

**A RESOLUTION RECEIVING STAFF REPORT ON STORMWATER PERMIT
Resolution No. 126/2007-08**

WHEREAS, Carrboro entered into a 5 year NPDES stormwater water permit on July 1, 2005 with the State of North Carolina; and

WHEREAS, Carrboro maintains a municipal separate storm sewer system (MS4); and

WHEREAS, Carrboro is committed to the ongoing high quality management of stormwater runoff within the Town's jurisdiction;

NOW THEREFORE, the Carrboro Board of Alderman does hereby:

1. Accept the memo prepared by Staff outlining Year 3 permit requirements and staff recommendations for pursuing these requirements
2. Direct staff to continue to work to pursue these recommendations to satisfy Year 3 permit requirements.



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL PLANNING DEPARTMENT

DELIVERED VIA: HAND MAIL FAX EMAIL

To: Steve Stewart, Town Manager
 Mayor and Board of Aldermen

From: Randy Dodd, Environmental Planner

Date: April 11th, 2008

Subject: Year 3 Report for NPDES Stormwater Permit

Background and Summary

Carrboro's is nearing completion of year 3 of its Phase II NPDES stormwater permit. Carrboro will need to report to NCDENR by the end of June on progress made in Year 3 towards permit requirements. In general terms, the permit requires the Town to design their program to: 1) reduce the discharge of pollutants to the "maximum extent possible" (MEP); 2) protect water quality; and 3) satisfy the appropriate water quality requirements of the Clean Water Act. Implementation generally requires the development and implementation of BMP's and measurable goals to satisfy each of six minimum control measures, as discussed below.

Information

The Town is responsible for developing plans, management measures, and measurable goals for each of 6 components of its stormwater program:

- Public education and outreach (PEO) on impacts of stormwater discharges to inform citizens of how to reduce pollutants in stormwater runoff (years 2-5).
- Public involvement and participation (PIP) that complies with all applicable state and local requirements (years 1-5).
- Illicit discharge discovery and elimination (IDDE) within the regulated area (years 3-5)
- Construction Site Runoff Control (CRC) to reduce delivery of pollutants that result from stormwater runoff to the MS4 or waters of the State from construction activities that result in land disturbance of greater than or equal to 1 acre (years 1-5)

- Post-Construction Runoff Control (PCRC) from new development and redevelopment (years 2-5)
- Pollution Prevention / Good Housekeeping (PPGH) to ensure that municipal operations address operation and maintenance, including a training component, to reduce or prevent pollutant runoff from those operations (years 1-5)

The new requirements for Year 3 of the permit are presented below:

- II.D.2.a: Develop and implement an Illicit Discharge Detection and Elimination Program. This program is designed to detect and remove significant non-stormwater pollution sources being conveyed through the stormwater system. Include provisions for program assessment and evaluation.
- II.D.2.b: Establish and maintain adequate legal authorities to prohibit illicit discharges and enforce the approved Illicit Discharge Detection and Elimination Program.
- II.F.2.b: Develop and implement strategies that include a combination of structural and/or non-structural BMPs. Provide a mechanism to require long term operation and maintenance of structural BMPs. Require annual inspection reports of permitted structural BMPs performed by a qualified professional.
- II.F.2.d: For projects draining to Nutrient Sensitive Waters, develop, adopt, and implement an ordinance (or similar regulatory mechanism) to ensure that the best management practice for reducing nutrient loading is selected. In areas where the Environmental Management Commission has approved a Nutrient Management Water Urban Stormwater Management Program, the provisions of that program fulfill the nutrient loading reduction requirement. Develop and include a nutrient application (fertilizer and organic nutrients) management program in the Post-construction Stormwater Management Program.

The Town has met the permit requirements for 11.F.2.b through prior adoption of Section 15-263 and 15-263.1 of the LUO (stormwater provisions). The Town will need to take action by the end of June to maintain permit compliance for year 3 for the other three items, per the recommendations below. The entire permit is posted on the Town's website at <http://www.townofcarrboro.org/pzi/PDFs/NPDESPermit-7-1-05a.pdf>.

Staff Recommendation

Staff propose to present to the BOA in May the following items:

1. An illicit discharge program plan meeting the requirements for II.D.2.a to establish an illicit discharge detection and elimination program.
2. A proposed Town Code amendment meeting the requirements for II.D.2.b establishing the legal authority for illicit discharge detection and elimination
3. Proposed Land Use Ordinance and Town Code text amendments meeting the requirements for II.F.2.d to address nutrient loading through BMP prioritization and landscape application of fertilizer and organic nutrients. (Staff are preparing this amendment to address the NPDES permit requirement in reference to Nutrient Sensitive Waters provisions for Jordan Lake as adopted in 1983; the amendments will not be intended to address draft Jordan Lake rules.)