

**ENVIRONMENTAL MANAGEMENT COMMISSION  
WATER QUALITY COMMITTEE MEETING AGENDA**

**September 11, 2019  
Archdale Building-Ground Floor Hearing Room  
1:00 PM – 3:00 PM**

General Statute § 163A-159(e) mandates that the Chair inquire as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the Environmental Management Commission's Water Quality Committee. If any member knows of a conflict of interest or appearance of conflict, please so state at this time.

**Marion Deerhake, Chairman, Presiding**

**I. Preliminary Matters**

1. Approval of [July 10, 2019 Water Quality Committee Meeting Minutes](#)

**II. Agenda Items**

**1. Request Approval of 2020 303(d) Listing and Delisting Methodology – (Action Item)  
(Pam Behm, Modeling Branch, Division of Water Resources)**

Division of Water Resources (DWR) staff will present proposed changes to the 2020 303(d) Listing and Delisting Methodology for approval to take to the Environmental Management Commission (EMC). (Attachments enclosed: [Draft 2020 303\(d\) Listing and Delisting Methodology](#), [Division of Water Resources 2018 303\(d\) Review – Response to Public Comments](#), and [Environmental Protection Agency's \(EPA\) Decision on North Carolina 2018 303\(d\) Approval Package](#) and [PowerPoint Presentation](#))

**2. Request to Proceed to the EMC with the 2019 Annual Environmental Review Commission (ERC) Report on Basinwide Water Management Planning – (Action Item)  
(Nora Deamer, Basinwide Planning, Division of Water Resources)**

DWR staff requests approval to proceed to the EMC with the Draft Environmental Management Commission and Department of Environmental Quality's (DEQ) 2019 Annual Basinwide Water Management Planning Report to the Environmental Review Commission (ERC). The report is required under GS 143-215.8B(d) and 143-355(p) and includes information related to developing and implementing basinwide water management plans and hydrologic model. The report is due to the ERC by November 1 of each year. (Attachments enclosed: [2019 Annual Environmental Review Commission \(ERC\) Report on Basinwide Water Management Planning](#) and [PowerPoint Presentation](#))

**3. Request to Proceed to EMC for Public Notice with Proposed Removal of EPA Disapproved Swamp Designation and Portion of the Management Strategy from a Section**

**of the Cape Fear River – (Action Item) (Elizabeth Kountis, Classification, Standards and Rules Review Branch, Division of Water Resources)**

DWR received a petition for rulemaking from Cape Fear River Watch and Waterkeeper Alliance in care of the Southern Environmental Law Center. The petition requests that the EMC

“...remove the supplemental swamp waters classification from the lower Cape Fear River.”

DWR staff concluded that the removal of the Swamp designation from a section of the Lower Cape Fear River in 15A NCAC 02B .0311 would impact the management strategy for that same section of the river in 15A NCAC 02B .0227 that accompanied the Swamp designation during the reclassification process for it. At its July 2019 meeting, EMC granted the petition, and approved the initiation of rulemaking to remove the EPA disapproved Sw designation from 15A NCAC 02B .0311 and to remove the EPA disapproved portion of the management strategy from 15A NCAC 02B .0227. The WQC will be asked to approve this proposed rulemaking in order for staff to proceed to the full Commission in November 2019 for permission to send the proposed rulemaking out to public notice. (Attachments enclosed: [Memorandum](#), [15A NCAC 02B .0311](#), [15A NCAC 02B. 0227](#), and [PowerPoint Presentation](#))

**4. North Carolina’s Surface Water Classifications - (Information Item) (Elizabeth Kountis, Classification, Standards and Rules Review Branch, Division of Water Resources)**

(Attachment enclosed: [PowerPoint Presentation](#))

**III. Closing Comments – WQC Chairman, Marion Deerhake**