

ENVIRONMENTAL MANAGEMENT COMMISSION
WATER QUALITY COMMITTEE MEETING AGENDA

January 13, 2010

Archdale Building-Ground Floor Hearing Room

1:00 - 3:00 PM

General Statute § 138A-15 mandates that the Chairman inquire as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the EMC Water Quality Committee. If any member knows of a conflict of interest or appearance of conflict, please so state at this time.

1:00 PM-Opening Comments

Chairman Peterson

1. Request to Proceed to the Environmental Management Commission (EMC) for Approval of Delegation to Mecklenburg County to Implement Portions of the Site Specific Water Quality Management Plan for the Goose Creek Watershed within the Town of Mint Hill – (Action Item) (Robert Krebs)

The EMC has the authority to delegate the authority to implement and enforce the State's Stormwater protection requirements of G.S 143-214.7 and Session Law 2006-246 and the State's Riparian Buffer requirements of Rules 15A NCAC 02B .0605, .0607 and .0609 for the Goose Creek Watershed. It has been determined by the NC Division of Water Quality (DWQ) that Mecklenburg County satisfies the information requirements of Rules 15A NCAC 02B .0602(c) and .0607(f) regarding local delegation of authority for stormwater protection requirements and riparian buffer protection requirements, respectively. DWQ staff will request that the Water Quality Committee (WQC) give permission to proceed to the EMC for consideration of approval of delegation to Mecklenburg County to implement and enforce Rules 15A NCAC 02B .0602, .0605, .0607 and .0609 for the Goose Creek Watershed within the Town of Mint Hill. (Attachments enclosed: [15A NCAC 02B .0600-.0609](#) and [Town of Mint Hill Post Construction Stormwater Ordinance, effective June 30, 2007, and DRAFT Revisions December 9, 2009](#)) ([Power Point Presentation available as of Jan 13, 2010](#))

2. Request to Proceed to EMC for Permission to Hold Public Hearings On Proposed Rule Amendments in Accordance with Federal Triennial Review of Surface Water Quality Standards - (Action Item) (Connie Brower)

DWQ Staff will present draft amendments to the water quality standards as part of North Carolina's 2008-2010 Triennial Review of surface water quality standards. Proposed modifications to metals standards include: updates from federal criterion; revision of metals standards to reflect, where appropriate, the dissolved metal concentration; the addition of acute and chronic standards; the use of a statewide hardness value of 25 mg/L to derive standards for hardness dependent metals; and the incorporation of appropriate formulas to allow for site-specific standard development. Proposed rules for chlorophyll a standards include a clarification to the frequency of exceedence component and the addition of a regional specific standard for mountain and upper piedmont waters. The standard for 2,4 D (a chlorophenoxy herbicide) is proposed for revision. Additional edits are also proposed to reorganize the rules where needed. Staff will

request permission to proceed with the draft amendments to the March meeting of the EMC in order to request to proceed to public hearings. The proposed modifications to the standards for metals, chlorophyll a, and 2,4 D are summarized in the Surface Water Triennial webpage at http://h2o.enr.state.nc.us/csu/trirev_SW.html (Attachments enclosed: [Overview of Metals Toxicity](#); [Metals Dissolved Standards Summary Table](#); and Revised Rules for Surface Water Quality standards 15A NCAC 02B .0206, .0211, .0212, .0214, .0215, .0216, .0218 and .0220) ([Power Point Presentation available as of Jan. 13, 2010](#))

3. Request to Proceed to the EMC with Phase II Stormwater Designations – (Action Item) (Bradley Bennett and Bethany Georgoulas)

DWQ staff will present recommendations for Phase II designation of candidate municipalities under the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Program and Session Law 2006-246. Candidate communities identified in the Neuse, Broad, Chowan and Pasquotank river basins were presented to the WQC on September 9, 2009. DWQ publically noticed these designation candidates on October 29, 2009 with a press release and on its website for 30 days. DWQ received comments through November 30, 2009. Staff will request that the WQC grant approval to move forward to the EMC at its January 2010 meeting with (a) the recommended municipalities for final designation and (b) the recommended “regulated coverage areas” surrounding some of these municipalities where Phase II post-construction stormwater control requirements would take effect in the future. (Attachments enclosed: [A-2009 Phase II Designation Public Notice](#), [B-Recommendations for Designation Candidates](#), [C-Recommendations for Regulated Coverage Areas](#), and [D-Excerpt from Session Law 2006-246](#))

4. Falls Lake Watershed Model – (Information Item) (Kathy Stecker)

The EMC approved the Falls Lake calibrated nutrient response model in November 2009. DWQ staff, with guidance from the Falls Lake Technical Advisory Committee (TAC), also developed a Falls Lake watershed model as a supplemental tool to assist with decision-making for the nutrient management strategy. The watershed model provides estimates of nutrient loading from sources (e.g., agriculture, forested land, point sources, etc.) in the watershed. As information to the WQC, staff will present the watershed model and discuss how the model was used in development of the Falls Lake nutrient management strategy. (Attachments enclosed: [Falls Lake Watershed Model-Summary Information](#) and [Data Review Powerpoint presentation](#))

Closing comments – Charles P. Peterson

This agenda is available on the internet at <http://portal.ncdenr.org/web/emc>

[JANUARY 13, 2010 WATER QUALITY COMMITTEE MEETING SUMMARY](#)