

**Revised 01/06/2020**  
**ENVIRONMENTAL MANAGEMENT COMMISSION**  
**WATER QUALITY COMMITTEE MEETING AGENDA**

**January 8, 2020**  
**Archdale Building-Ground Floor Hearing Room**  
**1:00 PM - 3:00PM**

*In the event the previously scheduled Committee meeting adjourns prior to the estimated adjournment time, the other Committee meeting may be called to order, by the Chairman, fifteen minutes after the previous meeting adjourned.*

*Meeting audio and presentations will be broadcast via the state web conferencing link posted on the Environmental Management Commission website at <https://deq.nc.gov/about/divisions/water-resources/water-resources-commissions/environmental-management-commission>*

*Items marked with an asterisk (\*) will be presented orally at the meeting only upon a request by a Committee member and can be approved where required as a group. Also, items marked with a less-than sign (<) have no agenda item pages in the package.*

**Marion Deerhake, Chair, Presiding**

**1. Preliminary Matters**

- 1. Call to Order and Notice of NCGS 163A-59(e).....Chair Deerhake**  
*North Carolina 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.*
- 2. [Draft November 13, 2019 Water Quality Committee \(WQC\) Meeting Minutes](#)**

**II. Action Items**

1. Request for a Major Variance from the Neuse River Riparian Area Protection Rule by Mrs. Erin Roberts for the construction of a garage at an existing Single-Family Residence at 1805 Chester Road, Raleigh, NC – (Action Item) (Paul Wojoski, DWR 401 & Buffer Permitting Branch)

A request has been received for the WQC to grant a Major Variance from the Neuse Riparian Area Protection Rules to Mrs. Erin Roberts for the construction of a garage within Zone 1 of the buffer at an existing single-family residence at 1805 Chester Road, Raleigh, NC. The proposed project would permanently impact 108 square feet of Zone 1 and 468 square feet of Zone 2 of the buffer at 1805 Chester Road, Raleigh. To mitigate the buffer impact, the applicant proposes to undertake permittee-responsible mitigation by planting native hardwood species in Zone 1 and

Zone 2 of the buffer on her property. The applicant also proposes to install splash pads on the garage's downspouts to provide diffuse flow and treatment for the stormwater runoff. Based on the information submitted, Division of Water Resources (DWR) staff support this request for a Major Variance from the Neuse Riparian Area Protection Rule because all the requirements in 15A NCAC 02B .0233 have been met. (Attachments enclosed: [DWR Variance Application](#), [DWR Final Decision Document and Findings of Fact](#), [Roberts Residence-Builder Letter-1805 Chester Road Letter](#), and [PowerPoint Presentation](#))

### **III. January 9, 2020 EMC Agenda Items**

**\*Request to Proceed to Public Notice with the Proposed Removal of EPA Disapproval Swamp Designation and Portion of Management Strategy from a Section of the Cape Fear River, NC (Elizabeth Kountis, DWR Classification, Standards, and Rules Review Branch and Pam Behm, DWR Modeling and Assessment Branch)**

**\*Request for Approval to hold a Public Hearing for the Consolidation of the Metropolitan Sewerage District of Buncombe County and the Cane Creek Water and Sewer District of Henderson County, per NCGS 162A-68.5 (Christyn Fertenbaugh, DWR PERCS Branch)**

**\*Update on the Status of the NPDES Permitting Rules 15A NCAC 02B .0400 & .0500 and 02H .0100, .0400, & .1200 (Mike Templeton, DWR NPDES Permitting Branch)**

**\*Nutrient Rules Readoption Update from December 19, 2019 Meeting of the Rules Review Commission (Phillip Reynolds, EMC Counsel)**

### **IV. Information Items**

**1. Jordan Lake Nutrient Rules Readoption– (Patrick Beggs, DWR Non-Point Source Branch)**

Session Law 2018-5 states Jordan rules readoption can begin after receipt of the NC Policy Collaboratory report due by December 31, 2019. The presentation will include a brief history of the process and the current plan of action. (Attachments enclosed: [PowerPoint Presentation](#))

**2. Nutrient Rules Readoption Update from December 19, 2019 Meeting of the Rules Review Commission – (Phillip Reynolds, EMC Counsel)**

**3. Future Committee Interests – WQC Chair, Marion Deerhake** will seek Commissioners' input on WQC goals, future agenda topics, and long-term interests

**4.<Director's Remarks (Linda Culpepper, DWR)**

**V.< Closing Comments..... WQC Chair, Marion Deerhake**

**Adjournment:** The next Water Quality Committee meeting is scheduled to meet in the Archdale

Building, Ground Floor Hearing Room, on March 4, 2020. The time will be determined as the date approaches.