

BOARD OF ALDERMEN

ITEM NO.: D(5)

AGENDA ITEM ABSTRACT

MEETING DATE: JUNE 2, 2009

TITLE: Town Code amendment establishing nutrient management provisions for certain properties

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ __ No __X__
ATTACHMENTS: A: Ordinance amending Town Code to establish nutrient management provisions B: Staff memo C: Email from Liz Rooks	FOR INFORMATION CONTACT: RANDY DODD, 918-7326

PURPOSE: The Town's stormwater permit requirements include management of nutrient application. To fulfill this requirement, a Town Code amendment has been drafted. The purpose of this agenda item is to provide a staff report of activities subsequent to the Board's last review of the draft amendment in February. A draft Town Code amendment is provided for Board consideration.

INFORMATION: Based on National Pollutant Discharge Elimination System (NPDES) permit requirements, staff prepared a draft Town Code amendment (for land within the municipal limits) in May, 2008 requiring appliers of nutrients to 5 acres or more to be certified in nutrient management, or to develop a nutrient management plan for lands receiving fertilizer. The 5 acre threshold was chosen because it is referenced in draft Jordan Lake rules. The BOA requested that staff report back regarding who the existing fertilizer permit requirements apply to as well as how it might be applied to smaller parcels. At subsequent meetings, the proposed threshold was lowered to 2 acres, and public input was received. A revised ordinance amending the Town Code subsequent to community and staff review has been prepared (Attachment A). The attached staff memo details the activities and follow up subsequent to the most recent review of this matter by the Board of Aldermen on February 20th, 2009 (Attachment B).

FISCAL AND STAFF IMPACT: Minimal fiscal or staff impact is expected with action on this agenda item. Staff expects the principal implementation of this requirement to occur through adding information on this requirement to the existing education and outreach strategies used to meet the Town's NPDES requirements.

RECOMMENDATION: Staff recommends that the BOA adopt the Town Code amendment establishing nutrient management provisions.