Environment/Legislative Update

FARM BUREAU NORTH CAROLINA

NC Aquaculture Conference

August 19, 2015

Environment

- EPA - Clean Water Act
- NPDES Permits – authorize wastewater discharges
- DENR - Delegated authority from EPA for NPDES permitting

Environment

- NPDES Permits – Required for aquaculture if:
  - 30 days of discharge per year
  - HSB farms over 100,000 lbs annual production
  - Trout farms over 20,000 lbs production <u>and</u> 5,000 lbs feed in one month
  - Not required for catfish farms
  - As required by DENR if a significant contributor of pollutants

Environment

- NPDES Permits
  - Trout – 35
  - HSB – 8
  - Packing – 30
  - Other – 11

Environment

- General NPDES Permit
  - Effluent limits
  - One sample per year
  - BMP plan
  - Recordkeeping – 3 years

Environment

- BMP Plan - Discharge management
  - How is the discharge managed to prevent chlorophyll violations?
  - What steps are taken to reduce algae in ponds?
  - How is feed managed?

Environment

- O&M Plan
  - Materials management
  - Inspections
  - Spill prevention and response
  - Training

Environment

- General Permit – Effluent limits
  - Effluent Limits
    - Suspended Solids
    - Dissolved Oxygen
  - 5-year permit cycle - expires July 2017
  - Renewal applications due January 2017

Environment

- Sampling Requirements
  - Where do I take my samples?
  - DWR maintains a list of certified labs:

http://portal.ncdenr.org/web/wq/lab/cert/certlablists

  - Samples have holding time and temperature requirements. Contact the lab prior to pulling samples for info.
  - Many labs will perform on-site testing

Environment

- Records
  - BMP Plan
    - Discharge dates
    - Feed conversion info
  - O&M Plan
  - Permit copy
  - Sample results

Legislative Update

- Farm Act of 2015 – SB 513
- Mining Act changes
  - Currently a mining permit could be required if soil is hauled off site during pond construction.
  - Change to exempt agricultural activities from permitting requirements
- Eels – Pilot Project
  - Minimum harvest of 200 lbs of glass eels
  - Harvest from watersheds that “minimally contribute” to spawning stock
  - Dependent on approval by Atlantic States Marine Fisheries Commission

Legislative Update

- Farm Act of 2015 – SB 513
- Shellfish – cannot exclude an area from leasing solely due to submerged aquatic vegetation.
  - US Army Corps issues
- Present Use Value
  - Would specify that farms that are incorporated are still eligible for PUV.
  - PUV status in one county establishes a presumption of PUV status for other counties

Legislative Update

- HB302 – Strengthen Oyster Industry
  - Study to improve private shellfish industry
  - Penalties for taking shellfish from a lease or sanctuary
  - Commission on Seafood and Aquaculture reinstated
  - Modify Oyster Sanctuaries in Pamlico Sound
  - Core Sound shellfish leasing proposal

Legislative Update

- Session Law 2015-63
- Encourages Community Colleges to offer courses on Commercial Fishing and Aquaculture – but provides no resources
- Requires a report on any fiscal issues that limit the ability to offer the courses

Legislative Update

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- Budget – HB97
- Many provisions similar to HB302
- Similar provisions in SB573

- Sales Tax –would make eligible for sales tax:
  - Services rendered for repair/maintenance of private property (vehicles, equipment, etc.)
  - Veterinary services

- Subject to legislature negotiations

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Questions?

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