

# ANNOUNCEMENT

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## PROPOSED WATER SUPPLY RECLASSIFICATION OF ROANOKE RIVER: PUBLIC HEARING SET FOR JUNE

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A public hearing is going to be conducted in order to receive public comments on the proposed reclassification and associated fiscal note for a section of the Roanoke River in Bertie and Martin Counties (Roanoke River Basin). This reclassification is needed to construct a new water supply intake that Martin County and the Town of Williamston intend to use. These waters will be reclassified to the Class Water Supply-IV (WS-IV) classification, including the Critical Area (CA) and Protected Area (PA) designations.

### PUBLIC HEARING

Location: Martin Community College  
Building 1 – Room 14  
1161 Kehukee Park Road  
Williamston, NC 27892

Date: Tuesday, June 5, 2012

Time: 7:00 p.m.

### BACKGROUND OF RECLASSIFICATION REQUEST

A request for reclassification of a section of the Roanoke River was submitted by Martin County Regional Water and Sewer Authority. The subject portion of the Roanoke River is to be reclassified from Class C to Class WS-IV CA and WS-IV (PA). The reclassification is needed to construct the 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.

The Division of Water Resources staffs 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.

### GENERAL DEFINITION OF PROPOSED RECLASSIFICATION

Waters designated WS-IV are protected as a water supply for drinking, culinary, or food processing purposes and for those uses where a higher WS classification (such as WS-I, II, or III) is not feasible. A Critical Area (CA) is defined as the area within approximately one-half mile and draining to a river intake for WS-IV waters. A Protected Area (PA) for WS-IV waters is defined as the area within 10 miles and draining to a river intake, excluding the CA.

### WATERS TO BE AFFECTED BY THE PROPOSED RECLASSIFICATION

The portion of the river proposed to be reclassified to WS-IV CA extends along the river from the intake, which is to be placed about 0.3 mile upstream of US17/US 13, to a point nearly 0.5 miles upstream of that intake, and includes approximately 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 portion of the river proposed to be reclassified to WS-IV (PA) extends 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).

### REGULATIONS ASSOCIATED WITH THE PROPOSED RECLASSIFICATION

If reclassified, regulations affecting new development as well as existing and new wastewater discharges would apply throughout the proposed area. Other requirements, which would apply only in the CA, are additional treatment for new industrial process wastewater discharges, no new land application sites, and no new landfills. Forestry and farming practices will not be affected.

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 not any known planned land application sites in the proposed CA, or known planned wastewater discharges or developments in the entire proposed area.

The local governments that have land use jurisdiction within the proposed areas are responsible for developing and implementing the water supply watershed ordinances within the PA and the CA. The local governments will have 270 days after the effective date of the proposed reclassification to develop or modify water supply watershed protection ordinances that must at least meet the state's minimum requirements (15A NCAC 2B .0100 and .0200). The proposed areas are located entirely within the jurisdiction of Bertie County, Martin County, and the Town of Williamston.

A fiscal analysis for this proposal has been completed and approved, and the analysis' quantifiable results revealed 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.

#### **MEETING FEDERAL TRIENNIAL REVIEW REQUIREMENTS**

The public hearing and comment period are to be held in accordance with the federal Water Pollution Control Act (the Clean Water Act) which requires States, at least every three years, to review and revise water quality standards to protect aquatic life and human health. These standards are provided in existing rules NCAC 15A 02B .0100 and .0201 through .0228. The process is called the Triennial Review and includes an assessment and revision of the designated uses of waters (classifications) and the water quality criteria (standards), which are based on the designated uses. More specifically, the public hearing and associated comment period are to address the potential assignment of a WS-IV classification to a portion of the Roanoke River watershed, for the purpose of protecting its proposed designated use as a public water supply. This proposal will result in changing the water quality standards for waters within the above-mentioned Critical Area and Protected Area.

#### **HOW TO SUBMIT COMMENTS**

You may attend the public hearing and provide verbal comments that specifically address the proposed reclassification and its fiscal note for the subject portion of the Roanoke River. The Hearing Officer may limit the length of time that you may speak at the public hearing, if necessary, so that all those who wish to speak may have an opportunity to do so. In addition, written comments addressing the proposed reclassification and fiscal note for the Roanoke River segment will be accepted until July 2nd, 2012.

All persons interested and potentially affected by the proposal are encouraged to read this entire announcement and make comments on the proposed reclassification. The EMC may not adopt a rule that differs substantially from the text of the proposed rule published in the North Carolina Register unless the EMC publishes the text of the proposed different rule and accepts comments on the new text (General Statute 150B 21.2 (g)). The proposed effective date for the final rule for this proposed reclassification pursuant to this hearing process is January 1, 2013 pending EPA approval. Written comments on the proposed reclassification of the Roanoke River segment may be submitted to Elizabeth Kountis of the Water Quality Planning Section at the postal address, e-mail address, or fax number listed below.

#### **FOR ADDITIONAL INFORMATION**

Existing Division of Water Quality rules are located on the internet at <http://portal.ncdenr.org/web/wq/ps/csu/rules>. This announcement and a map of the waters proposed to be reclassified are located on the internet via <http://portal.ncdenr.org/web/wq/event-calendar> (look under "2012-06-05"). Further explanations and details on reclassifications may be obtained by writing or calling:

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In the case of inclement weather on the day of the scheduled public hearing, please contact the above telephone number for a recorded message regarding any changes to the location, date or time of the hearing.