MEMORANDUM

TO: Alan Clark
THROUGH: Dianne Reid
FROM: Elizabeth Kountis
DATE: December 15, 2011
SUBJECT: **Proposed Reclassification of Portion of the Roanoke River along the Bertie County/Martin County Line (Roanoke River Basin) to Class WS-IV Critical Area (CA) and WS-IV (Protected Area or PA)**

The Division of Water Quality (DWQ) is requesting that the Environmental Management Commission (EMC) grant staff permission to proceed to public hearing with the proposed reclassification of a portion of the Roanoke River. Martin County Regional Water and Sewer Authority has requested that a Roanoke River segment in Bertie and Martin Counties (Roanoke River Basin) be reclassified from Class C to Class WS-IV Critical Area (CA) and WS-IV (Protected Area or PA). The reclassification is needed to construct a public water supply intake. This new water supply source will allow Martin County and the Town of Williamston to meet requirements of the Central Coastal Plain Capacity Use Area (CCPCUA) rule and meet water demands through 2030; thus, this proposal serves the public interest per Executive Order #70 and Session Law 2011-398. Division of Water Resources staff have no objections to the proposal. A Finding of No Significant Impact (FNSI) has been issued for this project, and the waters to be reclassified meet water supply water quality standards according to 2011 DWQ studies.

The proposed CA would extend along the river from the new intake, which is to be located nearly 0.3 mile upstream of US17/US13, to a point roughly 0.5 miles upstream of that intake, and includes nearly 313 acres**.** There is a portion of one named tributary to the Roanoke River (Skewakee Gut) in the proposed CA that is to be reclassified to WS-IV CA. The proposed PA would extend along the river from approximately 0.5 miles upstream of the intake to nearly 1 mile downstream of Coniott Creek (Town Swamp), and includes almost 27,206 acres**.** A portion of two named tributaries to the Roanoke River (Skewakee Gut and Conoho Creek) and two entire named tributaries to the Roanoke River (Beaverdam Creek and Mill Branch) exist in the proposed PA; these waters are to be reclassified to WS-IV (PA).

If reclassified, wastewater discharge and new development restrictions will apply throughout the proposed watershed. Other requirements, which apply only in the proposed CA, are additional treatment for new industrial process wastewater discharges as well as no new landfills and land application sites. There is currently one permitted mine within the proposed area; this facility is located in the proposed PA and would not be impacted by the proposed reclassification based on its permit. There are no additional permitted wastewater discharges located in the entire proposed watershed besides the mine. In addition, there are not any known planned land application sites or landfills in the proposed CA, or known planned wastewater discharges or developments in the entire proposed area, according to Washington Regional Office and local government staff. The subject watershed is a mixture of wetlands, forested lands, pasture/crop lands, and developed properties.

Resolutions were received from Martin County, Bertie County, and the Town of Williamston, which are the local governments with jurisdiction in the proposed area. As a reminder, the purpose of a resolution is to show whether a potentially impacted local government will implement the water supply rules within its jurisdiction once a reclassification becomes effective. Local governments with jurisdiction in a proposed watershed have 270 days after the reclassification effective date to modify or create water supply watershed protection ordinances. The fiscal analysis' quantifiable results showed a one-time cost of approximately $5,500, $5,000, $3,500, and $2,420 to Bertie County, Martin County, the Town of Williamston, and the state, respectively.

To receive necessary American Recovery and Reinvestment Act of 2009 (ARRA) funding, the proposed 2.0 mgd Water Treatment Plant (WTP) for this project must be able to operate by September 2015. Thus, the Authority requests that the reclassification become effective by early 2013. Considering this timeline request, staff recommends sending this item to the January 2012 WQC meeting to request permission to proceed to the full EMC at their March 2012 meeting. The estimated effective date of this proposal is January 1, 2013.