MEMORANDUM FOR
NOVEMBER 13, 2013 WATER QUALITY COMMITTEE (WQC) MEETING

SUBJECT: Proposed Reclassification of a Segment of the Green River (including Lake Adger) in Polk County (Broad River Basin) to Class WS-IV Critical Area (CA) and WS-IV (Protected Area or PA)

The Division of Water Resources (DWR) 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 Green River. Polk County has requested that a Green River segment, including Lake Adger, in Polk County (Broad River Basin) be reclassified from Class C to Class WS-IV Critical Area (CA) and WS-IV (Protected Area or PA). Lake Adger is a dammed portion of the Green River, and serves as a reservoir. The reclassification is needed to construct a public water supply intake. This new water supply source will allow Polk County to meet local water demands; thus, this proposal serves the public interest per Executive Order #70 and complies with G.S. 150B, the Administrative Procedures Act (APA). The waters to be reclassified meet water supply water quality standards according to 2011 DWQ studies. A Finding of No Significant Impact (FONSI) for this project has not yet been issued but is being pursued, and as a reminder, a FONSI indicates that the project will not result in significant impacts to the environment.

The proposed CA would extend approximately 0.5 mile from and draining to Lake Adger as measured from the normal pool elevation of that reservoir; it would include nearly 3,154 acres around the lake**.** The proposed PA would extend approximately 5 miles from and draining to Lake Adger as measured from the normal pool elevation of that reservoir; it would include nearly 17,421 acres. There are several tributaries to the Green River included in this reclassification proposal. Silver Creek, Ostin Creek, Rotten Creek, and Panther Creek, which are each currently Class C Trout (Tr) from source to the Green River (Lake Adger), are located within the proposed PA and proposed CA; each waterbody would become WS-IV Tr CA within 0.5 mile of the reservoir's normal pool elevation, and the remainder of each waterbody would become WS-IV (PA) Tr. Rash Creek, which is currently Class C Tr from source to the Green River, and its two Class C Tr named tributaries, Brights Creek and Harm Creek, are to be entirely included within the proposed PA and, therefore, are proposed to be reclassified to WS-IV (PA) Tr.

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 no new land application sites. There are no permitted wastewater discharges located in the entire proposed watershed. In addition, there are not any known planned land application sites or landfills in the proposed CA, and no known planned wastewater discharges or developments in the entire proposed area, according to Asheville Regional Office and local government staff. The subject watershed is a mixture of forested lands, grasslands, pasture lands, and developed properties.

Polk County is the only local government with jurisdiction in the reclassification area, and the only local government that would need to modify its water supply watershed protection ordinance within the required 270 days after the reclassification effective date. Given that Polk County requested the reclassification, it did not need to provide a resolution. As a reminder, the purpose of a resolution is to indicate whether or not a potentially impacted local government will implement the water supply rules within its jurisdiction once a reclassification becomes effective. A fiscal analysis for this proposal has been approved by OSBM, and the analysis' quantifiable results revealed a one-time cost of approximately $800 to the state and $1,600 to Polk County.

Staff recommends sending this item to the November 2013 WQC meeting to request permission to proceed to the full EMC at their January 2014 meeting. The estimated effective date of this proposal is September 1, 2014.