Revised May 12, 2010 8:30am

ENVIRONMENTAL MANAGEMENT COMMISSION

WATER QUALITY COMMITTEE MEETING AGENDA

May 12, 2010

Archdale Building-Ground Floor Hearing Room

1:00 - 3:30 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**

AGENDA ITEM 1 HAS BEEN REMOVED

1. Request to Proceed to the Environmental Management Commission (EMC) with Draft Rules for Chlorophyll-a Threshold for Nutrient Enriched Waterbody Management – (Action Item)(Matt Matthews)

2. Request to Proceed to the EMC with Recommendations for Approval or Disapproval of Local Governments' Jordan Nutrient Strategy Stage One Adaptive Management Programs for Existing Development, as Required by Session law 2009-216 and for Consideration of Delegating Approval of Revised Stage One Adaptive Programs to the Director– (Action Item)(Mike Randall)

Item 1 of Section 3(d) of Session Law 2009-216 directs the North Carolina Department of Environment and Natural Resources (Department) to require municipalities and counties located in whole or in part in the Jordan watershed to implement a Stage One Adaptive Management Program to control nutrient loading from existing development. The Stage One Program shall include a public education program, a mapping program, a program to identify and remove illegal discharges, a program to identify opportunities for retrofits and other load reducing projects, and a best management practice maintenance program. Local governments in the Jordan watershed were required to submit a complete Stage One Adaptive Management Program to the Department for review by December 31, 2009. The Department is required to recommend that the EMC approve or disapprove the programs within six months of submission. Division staff requests permission to proceed to the May 13, 2010 EMC meeting with recommendations for approval/disapproval of the submitted Stage One Programs. The Division also requests permission to seek delegation from the EMC authority to approve those programs that must be revised to the Director. (Attachments enclosed: Narrative on Requirements of S.L. 2009-216, Table of Recommendations, and Jordan Stage I Adaptive Management Programs for Municipalities and Counties)

3. Request to Proceed to the EMC for Proposing Reclassification of a Section of Southwest Creek in Onslow County (White Oak River Basin) from Class C to Class SC - (Action Item)(Elizabeth Kountis)

A request to reclassify a portion of Southwest Creek has been received by DWQ. Wilmington Regional Office staff submitted this request to reflect the saltwater nature of these waters. Studies show that the

subject waters meet the qualifications for the SC reclassification. The WQC will be asked to approve this reclassification request to proceed to the EMC to get permission to begin the rule-making process and send the proposed reclassification out to public comment. (Attachments enclosed: Reclassification Memo and Map)

4. Summary of High Rate Infiltration Basin Permitting Program – (**Information Item)(Jon Risgaard)**

DWQ staff will provide a summary of the high rate infiltration basin permitting program including permitting requirements, types and numbers of facilities permitted and operational, monitoring requirements, and facility compliance. (Attachment enclosed: Powerpoint Presentation given at May 12, 2010 WQC meeting)

Closing comments – Charles P. Peterson
This agenda is available on the internet at http://portal.ncdenr.org/web/emc/agendas/2010/home

MAY2010WQCMEETINGSUMMARY