

Tool: Collaboration with Wake County on Six Measures of NPDES Phase II

On a voluntary basis and in exchange for appropriate fees, local jurisdictions can seek assistance from Wake County to provide services that, at a minimum, achieve compliance with selected elements of their NPDES Phase II permit. The program will be modeled after the Charlotte-Mecklenburg County model.

What is a potential Task Force recommendation for implementation of this tool at the conclusion of this process?

The jurisdictions that volunteer to participate in the program would enter into an inter-local agreement with the county that specifies the specific responsibilities of each jurisdiction and the method for reimbursement of costs associated with providing the service. The agreements will be voluntary and renewable annually. The agreements would specify that the towns are responsible for protecting the quality of storm water runoff and surface waters within their jurisdictions to the extent required by applicable laws and regulations. However, on behalf of the towns, the county will fulfill the NPDES Phase II Storm Water Permit requirements for the towns and the county provided the Towns adopt and enforce the regulations necessary to support specific permit requirements, including but not limited to pollution control and post-construction ordinances.

A Stormwater Management Plan would be developed by the county and participating jurisdictions that meet the stipulated requirements of the regulations for all six minimum measures. The plan will promote a watershed planning framework between the county and the participating jurisdictions and will provide consistent, uniform implementation of the NPDES Phase II requirements throughout the participating jurisdictions and the unincorporated county.

A staffing plan would be developed to determine the level of support necessary to implement the programs for participating jurisdictions. It is anticipated that a joint program would be able to take advantage of economies of scale for staffing, equipment and other program related costs, particularly when compared to the cost that smaller jurisdictions may incur in an effort to implement these programs individually.

Although a majority of jurisdictions in the county have already entered their first five-year permit cycle, staff with DWQ has indicated that programs may apply for modifications to their current permits, including the ability to apply for a joint permit with the county and other participating jurisdictions. This will reduce the cost and time associated with providing separate annual reports at the end of each completed year and will also provide an added level of uniformity to the programs.

What problems identified by the Task Force (Objectives) does this tool address?

The NPDES Phase II programs address water quality-related issues. Therefore, this tool addresses 7 of the 14 Task Force objective statements.

What is the minimum regulatory requirement, if any, for this tool?

Eleven of the thirteen jurisdictions in the county must implement the six minimum measures of the NPDES Phase II permit. The six measures include 1) public education & outreach, 2) public involvement, 3) illicit discharges, 4) construction site runoff control, 5) post construction runoff control and 6) pollution prevention & good housekeeping.

How is this tool currently applied within Wake County?

Ten of the 13 jurisdictions in Wake County have a permit to implement the six measures of NPDES Phase II (Raleigh is a Phase I community). The remaining jurisdictions (Wendell and Zebulon) will be required by permit to implement the construction site runoff and the post construction site runoff control programs. Each jurisdiction has approximately five years to implement the entire program.

Is there an opportunity for collaboration on the implementation of this tool?

Currently, Wake County collaborates with seven jurisdictions on construction site runoff controls (i.e. sediment and erosion control). Therefore, this program and agreement can be expanded to include other NPDES services, which is similar to the Charlotte-Mecklenburg County model.

What is the expected outcome of this potential recommendation?

Local governments, on a voluntary basis, can request that Wake County provide staff and resources related to any, and all, functions required by Phase II stormwater rules. Agreement for service would be renewable on an annual basis (similar to Charlotte-Mecklenburg model and represents an expansion of current practice regarding S&E). The primary outcome would be a cost-effective solution for compliance with elements of the NPDES Phase II program.