list-style-type: none"> ◆ This requirement presents the most significant challenge for the Town and other stakeholders with respect to reducing nutrient loading rates. ◆ Additional impact on Town resources to identify & implement measures to meet the required standards. ◆ Specific impacts resulting from this requirement will be explored through discussions with the other stakeholders.
Reporting & Adaptive Management	<ul style="list-style-type: none"> ◆ Provide annual progress reports to the State on control of nutrient loads. 	<ul style="list-style-type: none"> ◆ As a new reporting requirement, this strategy will add to other required reporting on environmental issues.
Buffer Protection	<ul style="list-style-type: none"> ◆ 50 ft vegetative cover on each side of intermittent & perennial streams, lakes, and waterbodies. 	<ul style="list-style-type: none"> ◆ Existing buffer requirements may need to be expanded to fulfill this requirement.

Comments on the impacts of these strategies on the Town of Carrboro as well as other affected jurisdictions will be developed by the Upper New Hope multi-jurisdiction stakeholder group. Final stakeholder comments and recommendations would be submitted as a report to the North Carolina EMC's Water Quality Committee regarding total maximum daily loads and a Nutrient Management Strategy for the Upper New Hope Arm of Jordan Lake watershed.

FISCAL IMPACT

There is no fiscal impact for the Board to receive this report. However, it is clear that there will be fiscal impact if all the proposed strategies are implemented. The Upper New Hope stakeholder group will carefully examine the strategies and their estimated costs to local government and landowners. A report will be provided to the Board of Aldermen.

STAFF RECOMMENDATION

Staff recommends adoption of the attached resolution that would designate the Town Manager or his designee to represent the Town in serving on the Upper New Hope stakeholder group and working to develop draft stakeholder comments and recommendations for the Board of Aldermen.