

CHAPTER 5

EXISTING POINT AND NONPOINT SOURCE POLLUTION CONTROL PROGRAMS AND WATER SUPPLY LEGISLATION

5.1 INTRODUCTION

This chapter summarizes the point and nonpoint source control programs available for addressing water quality problems in the Cape Fear River basin. Sections 5.2 and 5.3, respectively, describe existing point and nonpoint source pollution control programs. Application of these programs to specific water quality problems and water bodies is presented in Chapter 6. Section 5.4 discusses integration of point and nonpoint source control management strategies and introduces the concept of *total maximum daily loads* (TMDLs).

5.2 NORTH CAROLINA'S POINT SOURCE CONTROL PROGRAM

5.2.1 Introduction

Point source discharges, which are also described in Section 3.3 in Chapter 3, are not allowed in North Carolina without a permit from the state. Discharge permits are issued under the authority of North Carolina General Statute (NCGS) 143.215.1 and the National Pollutant Discharge Elimination System (NPDES) program which was delegated to North Carolina from the US Environmental Protection Agency (EPA). These permits serve as both state and federal permits. NPDES permits contain effluent limitations which establish the maximum level of various wastes, or pollutants, that may be discharged into surface waters. North Carolina has a very comprehensive NPDES program which includes the following major components:

1. NPDES Permit Review and Processing (Section 5.2.2),
2. Wasteload Allocation Modeling (Section 5.2.3),
3. Compliance Monitoring and Enforcement (Section 5.2.4),
4. Aquatic Toxicity Testing (Section 5.2.5),
5. Pretreatment (Section 5.2.6),
6. Operator Certification and Training (Section 5.2.7) and
7. Nondischarge and Regional Wastewater Treatment Alternatives (Section 5.2.8).

Below is a brief summary of key components of North Carolina's NPDES program

5.2.2 NPDES Permit Review and Processing

Under the basinwide approach, all discharge permits within a given basin are set to expire and be renewed at about the same time. In the Cape Fear basin, for example, all of the existing permits will expire and be renewed between January 1996 and July 1996. The permitting schedule for the Cape Fear Basin is presented in Chapter 1 for each subbasin. Permits are issued with an effective life of not more than five years, thus basin plans are renewed at five-year intervals. New discharge permits issued during an interim period between cycles will be given a shorter expiration period in order to coincide with the next basin permitting cycle.

DWQ will not process a permit application until the application is complete. Rules outlining the discharge permit application and processing requirements are contained in Administrative Code

Section: 15A NCAC 2H .0100 - Wastewater Discharges to Surface Waters. Under this rule, all applications must include a summary of waste treatment and disposal options that were considered, and why the proposed system and point of discharge were selected. The summary should have sufficient detail to assure that the most environmentally sound alternative was selected from the reasonably cost effective options.

Also, applications for new discharges which propose to discharge wastewater in excess of 500,000 gallons per day or 10 million gallons per day (MGD) of cooling water or any other proposed discharge of 1 MGD or greater to surface waters must include an *assessment* report in addition to the normal permit application. The assessment is to provide sufficient information to describe the impact of the proposed action on the waters in the area. An Environmental Impact Statement or Environmental Assessment, under the NC Environmental Policy Act may also be required for certain publicly funded projects.

Once an application is considered complete, a staff review is initiated and a wasteload allocation is performed in order to establish permitted waste limits (described in the following section). The staff review includes a site inspection (which may actually be conducted prior to submittal of a complete application for existing facilities that are up for renewal). If the Division finds the application acceptable, then a public notice, called a Notice of Intent to Issue, is published in newspapers having wide circulation in the local area. The public is given a 30-day period in which to comment, and a public hearing may be held if there is sufficient interest. Under Basinwide Management, the Notice of Intent will include all of the permit applications for a particular subbasin (or subbasins) that will be issued within a given month. A public hearing would be scheduled for just those applications where sufficient interest is indicated. Copies of the Notice of Intent are also sent to a number of state and federal agencies for comment. For example, the Division of Environmental Health reviews the applications for their potential impact on surface water sources of drinking water. Once all comments are received and evaluated, a decision is made by the Director of DWQ on whether to issue the permit. The final permit will include recommended waste limits and other special conditions which may be necessary to ensure protection of water quality standards.

5.2.3 Establishing Discharge Permit Effluent Limitations/Wasteload Allocations

As noted above, effluent limitations, or waste limits as they are sometimes called, dictate the amounts of wastes (pollutants), that are allowed to be discharged into surface waters under an NPDES permit. Where a discharge permit is required, an evaluation is conducted to determine the projected impact of the discharge on the receiving waters. This determination, called a wasteload allocation (WLA), is often based on computer modeling which considers such factors as the rate of waste flow, the type of waste to be discharged, and characteristics of the receiving waters (e.g. rate and quantity of flow, waste assimilative capacity, channel configuration, rate of reaeration, water quality classification, etc.). Permit limits that are determined by models are called water quality-based limits. Permits may also be based on federal effluent guidelines established by the USEPA.

Wasteload allocations are performed by DWQ using models of varying scope and complexity, depending on the parameter (type of waste) of interest and the characteristics of the receiving waters. Model frameworks, which are discussed in more detail in Appendix IV, can range from simple mass balance analyses to 3-dimensional dynamic water quality models. Modeling fits into the basin plan by drawing on the current conditions within the basin and evaluating the effects of various management strategies. In general terms, modeling can be used to determine the fate and transport of pollutants, reduction goals for point and nonpoint sources of environmental contaminants, and to derive effluent limits for NPDES permits. More specifically, models can be used to predict concentrations of a parameter at a given site, such as instream DO or chlorophyll *a* in a lake, and can be used as a tool to determine what is needed to protect instream standards. Uncertainty analysis of water quality models expand the predictive capabilities and the confidence

in results, and can produce probabilities that an event would occur under a certain set of circumstances. Waste limits may vary from summer to winter for some parameters, such as nutrients and ammonia, with winter limits being somewhat less stringent than summer limits due to higher instream flows during the winter months.

It should be noted that where point sources are responsible for water quality problems, WLAs offer a solution by yielding appropriate permit limits that offer adequate water quality protection. Where a sole discharge is responsible for the water quality impacts, a simple WLA can be performed and no other discharges need be affected. If the issues are not complex, and a standard WLA analysis was performed, the management practice is to establish limits in accordance with DWQ's Standard Operating Procedures (SOP) for Wasteload Allocations manual. The SOP manual has been developed to support State and Federal regulations and guidelines and has been approved by the EPA.

In considering a wasteload for an individual discharge facility, a critical factor is whether the receiving waters have a flow during 7Q10 or 30Q2 conditions. It is DWQ's policy not to allow new or expanded discharges into "no flow" streams having a 7Q10 and 30Q2 equal to zero. In addition, existing facilities on such streams will be targeted for removal unless it is determined that there are no reasonable alternatives. If that is the case, then the facility will be required to meet limits of 5 mg/l BOD₅ and 2 mg/l NH₃N in summer (and 10 mg/l BOD₅ and 4 mg/l NH₃N in winter).

If the water quality issues involve numerous discharges, the Environmental Management Commission, pursuant to NCGS 143-215.1(b)(2), is required to consider the cumulative impacts of all permits in order to prevent violations of water quality standards. Such areas are identified and discussed in Chapter 6. Generally, these are areas where the SOP alone does not provide adequate guidance. Since the SOP addresses mostly single discharge or relatively simple interaction of multiple discharges, WLA procedures outside the realm of the SOP represent the larger, basinwide strategy that DWQ is implementing.

5.2.4 Compliance Monitoring and Enforcement

Most dischargers are required to periodically sample the treated effluent from their discharge pipes. Also, many larger and more complex dischargers are required to sample points in the receiving waters both up and downstream from the discharge point. This process is called self-monitoring and it is typically required five days a week for some parameters (Monday through Friday) for major facilities. The sampling results (contained in a daily monitoring report or DMR) are then submitted each month to DWQ for compliance evaluations. If the limits are not being met, the state may issue a notice of violation, initiate enforcement action, place the facility on moratorium, and/or enter into a Special Order by Consent (SOC) to ensure compliance. An SOC is a legal commitment entered into by the state and the discharger that establishes a time schedule for bringing the wastewater treatment plant back into compliance. During this time period, interim waste limits may be assigned to the facility until the improvements can be made. These interim limits may be less stringent than those in the permit although they are still required to protect water quality in the receiving waters. In September 1995, eleven facilities were operating under SOC's in the basin.

In addition to the DMR data, illegal or improperly treated discharges may be identified in other ways including through third party reports, routine DWQ site inspections, and water quality monitoring conducted by DWQ staff.

5.2.5 Aquatic Toxicity Testing

There are thousands of chemicals or compounds which may enter wastewater systems and be discharged to surface waters. Monitoring the concentration of these chemicals individually would be impossible due both to cost/time considerations as well as the inability of current analytical technique to detect many of them. Even if the existence and potential effects of every constituent of a wastewater were known, the combined effects of these constituents could not be predicted.

North Carolina utilizes an integrated approach to address this problem which relies on chemical specific monitoring, assessment of resident aquatic populations, and analysis of whole effluent toxicity (WET) to control the potential effects of these chemicals and their interactions. Whole effluent toxicity limits allow protection against predicted impacts of toxicants through measurement of those impacts in the laboratory. It is from this same foundation of aquatic toxicity laboratory tests that chemical specific limits and criteria are derived for the majority of chemical toxicants.

Whole effluent toxicity limitations were implemented by North Carolina in February, 1987 through a policy to incorporate these limits in all major and complex minor permits. As of July 1994, there were 548 permitted NPDES discharges in North Carolina required to perform whole effluent toxicity monitoring, and over 10,000 individual toxicity analyses had been performed across the state. These limitations are developed to protect aquatic life from the discharge of toxic substances in toxic amounts as prescribed by 15 NCAC 2B. 0208 (i.e. so as not to result in chronic toxicity at permitted discharge flow and 7Q10 receiving flow volumes). Since the inception of the aquatic toxicity program a shift in observed WET has been seen from a time when approximately 25% of the facilities tested would be predicted to have been acutely toxic instream to a point now where less than 10% would be considered chronically toxic.

Aquatic toxicity testing, no less than any other complex analytical technique, requires a great deal of quality assurance and control to achieve reliable results. In 1988, North Carolina adopted regulations that initiated a program which required all laboratories performing NPDES analyses in North Carolina to be certified by the state as a biological laboratory. As of July 1994, 24 commercial, municipal, and industrial laboratories had achieved this certification in either aquatic toxicity analyses and/or aquatic population survey. The NC Biological Laboratory Certification Program, much like WET permitting in North Carolina, is looked at as a national leader in its field.

5.2.6 Pretreatment Program

The goal of the pretreatment program is to protect municipal wastewater treatment plants, or publicly-owned treatment works (POTWs), and the environment from the adverse impacts that may occur when hazardous or toxic wastes are discharged into a public sewage system. The pretreatment program is designed to achieve this protection primarily by regulating non-domestic (e.g. industrial) users of POTWs that discharge toxic wastes under the Domestic Sewage Exclusion of the Resource Conservation and Recovery Act (RCRA). In essence, the program requires that businesses and other entities that use or produce toxic wastes pretreat their wastes prior to discharging their wastewater into the sewage collection system of POTW. State-approved pretreatment programs are typically administered by local governments that operate POTWs.

There are four major areas of concern addressed through implementation of a local pretreatment program: 1) interference with POTW operations, 2) pass-through of pollutants to a receiving stream, 3) municipal sludge contamination, and 4) exposure of workers to chemical hazards. Interference may involve any aspect of plant operation from physical obstruction to inhibition of biological activity. The process for developing technically based local pretreatment limits involves determining the maximum amount of each pollutant that can be accepted at the influent, or headworks, of the POTW and still protect the receiving water, the POTW itself, and the POTW's sludge disposal options.

5.2.7 Operator Certification and Training Program

Water pollution control systems must be operated by state-certified operators. These systems include: wastewater treatment plants, wastewater collection systems and "non-discharge" ground absorption systems, such as alternative on-site disposal technologies and spray irrigation facilities. Systems are classified based on system type and complexity and are required to have an appropriately trained and certified operator. The Certification Commission currently certifies operators in four grades of wastewater treatment, four grades of collection system operation, one grade of subsurface operation, and a variety of specialized conditional exams for other technologies. Training and certification programs are also being developed for land application of residuals and groundwater remediation.

Training is accomplished in cooperation with the state university and community college system as well as through the professional associations for operators and pollution control professionals. Specialty courses and seminars for operators are also offered by operators' associations and the NC Water Pollution Control Association/American Water Works Association (WPCA/AWWA).

Training and certification of operators is essential to the proper operation and maintenance of pollution control systems. Without proper operation and maintenance, even the most highly designed treatment system will not function efficiently. It is the goal of the Training and Certification Program to provide competent and conscientious professionals that will provide the best wastewater treatment and protect the environment and the public health.

5.2.8 Nondischarge and Regional Wastewater Treatment Alternatives

As discussed in section 5.2.2, discharge permit applicants are required to consider other forms or alternatives of wastewater treatment other than discharging into a stream. For some, there may be no other economically feasible alternatives. However, for others, particularly smaller dischargers, there are a number of potentially cost-effective and environmentally sound alternatives. There are several types of non-discharging wastewater treatment systems including spray irrigation, rapid infiltration, trickling systems and underground injection. Artificial wetlands wastewater systems are also being evaluated in this state. Permit requirements for nondischarging systems are presented in Administrative Code Section 15 NCAC 2H .0200 - Waste Not Discharged to Surface Waters.

Another alternative to a surface water discharge is to tie into an existing wastewater treatment system. Where possible, DWQ is encouraging smaller dischargers to connect to large established municipal systems. Regionalization, as this is called, has several advantages. First, large municipal facilities, unlike smaller package type plants, are manned most of the time thereby reducing the potential for plant malfunctions, and where malfunctions do occur, they can be caught and remedied more quickly. Second, these larger facilities can provide a higher level of treatment more economically and more consistently than can smaller plants. Third, the larger plants are monitored daily. And fourth, centralizing the discharges reduces the number of streams receiving effluent. In evaluating future permit expansion requests by regional facilities, DWQ will take into consideration the amount of flow accepted by them from the smaller discharges.

In addition to the nondischarging wastewater treatment systems mentioned above, nondischarge permits are also issued for the land application of residual solids (sludge) from wastewater treatment processes.

5.3 NONPOINT SOURCE CONTROL PROGRAMS

Land use control as well as technology-based best management practices (BMPs) are the two most widely used tools for controlling nonpoint source pollution and protecting designated uses of

waterbodies. In developing areas, land use control through low density development has often been selected by municipalities as the preferred method of treatment for urban stormwater because it avoids potential problems with long-term BMP maintenance requirements. In situations where low density development is not feasible or where higher densities are preferred, stormwater control devices (BMPs) are available. These include, but are not limited to stormwater retention and wet detention ponds, vegetated buffer strips along streams, and designated infiltration areas.

Nonpoint source strategies for other categories of pollution (e.g., agriculture, construction, or mining) depend more on the installation of BMPs and waste reduction/management systems. The installation of these BMPs and management systems may be voluntary or required by a set of regulations. Examples of nonpoint source management approaches that combine land use controls and BMPs include the coastal stormwater regulations and the Water Supply Watershed Protection Program rules.

Once a management strategy is developed for each category of nonpoint source pollution, a schedule can be developed for implementing these strategies for specific geographic areas and waterbodies. It is important to emphasize that management strategies are developed for both highly valued resource waters where a potential for degradation exists and for areas already impacted by nonpoint source pollution.

Regulations or programs are in place which address most categories of nonpoint source pollution (Table 5.1). For example, discharges are not allowed into state waters without a discharge permit from DWQ. In addition, water quality standards apply to all categories of land-use activities. In the case of the turbidity standard, it is assumed that the standard will be met if proper BMPs are in place, as determined by the appropriate lead nonpoint source agency.

After acceptable BMPs are established and geographic areas or waterbodies are targeted for implementation, steps must then be taken to assure that the chosen management strategies and BMPs are protecting water quality. DWQ utilizes both chemical and biological sampling procedures to test the effectiveness of BMPs.

In general, the goals of the nonpoint source management program include the following:

- 1) Continue to build and improve existing programs,
- 2) Develop new programs that control nonpoint sources of pollution not addressed by existing programs,
- 3) Continue to target geographic areas and waterbodies for protection,
- 4) Integrate the NPS Program with other state programs and management studies (e.g. Albemarle-Pamlico Estuarine Study), and
- 5) Monitor the effectiveness of BMPs and management strategies, both for surface and groundwater quality.

North Carolina has a variety of statewide programs which are used in the Cape Fear River Basin and statewide to address nonpoint source pollution. Table 5.1 lists these programs by categories based on the type of activity. Below is a brief overview of existing nonpoint source control efforts for various categories of land use activities.

Table 5.1 Examples of Nonpoint Source Programs

PROGRAM	MANAGEMENT AGENCIES		
	LOCAL	STATE	FEDERAL
AGRICULTURE			
Agriculture Cost Share Program	SWCD	SWCC, DSW	
N.C. Pesticide Law of 1971		NCDA	
Pesticide Disposal Program		NCDA	
Animal Waste Management	SWCD	DWQ, DSW, CES	NRCS
Laboratory Testing Services		NCDA	
Watershed Protection (PL-566)			NRCS
1985 and 1990 Farm Bills			USDA
- Conservation Reserve Program			
- Conservation Compliance			
- Sodbuster			
- Swampbuster			
- Conservation Easement			
- Wetland Reserve			
- Water Quality Incentive Program			
URBAN			
Water Supply Watershed Protection Program	city, county	DWQ	
Coastal Stormwater Program		DWQ	
ORW, HQW, NSW Management Strategies		DWQ	
Stormwater Control Program	city, county	DWQ	EPA
CONSTRUCTION			
Sedimentation and Erosion Control	ordinance	DLR, DOT	
Coastal Area Management Act	ordinance	DCM	
Coastal Stormwater Program		DWQ	
ON-SITE WASTEWATER DISPOSAL Sanitary Sewage Systems Program	county	DEH	
SOLID WASTE DISPOSAL			
Resource Conservation and Recovery Act			EPA
Solid Waste Management Act of 1989	city, county	DSWM	
FORESTRY			
Forest Practice Guidelines		DFR	
National Forest Management Act			NFS
Forest Stewardship Program		DFR	
MINING Mining Act of 1971		DLR	
HYDROLOGIC MODIFICATION			
Clean Water Act (Section 404)		DCM, DWQ	COE
Rivers and Harbors Act of 1899			COE
Dam Safety Permit		DLR	
WETLANDS			
Clean Water Act (Sections 401 and 404)		DWQ	COE
Wetland Reserve Program			USDA

(ABBREVIATIONS: COE, US Army Corps of Engineers; DCM, Div. of Coastal Mgmt.; DWQ, Div. of Environ. Mgmt.; DLR, Div. of Land Resources; DFR, Div. of Forest Resources; DOT, Dept. of Transportation; DSW, Division of Soil and Water; DSWM, Div. of Solid Waste Mgmt.; NCDA, NC Dept. of Agric.; NRCS, Natural Resources Conservation Service; SWCC, Soil and Water Conservation Commission; SWCD, Soil and Water Conserv. District; USDA, US Dept. of Agric.)

5.3.1 Agricultural Nonpoint Source (NPS) Control Programs

Agricultural BMPs have been developed largely to control the five major agriculturally-related causes of pollution: nutrients, sediment, pesticides, oxygen-demanding substances and bacteria. BMPs vary from site to site but include practices such as grassed waterways and vegetated buffers, nondischarging animal waste lagoons, integrated crop and pest management and soil testing. BMPs may be administered through one or more of the agricultural programs described below. Common agricultural BMPs are listed in Appendix VI.

- **North Carolina Agriculture Cost Share Program**

In 1984, the North Carolina General Assembly budgeted approximately \$2 million to assist landowners in 16 counties within the "Nutrient Sensitive Water" (NSW) watersheds including the Upper Neuse River (Falls Lake) to implement BMPs for agricultural and silvicultural activities. These funds were increased in May 1987 to include 17 additional coastal counties by the passage of a General Statute formally creating the *Agriculture Cost Share Program for Nonpoint Source Pollution Control (NCACSP)*. In 1989 the NCACSP became a statewide program. The NCACSP will pay a farmer 75 percent of the average cost of implementing approved BMPs and offer technical assistance to the landowners or users which would provide the greatest benefit for water quality protection. The primary purpose of this voluntary program is water quality protection.

The local Soil and Water Conservation District Boards under the administration of the North Carolina Soil and Water Conservation Commission (SWCC) are responsible for identifying treatment areas, allocating resources, signing contractual agreements with landowners, providing technical assistance for the planning and implementation of BMPs and generally encouraging the use of appropriate BMPs to protect water quality. The criteria for allocating funds to the District is "based on the identified level of agricultural related nonpoint source pollution problems and the respective District's BMP installation goals and available technical services as demonstrated in the District's annual strategy plan" (NC Administrative Code, Title 15, Chapter 6, Section 6E). This local participation is crucial to the success of the program.

The DEHNR-Division of Soil and Water Conservation (DSWC) provides staff, administrative and technical support to the SWCC. The DSWC also coordinates the efforts of various associated Program committees and acts as the clearinghouse for District strategy plans, contracts, etc. A legislated Technical Review Committee meets quarterly "to review the progress of the Program" (G.S. 143-215.74B) and to make technical recommendations to the Commission.

Technical assistance for the implementation of approved BMPs is provided to the Districts through a 50:50 cost share provision for technical positions to be filled at the District level. The USDA-Natural Resources Conservation Service also provides technical assistance.

The current annual statewide budget to cost share BMPs (75% - NCACSP / 25% landowner) with landowners is approximately \$ 6.7 million. The budget to share the cost of providing technical assistance with Districts is approximately \$ 1.3 million. Additional support for administration and staff is provided by local governments. In Cape Fear River Basin districts, approximately \$8.7 million in BMP cost share dollars have been spent since the program was initiated. There is also federal assistance through ASCS for BMP implementation.

- **North Carolina Pesticide Law of 1971**

In 1971 the General Assembly created and authorized the North Carolina Pesticide Board to regulate the use, application, sale, disposal and registration of pesticides for the protection

of the health, safety, and welfare of the people and for the promotion of a healthy and safe environment. Some of the responsibilities of the Pesticide Board and the North Carolina Department of Agriculture include registering all pesticides prior to distribution and sale in North Carolina, sampling pesticides to insure that all products are up to guaranteed analysis and unadulterated by any other pesticide, sampling pesticides at time of application to insure that the applicator is following label instructions, and training of applicators (both commercial and private), and certifying the competency of applicators and dealers of restricted use pesticides.

The Pesticide Section of the North Carolina Department of Agriculture conducts mandatory annual inspections of all aircraft used in pesticide application and conducts random inspections of ground application equipment and chemigation (application of pesticides through irrigation systems) systems. These inspections are intended to encourage proper calibration and use of equipment in order to avoid excessive application rates and accidental spills from faulty systems. Stop use orders are issued for noncompliance with the regulations.

Inspections are also required for bulk storage tanks prior to filling. All commercial pesticide storage facilities are required to have an approved Pre-fire Plan. In addition, each large commercial storage facility is required to develop and maintain an Emergency Contingency Plan. This plan describes the actions facility personnel shall take to respond to fires, explosions, spills, or any other sudden or gradual release of pesticides or pesticide contaminated materials to air, soil, or surface waters. The Contingency Plan is designed to minimize hazards to human health and the environment.

Penalties are assessed to careless pesticide applicators. Enforcement of the law is based on where the pesticide is deposited rather than just where it is applied. For example, if a pesticide is found in a stream as a result of wind drift, the applicator is subject to legal action. The Raleigh Office staff of the NCDA Pesticide Section is comprised of 20 employees. There are 10 Inspectors who conduct field-level compliance monitoring and investigation services. The annual budget for pesticide control and analytical work is \$1.4 million.

- **NCDA Pesticide Disposal Program**

In 1976, the North Carolina Pesticide Board adopted regulations governing the disposal of pesticides. These regulations make it illegal in North Carolina to dispose of hazardous waste (which includes certain pesticides) in sanitary landfills. While households and farms which generate less than 220 pounds of hazardous waste and less than 2 pounds of acutely hazardous waste are exempt from federal disposal requirements, the regulations prohibiting the disposal of these wastes in sanitary landfills still applies to them. The option to use commercial hazardous waste disposal companies is too expensive and most companies will not pickup small quantities. As a result of this dilemma, the NCDA created the Pesticide Disposal Program in 1980 through appropriations from the General Assembly.

The goal of the Program is to provide an available, affordable and environmentally acceptable mechanism in which any homeowner, farmer, or institution can dispose of unwanted or unusable pesticides. It is mandatory, however, that all pesticide products are labeled correctly before NCDA will pick them up. An EPA permitted hazardous waste treatment or disposal facility (TSD) requires proper identification before the products can be disposed.

The Food and Drug Division of the North Carolina Department of Agriculture administers the Pesticide Disposal Program. The same staff used for enforcing the North Carolina Pesticide Law of 1971 are used in the Disposal Program.

- **Animal Waste Management Regulations**

On December 10, 1992, the Environmental Management Commission adopted a rule modification (15A NCAC 2H .0217) to establish procedures for properly managing and reusing animal wastes from intensive livestock operations. The rule mandates that intensive animal operations operate so that animal waste is not discharged to waters of the state. This means that if criteria are met and no waste is discharged to surface waters, then an individual permit from DWQ is not required. The rule applies to new, expanding or existing feedlots with animal waste management systems designed to serve more than or equal to the following animal populations: 100 head of cattle, 75 horses, 250 swine, 1,000 sheep or 30,000 birds with a liquid waste system. These operations are deemed permitted if a signed registration and an approved waste management plan certification are submitted to DWQ by the appropriate deadlines.

The deadline for submittal of registrations to DWQ for existing facilities was December 31, 1993. There were 2,090 registered or certified operations in the Cape Fear Basin as of October of 1996. All facility plans must be certified by a technical specialist designated by the Soil and Water Conservation Commission and submitted to DWQ by December 31, 1997. The standards and specifications of the USDA Natural Resources Conservation Service are the minimum criteria used for plan approval by the local Soil and Water Conservation Districts.

In the past, DWQ inspected intensive animal operations mostly in response to third party complaints. However, with the passage of the above rules, plans are to be making more routine inspections to make sure that waste management systems are adequate and are being operated properly. Animal waste management systems that are determined to have an adverse impact on water quality may be required to obtain an approved animal waste management plan or to apply for and receive an individual nondischarge permit. An illegally discharging operation may also be designated as a concentrated animal feeding operation (CAFO), be fined up to \$10,000 per day and be required to apply for a NPDES discharge permit.

- **NC Cooperative Extension Service and Agricultural Research Service**

Crop and animal production programs are administered under the research and education activities of the NC Agricultural Research Service (ARS) and the NC Cooperative Extension Service (CES). The research and education efforts are broad and include areas such as variety development, crop fertilizer requirements, soil testing, integrated pest management, animal housing, animal waste management, machinery development and irrigation. Guidelines for most agricultural enterprises have been developed and made available to farmers. A more intensified water quality emphasis is being incorporated in these areas and many other projects undertaken by ARS and CES. The local contact that county CES agents have with farmers and homeowners provides an excellent opportunity for dialogue and education in nonpoint source pollution control. This network of contacts can be used to inform people about BMPs and to provide some structure for a general NPS education program.

The NC Agricultural Research Service and the NC Cooperative Extension Service conduct broad research and education efforts that include areas such as variety development, crop fertilizer requirements, soil testing, integrated pest management, animal housing, animal waste management, machinery development, and irrigation. County Cooperative Extension agents work closely with farmers and homeowners, providing an excellent opportunity for dialogue and education in nonpoint source pollution control. In addition, CES has begun assisting DWQ in holding a series of public workshops in each river basin prior to DWQ's preparation of the draft basin plan. The October 21 and 25, 1994 workshops for this basin is discussed in the Executive Summary and in Appendix V.

- **Soil, Plant Tissue, and Animal Waste Testing Program**
These services provide farmers with information necessary to improve crop production efficiency, to manage the soil properly and to protect environmental quality. The Soil, Plant Tissue and Animal Waste Testing Program is administered by the Agronomic Division of the North Carolina Department of Agriculture. Water and wastewater from lagoons is also tested for irrigation and fertilizer use.
- **Watershed Protection and Flood Prevention Program (PL 83-566)**
The purpose of the Watershed Protection and Flood Prevention Program is to provide technical and financial assistance in planning, designing, and installing improvement projects for protection and development of small watersheds. The Program is administered by the USDA-Natural Resources Conservation Service in cooperation with the NC Division of Soil and Water Conservation, the State Soil and Water Conservation Commission, the U.S. Forest Service, Soil and Water Conservation Districts, and other project sponsors.

The emphasis of the Program over the past three decades has been to provide flood control. However, legislation has shifted emphasis of PL-566 land treatment projects so that a project proposal must demonstrate off-site water quality benefits in order to have any chance of funding. In the Cape Fear River Basin, there are several land treatment projects underway with more in the planning stages.
- **Food Security Act of 1985 (FSA) and the Food, Agriculture, Conservation and Trade Act of 1990 (FACTA)**
There are several provisions authorized by the federal Food Security Act of 1985 (FSA) and re-authorized by the Food, Agriculture, Conservation, and Trade Act of 1990 (FACTA) which offer excellent opportunities for the abatement of agricultural nonpoint source pollution. The FSA and FACTA make the goals of the USDA farm and conservation programs more consistent by encouraging the reduction of soil erosion and production of surplus commodities and the retention of wetlands. At the same time, the provisions can serve as tools to remove from production those areas which critically degrade water quality by contributing to sedimentation. Important water quality-related provisions are known as the Conservation Reserve, Conservation Compliance, Sodbuster, Swampbuster, and Conservation Easement, Wetland Reserve, and Water Quality Incentive Program. These provisions are administered by the USDA.

Conservation Reserve Program

The Conservation Reserve Program (CRP) is administered by the USDA Agricultural Stabilization and Conservation Service (ASCS) and the USDA Natural Resources Conservation Service (NRCS). Other cooperating agencies include the NC CES, NC Division of Forest Resources and local Soil and Water Conservation Districts. The CRP was established to encourage removing highly erodible land from crop production and to promote planting long-term permanent grasses and tree cover. The ASCS will share up to half of the cost of establishing this protective cover. The intention of the program is to protect the long term ability of the US to produce food and fiber by reducing soil erosion, improving water quality and improving habitat for fish and wildlife. Additional objectives are to curb the production of surplus commodities and to provide farmers with income supports through rental payments over a 10 year contract period for land entered under the CRP.

Conservation Compliance

The Conservation Compliance provision of the FSA and FACTA discourages the production of crops on highly erodible cropland where the land is not carefully protected

from erosion. Highly erodible land is defined as land where the potential erosion (erodibility index) is equal to eight times or greater than the rate at which the soil can maintain continued productivity if it has no cover. This rate is determined by the Natural Resources Conservation Service.

A farmer had until January 1, 1990 to develop and begin applying a conservation plan on highly erodible land. The plan must be operational by January 1, 1995. If a conservation plan is not developed and implemented, the farmer loses eligibility in price and income supports, crop insurance, FHA loans, Commodity Credit Corporation storage payments, farm storage facility loans, Conservation Reserve Program annual payments, and other programs under which USDA makes commodity-related payments. In other words, Conservation Compliance is an economic disincentive, quasi-regulatory program.

Sodbuster

The Sodbuster provision of the FSA and FACTA is aimed at discouraging the conversion of highly erodible land for agricultural production. It applies to highly erodible land that was not planted in annually tilled crops during the period 1981-85. As with the other provisions of the FSA, the Natural Resources Conservation Service determines if a field is highly erodible. If a highly erodible field is planted in an agricultural commodity without an approved conservation system, the landowner (or farmer) becomes ineligible for certain USDA program benefits.

Swampbuster

The purpose of Swampbuster is to discourage the conversion of wetlands to cropland use. Wetlands are defined as areas that have a predominance of hydric soils that are inundated or saturated by surface water or groundwater at a frequency or duration sufficient to support a prevalence of hydrophytic (water loving) vegetation under normal conditions. It is the responsibility of the Natural Resources Conservation Service to determine if an area is a wetland. Like the other provisions of the FSA and FACTA, a farmer will lose eligibility for certain USDA program benefits on all the land which is farmed if a wetland area is converted to cropland.

Conservation Easement

The Conservation Easement provision encourages producers whose FHA loans are in or near default to place their wetland, highly erodible land, and fragile land in conservation, recreation, or wildlife uses for periods of at least 50 years. The producer benefits by having the FHA loan partially canceled. The environment benefits by reducing the level of soil disturbing activities and the threat of agricultural pollutants.

Wetland Reserve

FACTA established a voluntary program for farmers to grant the federal government a 30-year or perpetual easement to wetlands. Eligible land includes farmed or converted wetlands which could be restored to their highest wetland function and value. The goal is to enroll one million acres by the end of 1995.

Water Quality Incentive Program

FACTA established this cost sharing program to help farmers control pollution problems associated with agricultural activities. A producer could receive up to \$3,500 in cost share assistance to implement approved BMPs. The goal is to enroll 10 million acres by 1995.

5.3.2 NPS Programs for Urban and Developed Lands

- **Federal Urban Stormwater Discharge Program / NC NPDES Stormwater Program**

In 1987, Congress passed the Water Quality Act Amendments to the Clean Water Act requiring the U.S. Environmental Protection Agency (EPA) to develop regulations on permit application requirements for stormwater discharges associated with industrial activities as well as those associated with large and medium municipal separate storm sewer systems (population greater than 100,000). These regulations became effective in December 1990.

The goal of the stormwater discharge permitting regulations in North Carolina is to prevent pollution of the stormwater runoff by controlling the source(s) of pollutants. Defining the potential pollutant sources and establishing controls of the sources that will reduce and minimize pollutant availability will result in an improvement to the water quality of the receiving streams, consistent with the overall goal of the water quality program. Authority to administer these regulations has been delegated to the North Carolina Division of Water Quality (DWQ). The NPDES stormwater regulations require that facilities with stormwater point source discharges associated with industrial activity and municipalities defined as either large or medium municipal separate storm sewer systems be permitted.

The municipal permitting requirements are designed to lead to the formation of site-specific stormwater management programs for a municipal area. Therefore, the permits issued to municipalities for their municipal separate storm sewer systems will be explicitly written for each individual municipality. Municipal permits of this type in North Carolina are currently required for Charlotte, Durham, Greensboro, Raleigh, Winston-Salem and Fayetteville/Cumberland County. The municipalities will develop and implement comprehensive stormwater quality management programs to reduce the discharge of pollutants in stormwater to the maximum extent practicable (MEP). MEP will be defined separately for each municipality required to be permitted. Industrial facilities discharging through a municipal separate storm sewer system are required to submit a permit application to the state and receive their own NPDES stormwater permit. Common best management practices to address urban runoff are listed in Appendix VI.

Industrial activities which require permitting are defined in eleven categories in the federal regulations ranging from sawmills and landfills to phosphate manufacturing plants and hazardous waste treatment, storage or disposal facilities. The regulations cover point source discharges that are related to manufacturing, processing, or material storage areas at an industrial facility. Stormwater discharges associated with industrial activities are required to be covered by permits which contain technology based controls based on Best Available Technology (BAT)/Best Conventional Pollutant Control Technology (BCT) considerations or water quality controls, if necessary. Through monitoring and regulating stormwater discharge quality, the goal of the NPDES stormwater program is to reduce the pollutant load in stormwater runoff.

The permitting requirements described here represent Phase I of the stormwater program. EPA and Congress are currently involved in studies to determine the scope of additional stormwater coverage under Phase II of the stormwater program. Further stormwater NPDES coverage could include additional industrial activities or additional municipal areas. If additional areas of coverage are added under the federal stormwater programs, DWQ will be responsible for the appropriate permitting of these areas within North Carolina.

- **Water Supply Protection Program**

Approximately 50 percent of North Carolina's population depends on surface water supplies for drinking, commercial, and industrial uses. Water supplies have become more important in recent years because of increased demand for water, concern over potential contamination by toxic substances, and protection of human health. As a result, the General Assembly passed the Water Supply Watershed Protection Act of 1989 (NCGS 143-214.5). This Act requires all local governments that have land-use jurisdiction within surface water supply watersheds, or a portion thereof, to be responsible for implementation and enforcement of nonpoint source management requirements related to urban development according to minimum standards adopted by the state. NPS control strategies are included in the rules for urban, agricultural, silvicultural, and Department of Transportation activities. The Water Supply Watershed Protection Rules were adopted by the Environmental Management Commission on February 13, 1992 and became effective on August 3, 1992. See Appendix I for a summary of the management requirements for the five water supply classifications.

The purpose of the Water Supply Protection Program is to encourage communities to work with the state to provide enhanced protection for their water supply from pollution sources. There are five water supply classes that are defined according to existing land use and the amount and types of permitted point source discharges. By classifying a watershed as a water supply watershed, local government having land use jurisdiction within the watershed will take steps to control nonpoint sources of pollution at their sources and thereby reduce the potential of pollutants contaminating their drinking water supply. In turn, the state limits the point source discharges that can locate within the watershed and thereby reduces the potential of contamination of the water supply.

This dual approach of state and local government action to preclude potential impacts from stormwater runoff and wastewater discharges is important since only a small fraction of the possible pollutants have water quality standards. As more is learned about the types and effects of pollutants in our drinking waters, the state will proceed to adopt additional water quality standards. One of the effects this would have is that water treatment facilities will be required to remove these pollutants. This could require additional technology and possibly more expensive treatment facilities or operation to ensure safe drinking water. It is therefore very important for the state and local governments to consider the important alternative of preventing pollution from entering their drinking water supplies.

The General Assembly extended the deadline for completing reclassification of existing surface water supply waters to July 1, 1992 in House Bill 873. The bill also established a schedule for local governments' submittal of water supply protection ordinances as follows:

- 1) July 1, 1993 for municipalities with populations of 5,000 or more,
- 2) October 1, 1993 for municipalities with smaller populations, and
- 3) January 1, 1994 for counties.

As of January 1995, 100% of the 55 local governments in the Cape Fear River basin required to submit a water supply protection ordinance for approval have done so. Statewide, the compliance rate for submittals is also 100%.

The Water Supply Protection Program is administered by staff in the Planning Branch of the Water Quality Section in DWQ. These staff coordinate with the Division of Community Assistance (NCDCA) who helps local governments develop land-use ordinances, the Division of Environmental Health, which certifies that a proposed reclassification is

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suitable for a drinking water supply, and DEM staff in NCDEHNR regional offices who are responsible for water quality sampling in the proposed water supply.

- **ORW and HQW Stream Classifications**

Outstanding Resource Waters (ORW) and High Quality Waters (HQW) have management strategies that address handling of urban stormwater. Controls for urban stormwater, either through development density limitations or stormwater treatment systems, are required by DEM. Some of these controls are outlined in Appendix I. Other NPS management agencies are expected to place priority on protecting these waters as well. For example, the NC Department of Transportation and the NC Division of Land Resources require more stringent sediment control on construction sites in ORW and HQW areas. See Chapter 3 for the amount of waters in the Cape Fear River Basin classified as HQW and ORW.

- **NC Coastal Stormwater Management Regulations**

In November 1986, the EMC adopted rules which required new development in a limited zone (575 feet) around Class SA (shellfish) waters to control stormwater either by limiting density or completely controlling a 4.5 inch, 24-hour storm with the use of a stormwater treatment system. The regulations applied to development activities which required either a CAMA major permit or a Sediment/Erosion Control Plan (generally development disturbing more than one acre). The design storm, low density limits, and areal coverage were all quite controversial and the adopted rules represented a compromise by all parties. A sunset provision was added to the rules to force the staff and Commission to reconsider the rules after a year. These rules expired December 31, 1987, but new stormwater regulations were adopted having an effective date of January 1, 1988. These regulations are administered by the Water Quality Section in DEM. Approximately five man-years are allocated to implementing this program. Planning Branch staff are responsible for providing guidance and interpretation to promote consistent implementation of the rules. DEM regional staff review and approve plans and enforce the requirements of the regulations.

Perhaps the most important measure accomplished with the regulations has been the applicability of stormwater controls to development activities within the 20 CAMA coastal counties. Certainly the near-water impact of stormwater as addressed in the original rules is important, but the staff believed the cumulative impact of stormwater runoff throughout the coastal zone also needed to be addressed. Therefore, the expanded area of coverage helps provide better protection of both shellfish waters and coastal water quality in general.

Other major items specified in the rules address the sizing of stormwater treatment systems. For developments adjacent to SA waters, infiltration systems must be able to retain 1.5 inches of rainfall, whereas development in other areas must control one inch of rainfall. Wet detention ponds are not allowed for stormwater control near SA waters and must be sized for 85 percent TSS removal in other areas. In addition, porous pavement is considered an innovative infiltration system (only five are allowed until they are proven to work) as evidence has not been provided regarding its effectiveness in coastal areas. A low density option of the new regulations applies a built-upon limit of 25 percent for SA areas and 30 percent for other coastal areas rather than a limit on effective impervious cover. Development exceeding these levels is required to have a engineered stormwater system as indicated.

In summary, the regulations which have an expanded areal coverage increases the annual number of projects affected from approximately 50 (original rules) to 500. This increase is coincident with a reduction in design storm that is comparable to requirements in other states. In addition, the low density option, retained from the original regulations, is

encouraged as operation and maintenance concerns associated with stormwater controls are not applicable.

- **Coastal Nonpoint Pollution Control Programs**

As part of the Coastal Zone Act Reauthorization Amendments of 1990, Congress enacted a new section 6217 entitled "Protecting Coastal Waters". This provision requires states with coastal zone management programs (which includes North Carolina) that have received Federal approval under section 306 of the Coastal Zone Management Act (CZMA) to develop and implement Coastal Nonpoint Pollution Control Programs. The coastal nonpoint programs will provide additional control for sources of nonpoint pollution that impair coastal water quality. Sources subject to the 6217 Coastal NPS Program include: agriculture, forestry operations, urban and developing areas, marinas, hydromodification projects, and wetlands and riparian areas.

Section 6217 requires coastal states to submit their coastal nonpoint control programs to the National Oceanic and Atmospheric Administration (NOAA) and the U.S. EPA for approval by July 1995. The programs are to be implemented by January, 1999. Failure to submit an approvable program by July 1995 will result in a state losing substantial portions of its Federal funding under section 306 of the CZMA and section 319 of the Clean Water Act. The coastal nonpoint program will be developed and administered jointly by the NC Division of Coastal Management and DEM.

Summary of Changes Since 1989

- The N.C. DEM has developed programs for the administration of NPDES stormwater permits for industries and municipalities.
- The N.C. DEM has developed and issued eighteen general permits to cover a variety of facilities that discharge stormwater associated with industrial activity.
- Water Supply Protection Legislation was passed in N.C. which has resulted in the development and implementation of statewide water supply watershed protection requirements. This program is described in detail in the previous section.
- The stormwater management rules governing coastal areas, High Quality Waters and Outstanding Resource Waters have been modified. These rules were finalized and effective on September 1, 1995. These programs are described in more detail in the previous section.
- Educational Efforts: The N.C. DEM has instituted a number of educational efforts related to stormwater management across the state. These efforts have included:
 - **Guidance Manuals:**
 - 1 *Stormwater Management Guidance Manual*
 - 2 *Stormwater Management In North Carolina: A Guide For Local Officials*
 - **Fact Sheets on Stormwater Management**
 - 1 *Stormwater Problems and Impacts*
 - 2 *Stormwater Control Principles and Practices*
 - 3 *Stormwater Management Roles and Regulations*
 - 4 *Local Stormwater Program Elements and Funding Alternatives*
 - **Statewide Stormwater Conference - (1994)**
 - **Statewide Workshops on The Water Supply Protection Program (1994 & 95)**
 - **Statewide Workshops on Stormwater Management (1995)**

5.3.3 Construction - Sedimentation and Erosion Control NPS Program

In 1973, the North Carolina General Assembly enacted the Sedimentation Pollution Control Act. The Act authorized the establishment of a sediment control program to prevent accelerated erosion and off-site sedimentation caused by land-disturbing activities other than agriculture, forestry, and

mining. The Land Quality Section of the Division of Land Resources is responsible for administration and enforcement of the requirements of the Act under the authority of the NC Sedimentation Control Commission.

The sediment control program requires, prior to construction, the submission and approval of erosion control plans on all projects disturbing one or more acres. On-site inspections are conducted to determine compliance with the plan and to evaluate the effectiveness of the BMPs (see examples listed in Appendix VI) which are used. The intent is to offer storm water outlet protection from damages caused by increased runoff velocities. If voluntary compliance with the approved plan is not achieved and violations occur, the Land Quality Section may pursue enforcement through civil penalties and injunctive relief. House Bill 448, passed in 1991, authorized the issuance of stop-work orders for violations of the SPCA. This additional enforcement mechanism will help improve the overall performance of the program.

Sedimentation control rules are more stringent for areas draining to waters supplementally classified as Trout or High Quality Waters.

There are a number of local municipal and county erosion and sedimentation control programs in the Cape Fear River Basin. These local programs are reviewed annually for compliance with the requirements of the Sedimentation Pollution Control Act. The Land Quality Section also conducts educational programs directed toward state and local government officials in order to strengthen the local programs. Persons engaged in land-disturbing activities and interested citizen groups are included in the educational effort.

The Sedimentation Control Commission has delegated to the Division of Highways of the North Carolina Department of Transportation (DOT) the authority to approve erosion and sedimentation control plans for land-disturbing activity conducted by that agency or by other persons under highway contracts with that agency. The DOT sedimentation control program has been reviewed by the Division of Land Resources under the authority of the Sedimentation Control Commission. DOT uses more stringent sedimentation controls in areas adjacent to High Quality Waters and Outstanding Resource Waters. The NC Department of Environment, Health, and Natural Resources (NCDEHNR) has established a position to evaluate environmental aspects of DOT highway projects and programs. DOT, in cooperation with DEM, has developed and adopted formal BMPs for protection of surface waters. These BMPs and other efforts are significant improvements in developing a proactive system at DOT toward environmental issues.

Summary Program of Changes Since 1989

- Televised "Keep NC Clean and Beautiful" Public Service Announcements.
- Conducted 12 Erosion and Sediment Control Workshops for local ordinances and enforcement agencies.
- Printed over 55,000 "Erosion Patrol" work packets for third grade students and 2,200 teachers' guides.
- Provided \$22,500 in grants to State museums.
- Continue to publish newsletter that reaches over 2,000 people statewide on a quarterly basis.
- Conducted workshops for design professionals, contractors, developers, and DOT personnel in erosion and sedimentation control.
- Developed pocket guide for sedimentation and erosion control.
- Conducted three Construction Equipment Trade Shows and Erosion Control Seminars.
- Sponsored Resource Conservation Workshops with NRCS for high schools.
- Conducted three public awareness workshops for western North Carolina.
- Produced Erosion and Sediment Control Publications for State 4-H.
- Development and Production of "Erosion and Sediment Control Planning and Design Manual," "Inspector's Guide", "Field Manual," and "Video Modules".

- Provided a grant to develop a college course curriculum in erosion and sediment control.
- Provided a grant to Parks and Recreation to develop education materials for erosion and sedimentation to be used at state parks.
- Sponsored High School essay contest for 5 years.
- Sponsored six workshops for sediment control and pollution prevention in coastal NC.
- Created an intern position to assist in sedimentation projects.
- Sponsored evaluations of E & S Control Devices
- Will be conducting a National Symposium on turbidity and sedimentation.

5.3.4 On-Site Wastewater Disposal - Sanitary Sewage Systems NPS Program

Septic tank soil absorption systems are the most widely used method of on-site domestic wastewater disposal in North Carolina. More than 52 percent of all housing units in the state are served by septic tank systems or other systems besides public or community sewage systems. A conventional septic system consists of a septic tank, a distribution box or equivalent branching lines, and a series of subsurface absorption lines consisting of tile or perforated pipes laid in a bed of gravel. All subsurface sanitary sewage systems are under the jurisdiction of the Commission for Health Services (CHS) of the Department of Environment, Health, and Natural Resources. The CHS establishes the rules for on-site sewage systems which are administered by the Division to Environmental Health. BMPs for onsite sewage systems are listed in Appendix VI.

According to GS 130A-335(e) and (f), the rules of the CHS and the rules of the local board of health shall address at least the following: sewage characteristics; design unit; design capacity; design volume; criteria for the design, installation, operation, maintenance, and performance of sanitary sewage collection, treatment, and disposal systems; soil morphology and drainage; topography and landscape position; depth to seasonally high water table, rock, and water impeding formations; proximity to water supply wells, shellfish waters, estuaries, marshes, wetlands, areas subject to frequent flooding, streams, lakes, swamps, and other bodies of surface or groundwaters; density of sanitary sewage collection, treatment, and disposal systems in a geographical area; requirements for issuance, suspension, and revocation of permits; and other factors which affect the effective operation in performance of sanitary sewage collection treatment and disposal systems.

The rules also must provide construction requirements, standards for operation, and ownership requirements for each classification of sanitary systems of sewage collection, treatment, and disposal in order to prevent, as far as reasonably possible, any contamination of the land, groundwater, and surface waters. There exists a strict permitting procedure which regulates site selection, system design, and installation of on-site sewage systems. Privately owned subsurface sewage discharging systems are governed by NCDEHNR through local county health departments. Authorized local sanitariums serve as agents of NCDEHNR and assist in implementing the state sewage rules. Local boards of health may adopt by reference the state rules and append to those rules more stringent laws and local criteria which they desire. These amendments, however, must be approved by the state. Only nine counties in the state currently operate under local rules. The 1983 amendments of the state public health laws eliminated the comingling of state rules with local rules except by state approval.

5.3.5 Solid Waste Disposal NPS Programs

- **Federal Program**
The major federal legislation in the area of solid waste management is the Resource Conservation and Recovery Act (RCRA) administered by the U.S. Environmental Protection Agency (EPA). RCRA deals almost entirely with hazardous waste management but it does require that states meet minimum standards for solid waste facilities. EPA does not have permitting authority over solid waste management facilities.

- **State Program**

States are accorded a major role in solid waste management by RCRA. North Carolina now operates under revisions by the General Assembly to Chapter 130A of the General Statutes. The Division of Solid Waste Management (DSWM) in the Department of Environment Health and Natural Resources is authorized as the single state agency for the management of solid waste. DSWM is responsible for the development of the state's solid waste management plan, has permitting authority over all solid waste management facility siting and operation, inspects permitted facilities, provides technical assistance, investigates complaints, responds to emergencies, monitors ground water quality at facilities, promotes the state's recycling effort, and closes non-conforming sites.

The Solid Waste Management Act of 1989 established the policies and goals of the state to recycle at least 25 percent of the total waste stream by January 1, 1993. This Act created a Solid Waste Management Trust Fund to promote waste reduction and fund research and demonstration projects to manage solid waste. In 1991, the Solid Waste Management Act of 1989 was amended to broaden the goal to reduce the solid waste stream by 40 percent through source reduction, reuse, recycling, and composting by June 30, 2001.

The state adopted solid waste management rules, effective February 1, 1991, requiring liner, leachate collection, and final cover systems at all new landfills, lateral expansions of existing landfills, and at all active landfills by January 1, 1998. Septage rules and regulations also have been adopted and are administered through a permit program.

- **Local Program**

Solid waste collection and disposal has long been a municipal function. The operation of solid waste collection and disposal facilities is among the enterprises which municipalities are expressly authorized by statute to operate (G.S. 160A-311 through 160A-321). Municipalities are also authorized to regulate the disposal of solid waste within their corporate limits. Such regulations may specify the location and type of receptacles to be used for collection (G.S. 160A-192).

Outside municipal limits, counties are authorized to operate solid waste collection and disposal facilities either as a function of county government or through establishment of a special service district (G.S. 153A-292 and 301). Since 1970, county governments have increasingly accepted responsibility for solid waste disposal activities and most disposal facilities in the state are now operated by counties or with county financial assistance.

5.3.6 Forestry NPS Programs

- **Forest Practice Guidelines Related to Water Quality**

In 1989 the Sedimentation Pollution Control Act (SPCA) was amended to limit the forestry exemption to those operations that adhere to forest practice guidelines. The forestry amendment to the SPCA required the Division of Forest Resources to develop performance standards known as the Forest Practices Guidelines Related to Water Quality.

Guidelines consist of nine performance standards for activities such as maintaining streamside management zones and applying fertilizer and pesticide applications. These Guidelines are used to determine if a forestry operation will fall under the jurisdiction of the Division of Land Resources which enforces the SPCA. The Guidelines were developed in October 1989 and were put into effect on January 1, 1990. A Memorandum of Agreement was also signed between the Division of Forest Resources and the Division of Land Resources to coordinate their respective activities in the sedimentation control program. DLR has also signed an MOA with DEM.

Site-disturbing forestry activities are being inspected by local DFR personnel as part of a training, mitigation, and monitoring program. Site inspections are conducted when a problem or potential problem is suspected to exist. Sites not brought into compliance within a reasonable time schedule are referred by DFR to DLR or DEM for appropriate enforcement action. Commonly used forestry BMPs are listed in Appendix VI.

- **National Forest Management Act (NFMA)**
The National Forest Management Act was passed in 1976 and applies to all lands owned or administered by the National Forest System. The Act stipulates that land management plans be prepared which consider economic and environmental aspects of forest resources. The Act further states that timber will be harvested from National Forest lands only where soil, slope, or other watershed conditions will not be irreversibly damaged; and where protection is provided for streams, streambanks, shorelines, lakes, wetlands, and other bodies of water from detrimental changes in water temperatures, blockages of watercourses, and deposits of sediment, where harvests are likely to seriously and adversely affect water conditions or fish habitat.
- **Forest Stewardship Program**
The Division of Forest Resources initiated the Forest Stewardship Program in 1991 along with the cooperation and support of several other natural resource and conservation agencies. This program encourages landowners with ten or more acres of forestland to become involved and committed to the wise development, protection and use of all natural forest resources they own or control.

5.3.7 Mining NPS Program

In 1971 the North Carolina General Assembly passed the Mining Act to ensure that the usefulness, productivity, and scenic values of all land and waters involved in mining will receive the greatest practical degree of protection and restoration. The Mining Commission is the rule-making body for the Act and has designated authority to administer and enforce the rules and regulations of the Act to the Mining Program within the Land Quality Section of the NCDEHNR Division of Land Resources.

The Mining program has four major areas of responsibility. First, the Program requires submission and approval of a mining permit application prior to initiating land disturbing activity if the mining operation is one (1) or more acres in surface area. The mining permit application must have a reclamation plan for these operations. Second, the Program conducts on-site inspections to determine compliance with the approved application and whether or not the plan is effective in protecting land and water quality. Third, the program pursues enforcement action through civil penalties, injunctive relief, and/or bond forfeiture to gain compliance when voluntary compliance is not achieved. Finally, the Mining Program conducts educational efforts for mine operators. Common BMPs for mining activities are listed in Appendix VI.

5.3.8 Wetlands Regulatory NPS Programs

There are numerous reasons for preserving wetlands, but of special interest within the context of basinwide planning is their role in protecting water quality. Because of their intrinsic characteristics and location within the landscape, wetlands function to protect water quality in a number of ways. These functions include the retention and removal of pollutants, stabilization of shorelines, and storage of flood waters.

Numerous authors have studied the effectiveness of riparian wetland forests for nutrient retention and transformation (Jones et al. 1976; Yates and Sheridan 1983; Brinson et al. 1984; Lowrance et al. 1984; Peterjohn and Correll 1984; Jacobs and Gilliam 1985; Budd et al. 1987; and Groffman et al. 1991). The location of riparian wetlands allows them the opportunity to receive nutrients from the surrounding landscape as well as through overbank flooding. In addition to the storage of nutrients in wetland vegetation, the microbial and chemical processes within wetland soils may function to completely remove nutrients from the system.

Headwater riparian wetlands are the most important wetland in terms of sediment and associated nutrient and toxicant retention. Since small streams comprise most of the total stream length within a watershed (Leopold 1974), these areas intercept the greatest proportion of eroded sediments and associated substances from uplands before these pollutants reach waters downstream. Novitzki (1978) found that approximately 80% of the sediments entering a stream were retained in headwater wetlands.

Wetlands adjacent to streams, rivers and lakes stabilize shorelines and help protect these bodies of water from erosive forces. This function is particularly important in urbanized watersheds where the prevalence of impervious surfaces contributes to greater peak storm flows. Wetland vegetation serves to dissipate erosive forces and anchors the shoreline in place preventing sediments and associated pollutants from entering waterways. Wetlands by their very nature of being "wet" are also vital for water storage. Those wetlands adjacent to surface waters, that have the opportunity to receive flood waters and surface runoff, are most important to water storage. Wetlands located in headwaters generally desynchronize peaks in tributaries and main channels, and lakes and wetlands with restricted outlets hold back flood waters and attenuate flood peaks (Carter et al. 1978).

Several important state and federal wetland protection programs are described below. In addition to the following wetlands programs, provisions of the 1985 and 1990 Farm Bills, discussed in Section 5.3.1, should also help reduce wetlands impacts. Agriculture conversions should be reduced by the "swampbuster" provision of the 1985 Farm Bill, which encourages farmers not to convert wetlands for agriculture in order not to lose their USDA subsidies, loans, and price supports. Silviculture is exempted from the swampbuster provision and therefore, conversion of wetlands for intensive or managed forestry will not receive the benefits of this incentive device. A Wetland Reserve Program was established by the 1990 Farm Bill with the goal of allowing one million acres of prior-converted wetlands to revert back to wetlands by 1995.

- **Section 10 of the Rivers and Harbors Act of 1899**
This act, administered by the US Army Corps of Engineers, provides the basis for regulating dredge and fill activities in navigable waters of the United States. Originally, this Act was administered to protect navigation and the navigation capacity of the nation's waters. In 1968, due to growing environmental concerns, the review of permit applications was changed to include factors other than navigation including fish and wildlife conservation, pollution, aesthetics, ecology, and general public interest. Activities which may be covered under the Act include dredging and filling, piers, dams, dikes, marinas, bulkheads, bank stabilization and others.
- **Section 404 of the Clean Water Act**
The U.S. Army Corps of Engineers administers a national regulatory program under Section 404 of the Clean Water Act aimed at controlling the discharge of dredged or fill material into waters of the United States. Section 404 applies to just the discharge of dredged or fill materials into waters of the United States and does not apply to dredging activities. Waters of the United States refers to navigable waters, their tributaries, and adjacent wetlands. Activities covered under Section 404 include dams, dikes, marinas, bulkheads, utility and power transmission lines and bank stabilization. Although the 404

program does not fully protect wetlands, it is nonetheless the only federal tool at this time for regulating wetland development statewide. State legislation has not been adopted to protect inland freshwater wetlands in North Carolina, as has been done for coastal wetlands, but DEM is in the process of drafting rules which will formalize the wetlands protection measures associated with the 401 Water Quality Certification review process.

- **Section 401 Water Quality Certification (from CWA)**
The Division of Environmental Management is responsible for the issuance of 401 Water Quality Certifications (as mandated under Section 401 of the Clean Water Act). A 401 certification is required for the discharge of pollutants into surface waters and wetlands for projects that require a section 404 federal permit. The 401 certification indicates that the discharged pollutant will not violate state water quality standards. A federal permit cannot be issued if a 401 certification is denied. The 401 certification process is coordinated with the 404 and CAMA processes in the 20 counties of CAMA jurisdiction.
- **North Carolina Dredge and Fill Act (1969)**
This act requires permits for "excavation or filling begun in any estuarine waters, tidelands, marshlands, or state-owned lake". This law is currently administered with North Carolina's Coastal Area Management Act (CAMA) (1974).

5.3.9 Hydrologic Modification

Hydrologic modification is defined as channelization, dredging, dam construction, flow regulation and modification, bridge construction, removal of riparian vegetation, streambank modification/destabilization, and dam collapse. By its very nature hydrologic modification is closely tied to wetland issues. It is not surprising then that the U.S. Army Corps of Engineers (Corps) is the agency most involved in issuing permits for land-disturbing activities in wetlands. These permits are issued through Section 404 and the Rivers and Harbors Act discussed above.

In addition to wetland issues, dam construction and the lack of low flow releases into streams can severely impact downstream aquatic resources. Dam construction, repair, modification, and removal are regulated by the NC Division of Land Resources under the Dam Safety Law of 1967. A dam safety permit is required for any dam which is 15 feet or greater in height (from top of dam to lowest point on downstream toe) and the impoundment capacity is 10-acre-feet or greater at the top of the dam. Low-flow release requirements to maintain adequate instream flows are established in permits where appropriate. Instream flows are recommended by the NC Division of Water Resources.

There are several other programs which can affect hydrologic modification. The Forest Practice Guidelines Related to Water Quality requires streamside management zones to be maintained during logging operations. The Water Supply Watershed Protection Program also has requirements to maintain buffers for certain activities. The Conservation Reserve Program encourages the establishment of vegetative filter strips (66-99 feet wide) for farming operations. A significant number of local governments have established greenway programs within urban settings in order to maintain and protect riparian areas.

5.3.10 Water Supply Legislation in North Carolina

- **Water Supply Planning Law**
The Water Supply Planning law (G.S. 143-355 (l) and (m)) was adopted in 1989 and amended in 1993. It requires all local governments that supply or plan to supply water to prepare a local water supply plan. In their plans, local governments are to include present and projected population, industrial development and water use within the service area, present and future water supplies, an estimate of technical assistance needs and other information that may be required by the Department. All local plans are to be approved

and submitted to DWR by January 1, 1995. Information in those local plans is to be included in a State Water Supply Plan. The State Plan will also investigate the extent to which the various local plans are compatible.

- **Registration of Water Withdrawals and Transfers Law**

The Registration of Water Withdrawals and Transfers law (G.S. 143-215.22H) requires any person who withdraws or transfers 1 MGD or more of surface water or groundwater to register the average daily and maximum daily withdrawal or transfer with the Environmental Management Commission (EMC). The law also provides that if a local government has an approved local water supply plan on file with DWR, it does not have to register that withdrawal, thereby reducing duplication of effort by local governments that otherwise would be subject to both laws. In addition, the law includes a 5-year renewal requirement, which will ensure that the data is regularly updated.

- **Regulation of Surface Water Transfers Act**

In 1993, the legislature adopted the Regulation of Surface Water Transfers Act (G.S. 143-215.22I et seq.). This law was designed to regulate large surface water transfers by requiring a certificate from the EMC and by repealing several other laws that had previously affected interbasin transfers. The law applies to anyone initiating a transfer of 2 MGD from one river basin to another and to anyone increasing an existing transfer by 25 percent or more if the total transfer is 2 MGD or more. Applicants for certificates must petition the EMC and include a description of the transfer facilities, the proposed water uses, water conservation measures to assure efficient use and any other information desired by the EMC. A certificate will be granted for the transfer if the Commission concludes that the overall benefits of the transfer outweigh its detriments. The Commission may grant the petition in whole or in part, or deny it, and it may require mitigation measures to minimize detrimental effects. The law also provides for a \$10,000 civil penalty for violating various statutes.

- **Capacity Use Act**

DWR administers the Capacity Use Act (G.S. 143-215.11 et seq.), which allows the EMC to establish a Capacity Use Area where it finds that the use of ground water, surface water or both requires coordination and limited regulation. If after an investigation and public hearings a Capacity Use Area is designated, the EMC may adopt regulations within the area, including issuance of permits for water users. In the near future, DWR plans to review the rules for implementation of the Capacity Use statute and develop a model of the aquifer system, in coordination with the Groundwater Section of DEM, for Capacity Use Area 1, which was created to regulate surface water and ground water withdrawals in an area surrounding Texasgulf, Inc. in Aurora, N.C. A new ground water flow model will be used to simulate Capacity Use Area 1 as a basis for permitting withdrawals.

- **Dam Safety law**

The Dam Safety law (G.S. 143-215.24) was amended in 1993, and rules are being developed for implementation of these amendments. Among the changes, the amendment defines "minimum stream flow" as a quantity and quality sufficient in the judgment of the Department of Environment, Health and Natural Resources (DEHNR) to meet and maintain stream classifications and water quality standards established by DEHNR and to maintain aquatic habitat in the affected stream length.

The Dam Safety Law applies to dams that are 15 feet or more high or with impoundment capacity of 10 acre feet or more. The law requires that the EMC adopt rules specifying minimum stream flow in the length of the stream affected by a dam and sets specific parameters for minimum stream flow for dams operated by small power producers that divert water from 4,000 feet or less of a natural stream bed and return the water to the same stream.

5.3.11 GROUNDWATER PROGRAMS

Although groundwater resources in North Carolina are generally of good quality, nonpoint sources of pollution can contaminate aquifers rendering the water unfit as a water supply source. More than 55 percent of the citizens rely on groundwater as a source of drinking water, and in some counties this number exceeds 90 percent. Many of these residents are dependent on individual, easily-contaminated, shallow wells for their water. The DEM Groundwater Section, Department of Environmental, Health, and Natural Resources, is the designated lead agency in the State for groundwater protection. The Section manages programs to prevent groundwater pollution, respond to contamination incidents, and to develop better tools to assess groundwater contamination risks.

To prevent pollution, groundwaters of the state have been classified and standards developed. Nonpoint source land and subsurface, nondischarge, waste disposal activities are regulated, and groundwater self-monitoring requirements imposed on any activity which has the potential to violate standards at a 250 foot compliance boundary. A Wellhead Protection Program assists local communities in establishing programs to delineate groundwater recharge areas surrounding water supply wells and protect these areas from nonpoint sources that could contaminate water supplies.

Over the past decade the biggest threat to groundwater has been leaking underground storage tanks. The Section manages both Federal and State trust funds to assist responsible parties in the cleanup of tank contaminants, and maintains an investigation team to determine the source of contamination at incident sites. To assess potential risks to groundwater resources, the Section is developing a series of groundwater vulnerability sites where the potential impacts of different types of nonpoint source pollutants on groundwater can be evaluated, and has conducted an extensive statewide assessment of pesticides in groundwater. Also, the Section is investigating the groundwater storage role upland wetlands play in maintaining low lying riverine wetlands.

Summary Program of Changes Since 1989

- State groundwater protection regulations (2L) regarding classifications and standards were significantly upgraded in 1993, establishing new protocols for cleanups at groundwater contamination sites.
- The Section developed and implemented an underground storage tank (UST) program and was delegated primacy for UST cleanups in the State.
- A State leaking underground storage tank (LUST) trust fund was established which included provisions for cleanup of non-commercial UST's.
- The Section developed and received EPA approval for its Wellhead Protection Plan to protect groundwater in the vicinity of community water-supply wells.
- A Generic State Management Plan to protect groundwater resources from pesticide contamination has been developed, and a major statewide assessment of pesticides in groundwater is nearing completion.

5.4 INTEGRATING POINT AND NONPOINT SOURCE POLLUTION CONTROLS STRATEGIES

Integrating point and nonpoint source pollution controls and determining the amount and location of the remaining assimilative capacity in a basin are key long-term objectives of basinwide management. The information can be used for a number of purposes including determining if and where new or expanded municipal or industrial wastewater treatment facilities can be allowed;

setting the recommended treatment level at these facilities; and identifying where point and nonpoint source pollution controls must be implemented to restore capacity and maintain water quality standards.

The U.S. Environmental Protection Agency (USEPA) has developed a means to help accomplish these objectives called *total maximum daily loads (TMDL)*. The TMDL approach, which is being required by the United States Environmental Protection Agency (USEPA) pursuant to Section 303(d) of the Clean Water Act, is based on the concept of determining the total waste (pollutant) loading, from point and nonpoint sources, that a water body (such as a stream, lake or estuary) can assimilate while still maintaining its designated uses.

A TMDL is a strategy for establishing water quality-based controls on point and nonpoint sources of a given pollutant identified as contributing to a waterbody's impairment. In the Cape Fear basin, biochemical oxygen demand (BOD) and nutrients are the primary pollutants for which TMDLs are being developed. The TMDL can reflect quantifiable limits to be placed on specific pollution sources or it can be comprised of programmatic strategies (e.g., implementation of nonpoint source best management practices) established to reduce pollutant loadings, in general, throughout the targeted waterbody. The overall goal in establishing the TMDL is to set forth a course of management actions necessary for a waterbody to meet water quality standards.

It should be noted that a targeted water body does not necessarily refer to an entire basin. In the Cape Fear River Basin, for example, there are several major drainage areas (e.g., Deep River, Haw River and Cape Fear River) for which individual TMDLs are being recommended. TMDLs for smaller streams may also serve as important elements in a TMDL covering a larger portion of the basin. Nesting of TMDLs in this fashion constitutes a flexible yet comprehensive management approach that allows for specific strategies to be developed for smaller problem areas and yet offers the means to address the large scale problems as well.

As DEM's abilities to quantify and predict the impacts of point and nonpoint source pollution become more sophisticated, the basinwide approach will make more innovative management strategies possible. Possible strategies that might be considered in future Cape Fear Basinwide Plans or in the plans for basins that come up later in this first five-year cycle include agency banking, pollution trading among permitted dischargers, industrial recruitment mapping and consolidation of wastewater discharges.

Agency banking refers to the concept of holding assimilative capacity in reserve by DEM for future growth and development in the basin. *Pollution trading* involves trading of waste loading and stream assimilative capacity among permitted dischargers, or between point and nonpoint sources, adding flexibility to the permitting system and also using the free market system as an aid to identifying the most cost effective solution to water quality protection. *Industrial recruitment mapping* involves providing specific recommendations on the types of industry and land development best suited to the basin's long-term water quality goals and also an individual basin's ability to assimilate a particular type or quantity of discharge or nonpoint source pollutants. *Consolidation of wastewater discharges*, also referred to as regionalization, entails combining several dischargers into one facility. Input from local authorities, regulated industries, landowners, and other interested parties will be needed to develop these strategies. By accommodating, to the degree possible, local needs and preferences, the probability of the plan's long-term success can be increased.

REFERENCES CITED - CHAPTER 5

- Brinson, Mark M., David Bradshaw, and Emilie S. Kane. 1984. Nutrient Assimilative Capacity on an Alluvial Floodplain Swamp. *Journal of Applied Ecology*, Vol. 21, pp. 1041-1057.
- Budd, William W., Paul L. Cohen, and Paul R. Saunders. 1987. Stream Corridor Management in the Pacific Northwest: I. Determination of Stream-Corridor Widths. *Environmental Management*, Vol. 11, no. 5, pp. 587-597.
- Carter, Virginia, M.S. Bedinger, Richard P. Novitzki and W. O. Wilen. 1978. Water Resources and Wetlands. In: Greeson, Phillip E., John R. Clark, Judith E. Clark (eds.), *Wetland Function and Values: The State of Our Understanding*. American Water Resources Association. Lake Buena Vista, Florida.
- Groffman, Peter M., Eric A. Axelrod, Jerrell L. Lemunyon, and W. Michael Sullivan. 1991. Denitrification in grass and forest vegetated filter strips. *Journal of Environmental Quality*. Vol. 20, no. 3, pp. 671-674.
- Jacobs, T.C. and J.W. Gilliam, 1985. Riparian losses of nitrate from agricultural drainage waters. *Journal of Environmental Quality*. Vol. 14, no. 4, pp. 472-478.
- Jones, J.R., B.P. Borofka, and R.W. Bachmann. 1976. Factors affecting nutrient loads in some Iowa streams. *Water Research* Vol. 10, pp. 117-122.
- Leopold, L.B. 1974. *Water: A Primer*. W.H. Freeman and Co., San Francisco, CA.
- Lowrance, Richard, Robert Todd, Joseph Frail, Jr., Ole Hendrickson, Jr., Ralph Leonard, and Loris Asmussen. 1984. Riparian forests as nutrient filters in agricultural watersheds. *BioScience*. Vol. 34, no. 6, pp. 374-377.
- Novitzki, R.P. 1978. Hydrology of the Nevin Wetland Near Madison, Wisconsin. U.S. Geological Survey, Water Resources Investigations 78-48.
- Peterjohn, William T. and David L. Correll. 1984. Nutrient dynamics in an agricultural watershed: observations on the role of a riparian forest. *Ecology* 65(5). pp. 1466-1475.
- Yates, P. and J.M. Sheridan. 1983. Estimating the effectiveness of vegetated floodplains/wetlands as nitrate-nitrite and orthophosphorus filters. *Agriculture, Ecosystems and Environment*. Vol. 9, pp. 303-314.