

Catawba Wateree Bi-State Commission Meeting Minutes February 26, 2010

1) Administrative Items

- Meeting called to order at 10:05 a.m.
- Meeting was held at the Lee Dukes Water Treatment Plant in Huntersville, NC
- Welcoming remarks by the Chairman
- Previous meeting minutes approved
- Sen. Clodfelter introduced Rep. Kelly Alexander as a replacement for Rep. Carney
- Letter has been send to AG's of both states and some discussion has been ongoing.
- Rep. Bales (SC) was elected and confirmed as Chair for the Bi-State Commission for this year. Sen. Clodfelter nominated Sen. Allran as Vice-Chair for this year. Sen. Allran was confirmed.
- Tom Reeder (NCDENR) indicated that the website for the Commission is active. www.ncwater.org
- SC indicated that they will include this web link on the DHEC website.

2) Update on SC Water Withdrawal Permitting Bill – David Baize (SCDHEC)

- The Bill made it through the Senate Committee, however language is still being discussed. Nothing has substantially changed, just a few word adjustments.
- Minimum flow language has been worked out. The variable (seasonal) flow concept will be in the bill.
- The issue will be how to interpret and implement the bill.
- Sen. Hayes indicated that this is a short session but are pushing hard to get it through.
- There was some discussion regarding regulated systems and the direct influence of withdrawals on downstream uses.
- Discussion ensued regarding whether minimum flow will protect aquatic life, downstream users or both.
- The appeals process and other administrative procedures were briefly discussed.

3) Catawba River Basin Stormwater Program Update – Brodley Bennett (NCDENR)

- A copy of the presentation handout was provided at the meeting.
- The State now has multiple general permits (about 22) for various activities. North Carolina has over 700 industrial stormwater permits in Catawba Basin. All of the general permits now have associated monitoring.
- Tier approach/system with respect to responses needed to meet the permit requirements for controlling stormwater pollution.
- Working on incorporating the new EPA effluent guidelines for turbidity (numeric limit is 280 ntu). Agriculture and forestry are exempt from federal regulations.
- About 77% of the Catawba Basin is covered by some sort of stormwater permit. And about 60% of North Carolina is covered under such permits.
- The State has a new program in place that would require stormwater management in areas of the State not covered under any existing permits (e.g., vehicle parking areas will require 20% pervious surface or equivalent stormwater measures to minimize runoff).
- Implementing a voluntary universal program for areas with multiple stormwater requirements although this is primarily in the coastal areas. None are currently being implemented in the Catawba.

4) Catawba River Basin Stormwater Program Update – Jill Stewart (SCDHEC)

- A copy of the presentation handout was provided at the meeting.
- In SC, there are three program areas for managing stormwater – construction, industrial, and MS4. General permits have 5-year cycle. The current general permit expires in August 2011.
- For industrial permits, the goal is to transition to a new multi-sector permit modeled after EPA's permit. This new permit is proposed to be effective by October 2010.
- Sen. Hayes began a discussion about recent budget cuts and its impact on permitting and managing stormwater related pollution. Jill Stewart mentioned needing the ability to require bonds to remediate defunct stormwater sites and ensure maintenance.
- The question of abandoned sites pouring sediments into waterways was raised. Future regulation changes may help address this issue.

5) North Carolina Water Bill Update – Sen. Clodfelter

- Legislation is not in session currently but working on next steps.
- Sen. Clodfelter mentioned a survey for agricultural water withdrawal. 80% of surveys were returned.
- NCDENR did a pilot study based on the proposed water bill and gathered some good information. There may be a possibility to pilot this in Cape Fear or Catawba basin – not yet decided.
- Learned current water supply plans are not adequate. More data and regulatory teeth are needed.

6) Catawba Water Management Group (WMG) Update – Barry Gullet

- Phase I of management plan completed. RFP for Phase II of the project may go out by the end of the year. This project is for the whole basin in both States.
- Work will be to focus on forecasting and determining safe yield of the Catawba Basin. Already received about \$150,000 in matching funds from Water Research Foundation for this project.
- Have a new website with new information. www.catawbawaterewmg.org

7) Commission Member in attendance:

- Sen. Robert W. Hayes
- Sen. Dan Clodfelter
- Rep. Kelly Alexander
- Rep. Jimmy Bales
- Mark Hollis
- Gary Faulkunberry
- Barry Gullet
- Rick Lee
- Susie Hamrick Jones
- Tim Mead
- Jimmy Bagley

8) Adjourned at 12:15 PM

Meeting minutes by Anne McGovern and Mihir Mehta (SCDHEC-BOW)