

MINUTES
NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION
AUGUST 11, 2020
GROUND FLOOR HEARING ROOM, ARCHDALE BUILDING
RALEIGH, NORTH CAROLINA

The North Carolina Sedimentation Control Commission met on August 11, 2020 at 10:00 a.m. via an online webinar. The following persons were in attendance via webinar for all or part of the meeting, with Commission members being present for the entire meeting:

COMMISSION MEMBERS

Dr. Susan White (Chair)
Mr. Jonathan Bivens
Ms. Natalie Berry
Ms. Heather Deck
Mr. Mark Taylor
Ms. Susan Foster
Ms. LaToya Ogallo
Dr. Richard McLaughlin
Ms. Marion Deerhake

OTHERS

Mr. Matt Gantt, Regional Operations Chief, DEMLR
Mr. Toby Vinson, Program Operations Chief, DEMLR
Mr. Grant Parrish, State Assistant Sedimentation Specialist, DEMLR
Ms. Julie Coco, State Sedimentation Specialist, DEMLR
Ms. Rebecca Coppa, State Sedimentation Education Specialist, DEMLR
Mr. Zac Lentz, DEMLR-Winston Salem Regional Office
Ms. Sarah Zambon, Attorney General's Office
Mr. Shelton Sullivan, DWR
Ms. Susan Locklear, Stormwater Engineer, Town of Clayton
Mr. Joshua Baird, Town Engineer, Town of Clayton
Mr. Rich Cappola, Town of Clayton
Ms. Karyn Pageau, Wake County

PRELIMINARY MATTERS

Dr. White called the meeting to order at 10:06 am.

Dr. White read Executive Order No. 1 regarding avoidance of conflict of interest.

Those in attendance introduced themselves. Dr. White announced any potential conflicts with the Commission members and reminded them to recuse themselves from any discussions related to those conflicts. Dr. White read the guidelines for participating in the webinar.

Dr. White asked for a motion to approve the minutes from the May 12, 2020 meeting. Ms. Deck moved to approve the minutes. Dr. McLaughlin made a second; the motion passed, and the minutes were approved unanimously.

ACTION ITEMS

Model Ordinance Changes

Ms. Coco summarized proposed changes to the model ordinance used by Local Programs. She also posed questions as to other text within the ordinance.

The motion was as follows:

Ms. Foster moved to defer a vote to re-adopt the model ordinance until the November meeting to allow staff time to make changes requested by the Commission. Mr. Bivens seconded the motion. The Commission voted to defer re-adoption of the model ordinance to the Commission's November meeting. In a second draft, DEMLR staff will differentiate between the changes proposed upon entering this meeting, and the modifications of those changes proposed during this meeting.

INFORMATION ITEMS

Informal Review of Local Government Ordinance

(This was removed from Action Items as listed on the agenda.)

Ms. Coco introduced an ordinance drafted by the Town of Clayton and requested comments from the commission members. Staff addressed questions from the members and provided comments to Town staff.

Committee Nominations & Topics

The Chair opened the discussion with a list of nominees for the Commission's Technical Committee (CTC). The question was asked as to whether we had adequate representation across the state of North Carolina on the CTC. A concern arose as to adequate homebuilder representation. Ms. Foster offered to seek statewide representation for homebuilders.

Nominations continue to be solicited for both the CTC and the Education Advisory Committee.

The Chair presented a list of technical topics solicited from the members and compiled by staff for discussion. Solicitations continue for this list in anticipation of discussion topics for committee meetings.

Land Quality Section Active Sediment Cases and Enforcement

Ms. Coco reported on the status of civil penalty assessments and judicial actions. Numbers were available through the end of the 2019-2020 fiscal year.

Education Program Status Report

Ms. Rebecca Coppa reported on Sediment Education Program activities. Concessions and improvisations have been made where in-person events were prohibited due to the Coronavirus pandemic and the State executive orders that ensued.

Sediment Program Status Report

Ms. Coco reported on the Land Quality Section's statewide plan approvals, inspections, and enforcement activities. The number of inspections conducted was reduced while staff were directed to limit visits to high-priority sites during the pandemic. This correlated with fewer notices for violations but did not significantly impact the total count of inspections for the fiscal year. Plan applications and reviews were down slightly from the previous fiscal year but appear to have had little impact on program operations.

NCDOT Report

Ms. Coco reported on the two Immediate Corrective Action Reports issued by the Department.

Land Quality Section Report

Mr. Vinson provided a report on the current number of vacancies in the Section.

COVID-19 Status

Mr. Vinson discussed how the pandemic and ensuing State executive orders have impacted program operations. The Department instituted a teleworking policy for employees.

CONCLUSION

Remarks by the DEMLR Chief of Program Operations – Mr. Vinson introduced Mr. Graham Parrish as the new State Assistant Sedimentation Specialist, Graham Parrish. Mr. Vinson thanked staff for their hard work during this time. He also thanked the members for their guidance on program initiatives.

Remarks by Commission Members – None

Remarks by Chairman – The Chair expressed her appreciation to the members for their attendance and to the DEMLR staff for their work effort.

Adjournment – Dr. White adjourned the meeting at approximately 1:23 pm.

Julie Coco, State Sediment Engineer
Division of Energy, Mineral, and Land
Resources

William Vinson, Jr.
Chief of Program Operations
Division of Energy, Mineral, and
Land Resources

Dr. Susan White, Chair
Sedimentation Control Commission