

# Streamlines

A NEWSLETTER FOR NORTH CAROLINA WATER SUPPLY WATERSHED ADMINISTRATORS

Volume 1, Number 6

August 1996

## State Is A Partner In Protecting Watersheds

Local governments with their authority to regulate land use and development activities play a critical role in protecting water supply watersheds. State government is an important partner, too!

Some state responsibilities for protecting water quality in water supply watersheds are spelled out in the Water Supply Watershed Protection Act. Other state authority to protect water quality is spelled out in various state or federal legislation/rules. Implementation is carried out by various state agencies.

You may not be familiar with all these state responsibilities or programs. This article provides a brief overview of how the state controls point and nonpoint sources of pollution in water supply watersheds and who you can contact for more information.

### Wastewater Discharges

Under the federal Clean Water Act, North Carolina has been delegated the authority to issue permits to wastewater discharges under the National Pollutant Discharge Elimination System, commonly called the NPDES. If you have a new or expanding wastewater discharge proposed in your water supply watershed, the Division of Water Quality (DWQ) reviews the permit application, determines the type of treatment required, and, if appropriate, de-



velops and issues a permit to the applicant. There are two types of permits issued by DWQ governing discharges in water supply watersheds. General permits are developed by DWQ to regulate categories of similar and relatively minor discharges such as non-contact cooling water discharges, mine dewatering facilities, trout farms, water filtration facilities, and certain stormwater discharges. Individual permits are issued for domestic and industrial discharges.

Domestic and industrial dischargers are required to treat the wastewater to prescribed levels of treatment, monitor the quality of the effluent, and in some cases, the receiving waterbody, and submit monthly monitoring reports to

the DWQ for compliance monitoring purposes.

Under the Watershed Protection rules, no wastewater discharges are allowed in WS-I watersheds. Only General permit type discharges are allowed in WS-II watersheds and the Critical Area of WS-III watersheds. General, domestic and industrial discharges are allowed in WS-IV and WS-V watersheds; however new industrial process discharges in WS-IV Critical Areas must meet additional treatment requirements.

### Residuals Application

The DWQ also issues nondischarge permits for the land application of residuals and petroleum contaminated soils within water supply watersheds. Residuals include solids or semisolid wastes (e.g., sludge) from a water or wastewater treatment plant. Residuals application is prohibited in WS-I watersheds. No new permitted sites are allowed in the Critical Areas of WS-II, III or IV watersheds. New sites are allowed in other areas.

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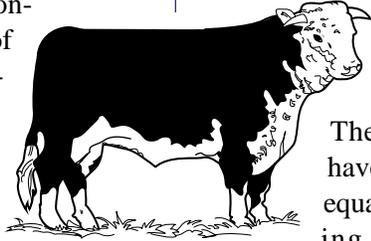
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# Partner

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## □ Agricultural Activities

Nonpoint source (nps) pollution due to agricultural activities is managed by a variety of federal, state, and local programs implemented by various agencies. The DWQ is responsible for the regulation of animal waste management systems for the state of North Carolina. The State's nondischarge rules, also known as the 2H .0200 regulations, do not allow any discharge of waste water from an animal waste management system except as the result of a storm event greater than the 25-year, 24-



hour storm event. These same rules require new or expanding intensive livestock operations (e.g., dairies, hog farms, poultry facilities, etc.) over a specific size to have a certified animal waste management plan in place before additional animals are stocked on the facility. These facilities in existence prior to December 31, 1993, must have

a certified animal waste management plan in place prior to December 31, 1997.

The facilities required to have a plan are those with equal to or above the following number of animals:

swine- 250; cattle- 100; poultry- 30,000 birds; sheep- 1,000; and horses- 75. The animal waste management plans must be certified by a technical specialist designated by the Soil and Water Conservation Commission. These rules apply statewide, thus existing and new animal operations in water supply watersheds are affected by these rules. The watershed protection rules specifically require agricultural activities in WS-I watersheds and Critical Areas of WS-II, III and IV watersheds to maintain a 10-foot vegetative buffer along all perennial streams. The NC Soil and Water Conservation Commission has responsibility for seeing that these buffers are maintained.

Pesticide application, storage and disposal are regulated by the NC Pesticide Law of 1971. The NC Department of Agriculture enforces the rules adopted by the NC Pesticide Board. In addition to the above regulations affecting agriculture, there are numerous voluntary, incentive or quasi-regulatory programs designed to manage agricultural nps pollution. The NC Division of Soil and Water Conservation, the NC Cooperative Extension Service, the federal Natural Resources Conservation Service and other agencies work to assist farmers in designing and utilizing

best management practices (BMPs) to protect water quality. The NC Agriculture Cost Share Program, administered by the NC Division of Soil and Water Conservation and local Districts, can cost share up to 75% of the cost of eligible BMPs.

## □ Construction Activities

Soil erosion and offsite sedimentation caused by land disturbing activities associated with residential, commercial, industrial, institutional and highway development are controlled by the NC Sedimentation Pollution Control Act of 1973. Projects disturbing one or more acres must submit an erosion and sedimentation control plan to the NC Division of Land Resource's Land Quality Section for approval. Agricultural and mining activities are exempt from the Act. Local governments are authorized to adopt local

erosion control ordinances if they meet or exceed state minimum rules. Land disturbing activities within WS-I and II water-



sheds are subject to a set of more stringent erosion control rules (Design Standards in Sensitive Waters).

## □ Highway Projects

In addition to complying with state sedimentation control rules, DOT projects in water supply watersheds are required by the Watershed rules to use BMPs as outlined in their document entitled "Best Management Practices for the Protection of Surface Waters." For example, the construction of new roads in the critical area should be avoided, to the extent practicable.

## □ Mining Activities

Mining operations statewide are regulated by the NC Mining Act of 1971. Mining regulations require a mining permit for operations that disturb

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### STREAMLINES

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For assistance with the watershed protection program, contact the NC DWQ, Water Supply Watershed Technical Assistance Unit, PO Box 29535, Raleigh, NC 27626-0535, (919) 733-5083 at extensions:

Lisa Martin            Ext. 565  
Brent McDonald      Ext. 508

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one or more acres of surface area. A reclamation plan is also required and various BMPs are used to protect land and water quality. Mining regulations are enforced by the Land Quality Section of the Division of Land Resources. In addition, the watershed rules prohibiting or restricting wastewater discharges may limit mining activities in water supply watersheds.



### Forestry Activities

Silviculture activities statewide are subject to the provisions of the “Forest Practices Guidelines Related to Water Quality.” The NC Division of Forest Resources is responsible for assisting operators in complying with these guidelines. Forestry operations must voluntarily use BMPs or face regulation under the Sedimentation Pollution Control Act.

### Landfills

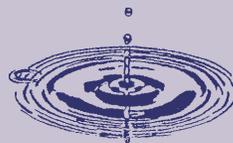
The NC Division of Waste Management (formerly the Division of Solid Waste Management) has permitting authority over solid waste management facility siting and operation. Landfills are governed by the federal Resource Conservation and Recovery Act (RCRA) and state solid waste management rules. In addition, the Watershed rules regulate landfills within water supply watersheds. No landfills are allowed in WS-I watersheds. No new landfills are allowed in Critical Areas of WS-II, III or IV watersheds. No new landfills discharging leachate are allowed in the balance of WS-II or III watersheds. The watershed rules do not restrict landfill siting in the Protected Areas of WS-IV watersheds.

For further information on state point and nonpoint source pollution control programs see the Resources Box.

## Did You Know?

The EMC made an interpretation at their May 1996 meeting that may affect local governments with jurisdiction in WS-IV watersheds. The EMC determined that the protected area associated with WS-IV watersheds where the intake is located directly within the stream or river (not in a lake) will be measured using 10 river miles, instead of 10 land miles. This interpretation will be used for newly classified WS-IV watersheds with “run-of-the-river” intakes and may also be used to reclassify 55 existing WS-IV watersheds. If your local gov-

ernment has land use jurisdiction within a WS-IV watershed where the intake is located directly within a stream or river, you may request that the EMC amend your existing maps. The Division of Water Quality recently sent a memorandum to the local governments that would be affected by this interpretation. If your local government is located within one of the potentially affected WS-IV watersheds and you did not receive notification, or if you have any questions, please contact Lisa Martin at (919) 733-5083, extension 565.



## Resources

See the following for more information on:

### Wastewater Discharges and Residuals Application

Don Safrit, NC Division of Water Quality, (919) 733-5083, ext. 519, or DWQ Regional Offices

### Agricultural Activities

Animal Waste Rules – David Harding, DWQ, (919) 733-5083, ext. 569, or DWQ Regional Offices

Pesticide Rules – NC Department of Agriculture, Pesticide Section, (919) 733-3556

Agriculture Cost Share Program – County Soil & Water Conservation District Offices

### Construction And Mining Activities

Sediment and Mining Acts – NC Division of Land Resources, Land Quality Section Regional Offices

### Highway Projects

BMPs for Protection of Surface Waters – Barney O’Quinn, NC DOT, Planning & Environmental Branch, (919) 733-3141

### Forestry Activities

Forest Practice Guidelines for Water Quality – NC Division of Forest Resources Regional Offices

### Landfills

NC Division of Waste Management Regional Offices

## What's Happening ?

**August 20 – Neuse River WS-IV Reclassification Public Hearing, Clayton, NC, 7 p.m. Contact Steve Zoufaly at DWQ, (919) 733-5083, ext. 566 for more information.**

**Sept. 9, 10, 11, 12 – Neuse River Nutrient Sensitive Waters (NSW) Management Strategy Public Hearing, Locations: 9 - Raleigh, 10 - Goldsboro, 11 - New Bern, 12 - Kinston. For times and location, contact Greg Thorpe at (919) 733-5083, ext. 557.**

**Sept. 11 – NC Water Quality Committee of NC EMC, New Bern, N.C.**

**Sept. 12 – NC Environmental Management Commission, New Bern, NC. Agenda items: Several local government water supply watershed ordinances will be reviewed.**

**Sept. 19 – Practical Stormwater Management, High Point, N.C. Sponsor: NC Chapter, American Public Works Association - Water Resources Division. For information, call Wayne Miles at (919) 787-5620.**

**Sept. 23-25 – National Symposium on Effectiveness of Erosion and Sediment Control Practices. Raleigh, NC. Joseph Kleiss, Soil Science, Box 7619, North Carolina State University, Raleigh, NC 27695-7619.**

**October 5-9 – Water Environment Federation – 69th Annual Conference, Dallas, TX. WEF, 601 Wythe St., Alexandria, VA 22314-1994. Tel: 1-800-666-0206.**

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### *Streamlines*

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