North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Beverly Eaves Perdue
Governor

James H. Gregson
Director

Dee Freeman
Secretary

CRC-10-42

October 27, 2010

MEMORANDUM

TO: Coastal Resources Commission

FROM: Pat Durrett

SUBJECT: Clean Coastal Water and Vessels Act Implementation

During the 2009 Legislative Session, The General Assembly passed the "Clean Coastal Water and Vessel Act" (SL 2009-345 H1378 ratified with amendments July 2010). This act addresses the discharge of sewage from a vessel into certain coastal waters and requires marinas with a specified slip capacity to install and maintain pumpout facilities. The Act also requires vessel owners and operators of marinas in EPA designated No Discharge Zones to maintain a record of pumpouts from Marine Sanitation Devices. Specifically, the Act requires the following:

- Owners or operator of certain large vessel marinas must
    1. install and maintain operational pumpout facility or contract with an outside service provider to provide pumpout services on a regular basis
    2. maintain records of pumpout services
    3. report any vessel docked or moored at the marina of unlawful discharging of sewage in coastal waters
- Vessel owners and operators are required to:
    1. Keep a record of each pumpout of the marine sanitation device. These records must be kept for one year from the date of the pumpout,
    2. Maintain "no discharge" in No Discharge Zone Designated waters by keeping the overboard waste discharge valve of the marine sanitation device secure by acceptable methods
- The Department of Environment and Natural Resources must:
    1. Establish pumpout facility criteria for both public and private large vessel marinas that provide docking services, (Criteria has been

400 Commerce Ave., Morehead City, NC 28557
Phone: 252-808-2808 \ FAX: 252-247-3330 Internet: www.nccoastalmanagement.net

An Equal Opportunity \ Affirmative Action Employer

One NorthCarolina Naturally

drafted and submitted to the Department for review),

2. Develop guidelines for inspections of the pumpout facilities.

A designated "No Discharge Zone" (NDZ) is an area of a water body or an entire water body into which the discharge of sewage (whether treated or untreated) from all vessels is completely prohibited. The designations are authorized by the EPA to give States an additional tool to address water quality issues associated with vessel sewage contamination. New Hanover County waters were designated as a NDZ in January 2010. The Division's Clean Marina Program has been coordinating implementation of the new requirements with the Division of Water Quality and New Hanover County. Steve Dellies, stormwater manager for Wrightsville Beach will be at our upcoming meeting to brief the Commission on the rationale behind the NDZ designation as well as implementation of the new pumpout requirements.

<u>An update of the Clean Marina program</u>

The purpose of the North Carolina Clean Marina program is to give marina and boatyard facilities a chance to be recognized for their efforts towards environmental responsibility. It also gives boaters a way of identifying facilities that are following best management practices. The program is strictly voluntary, but it shows that the marina cares about the environment. The marinas must fill out an application/checklist indicating that they are following the "Best Management Practices." If the facility qualifies on paper, a site visit is made to visually identify the Best Management Practices being implemented at the facility.

The North Carolina program was established in 2000 however, it has shown only modest growth due to staffing limitations. With funding from the federal Coastal Nonpoint Source Program, the North Carolina Clean Marina Program has increased efforts to support and enhance program growth. The funding enabled the creation of a temporary dedicated staff position to facilitate program development by traveling coast-wide to increase marina certifications, market the program, present educational workshops and materials, create boater awareness and recertify existing Clean Marinas.

In March of 2010, a temporary Clean Marina Program Coordinator position was filled and at that time, only two of the seventeen Clean Marinas were actively certified. Marinas must be recertified every two years to maintain their Clean Marina status. As of November 1st all of the marinas, with the exception of one that chose not to continue participation, have been recertified and three additional marinas have achieved the status as Clean Marinas. This brings the total to 19 Certified Clean Marinas. There are also several applications currently in the process of being submitted.

The DCM website has an updated list of certified Clean Marinas. This information has been provided to North Carolina Wildlife Resources to be included in the 2010-2011

Coastal Boating Guide which should provide additional visibility to the Program and the marinas.

Additional outreach activities include the updating and re-distribution of the “Boater’s Guide to Protecting North Carolina’s Coastal Resources” which was first published in 2006. The guides have been very popular and play an integral role in sharing the message of clean boating with others.

Educational outreach workshops are also currently under development to assist marinas and boaters of their requirements regarding the No Discharge Zone designations as well as other environmentally sound best management practices.