



ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

S. JAY ZIMMERMAN

Director

May 31, 2017

MEMORANDUM

To: Environmental Management Commission – Water Quality Committee

From: Karen Higgins, 401 and Buffer Permitting Branch Supervisor

Subject: 2017 Annual Report on Minor Modification to Major Variance Approvals

At its March 13, 2013 meeting, the Water Quality Committee (WQC) delegated approval of minor modifications to approved major variances of the Riparian Buffer Protection Rules to the Director of the Division of Water Quality (now Division of Water Resources). This was in accordance with the WQC's February 12, 2003 decision.

As a condition of the delegation, the Director will send any request for modifications to approve major variances to the WQC if any of the following criteria are not met:

1. The proposed modification(s) do(es) not change the original preliminary findings that all of the requirements for a Major Variance have been met pursuant to 15A NCAC 02B .0233(9)(a), 15A NCAC 02B .0250(12)(a), 15A NCAC 02B .0259(9)(a), 15A NCAC 02B .0267(12)(a), or 15A NCAC 02B .0606(1)(a);
2. The modifications do not result in additional impacts (either direct or indirect) to buffers or water quality;
3. The modifications comply with the original Commission's approval with conditions or stipulations; and
4. The purpose of the project is unchanged.

The WQC instructed the Director to provide the Water Quality Committee with annual updates of any approvals and how they met the four criteria above. This report provides a summary of minor modification approvals to approved major variances from April 1, 2016 to May 31, 2017

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There were no minor modification approvals to approved major variances during this time.