

Chapter 4 Swap Public Participation Component

4.1 Public Participation - North Carolina's Approach

Section 1428(b) of the SDWA requires that, to the maximum extent possible, each state shall establish procedures, including but not limited to the establishment of technical and citizens advisory committees, to encourage the public to participate in developing the protection program for wellhead areas and SWAPs under section 1453. Such procedures shall include notice and opportunity for public hearing on the state program before it is submitted to the Administrator. According to the EPA's guidance on SWAPs, Congress intended that a state's public participation process would build public support and responsibility for local water supplies. Therefore, for a SWAP to be approvable, a state needs to have used a public participation process for developing and implementing a SWAP. Additionally, North Carolina's SWAP plan needs to describe how the state ensured broad representation on advisory groups and wide public involvement in developing its plan. This chapter outlines the state's approach to the Public Participation component of North Carolina's Source Water Assessment Program.

4.1.1 Agency Steering Committee

The Public Water Supply Section, as the lead agency for SWAP plan development, requested that DENR's Division Directors appoint members from each of their regulatory programs affecting water to serve on a Departmental Steering Committee. The role of this group is to foster agency discussions about the SWAP and assist in developing draft plans and information to bring to the required advisory committees. Weekly meetings were held to discuss progress on the development of the SWAP plan.

It is recognized that elements of this plan may need to be revised during the implementation process. To facilitate potential revisions the Steering Committee will continue to meet periodically through the implementation phases.

4.1.2 Technical and Citizens Advisory Committee

The PWS section created a list of 140 potential stakeholders and interested parties compiled from the mailing lists of the regulatory programs in DENR and with consultation with the Department of Health and Human Services. The stakeholder list from EPA's guidance manual was used as reference to ensure broad representation. All people on the list received a letter inviting their participation in the development of the SWAP. A copy of the mailing list and the letters soliciting their participation are included in Appendix D. The intent of the guidance is clearly toward heavy public involvement and participation, and although the potential existed for groups that were difficult to manage due to their large size, the consensus was that it was to the advantage of the state to allow all individuals who had interest in the plan development and a willingness to participate to do so. Therefore, all identified potential stakeholders and interested parties were given the opportunity to participate on a combined Technical and Citizens (TAC) Advisory Committee.

To facilitate logistical arrangements and fit within the time frame available for plan development, three meetings of the TAC Advisory Committee were held on September 3, October 2, and

November 5, 1998 in Raleigh. The advisory committee reviewed draft proposals prepared by PWS staff, and provided input, concerns, corrections, and direction on the development of the SWAP plan.

At each of the three meetings, some time was scheduled for informative presentations during whole group sessions. There was also discussion of common issues and some time was scheduled for ground water and surface water work groups at the first two meetings. The combined large group sessions also allowed all participants to hear summaries of and react to all the issues. The ground and surface water work groups allowed for detailed discussion to develop the state's strategy to complete the specific elements of the SWAP plan in an environment more conducive for productive discussion. It also allowed for people's expertise to be focused on specific areas rather than requesting all individuals to provide the same level of input to all discussions and decisions. Although each person chose to participate on either the surface water or ground water work groups because they proceeded concurrently, all discussion summaries and proposed SWAP plan contents were made available for discussion, review, and comment by all participants. Included in Appendix D is a list of all TAC advisory committee participants who attended at least one of the three advisory committee meetings.

4.1.2.a Technical and Citizens Advisory Committee Meeting Summaries

After each of the TAC Advisory Committee meetings, a written summary was prepared and sent to each committee member to document the work completed. Copies of the meeting summaries are included in Appendix C.

4.1.2.b Additional Comments Received From Technical and Citizens Advisory Committee Participants

Throughout the advisory committee process the state solicited and received comments from the TAC Advisory committee participants. These comments are included in Appendix D.

4.1.3 Statewide Source Water Assessment Program Informational Public Meetings

Notice of the availability of this document for public review and comment and notice of public meetings held in four North Carolina cities was published November 29, 1998. A copy of the public meeting notice is included in Appendix E.

Public meetings were held in Asheville, Winston-Salem, Washington, and Raleigh the week of December 8, through December 14, 1998. Each of the public meetings consisted of a presentation on the goals, development and proposed implementation of the SWAP plan followed by a question and answer period. Over 35 people attended the meetings representing the following organizations: NC Watershed Coalition, Clean Water Fund - NC, Western North Carolina Alliance, Triad River Runners, Land Trust, Neuse River Foundation, NC Farm Bureau, Soil and Environmental Consultants, Tar River Environmental Awareness Group, Water Resources Research Institute, and Charlotte-Mecklenburg Utilities Department. In addition, at the request of the Northeastern Section of the North Carolina Waterworks Operators Association the same presentation on the SWAP plan was given as the program for the regularly scheduled meeting on December 10, 1998 in Washington, NC. Over 40 water system operators were in attendance for this presentation.

In general, the comments received during the public meetings were favorable about the content of the SWAP plan and implementation proposal. A comment was made concerning the relationship of the SWAP plan implementation with the DWQ basinwide planning efforts which the state intends to coordinate. The state hopes to affect the priorities of other environmental regulatory programs to reflect the goal of overall source water protection for a safe, reliable public drinking water supply. There was a concern expressed regarding the perceived exclusive use of the calculated fixed radius method for delineating ground water PWS system assessment areas. This concern was addressed in Section 2.5.2 of the SWAP plan that allows alternative delineation methods to be considered by the state. There was a comment about the use of DWQ ambient monitoring data in the consideration of surface water inherent vulnerability ratings. This was discussed during the TAC committee meetings and consensus was achieved. In summary, the ambient surface water monitoring program was not specifically designed to address water quality for drinking water sources but rather to assess overall surface water quality for a variety of uses. A better source of data for raw surface water quality could be obtained from the water plant operators who are required to collect analytical data from the surface water intake samples.

In addition to the verbal comments summarized in the preceding paragraph one individual submitted written comments during the public comment period. This individual expressed concern about nonpoint sources of contamination on the quality of public drinking water supplies; specifically forest management harvesting practices that are a source of sedimentation. The SWAP plan proposes an inherent vulnerability rating process for surface water PWS sources that includes an evaluation of raw water quality for turbidity. The state recognizes the importance of nonpoint sources of contamination and has addressed this potential for contamination in the inherent vulnerability rating schemes for surface and ground water sources of drinking water as described in Sections 2.7.1 and 2.7.2 of this plan.

4.2 Distribution of Source Water Assessment Results

The state recognizes the potential for the results of the assessments to be misinterpreted or misused by the public. In general, the results of the assessments for the surface water and ground water PWS systems cannot be compared because of the differences in the methodologies used to complete the assessments. Specifically, determining the inherent vulnerability of the intakes is different for surface water and ground water supplies. Furthermore, because each state has developed an individual approach to source water assessments the results cannot be compared from one state to another. The state will make every effort to ensure that the results of the assessments are reported to the public in an understandable and useful format so that the final product will be viewed as a useful tool in the protection of public sources of drinking water supplies.

Procedures for Making Assessments Available to the Public

Once the Phase I source water assessments are completed for all PWS systems, the information concerning availability and accessibility must be conveyed to the public. The information for each water system's assessment will be tabulated and summarized in a consistent format, or short report. At a minimum the state plans to provide maps and a written report summarizing the results of the assessments which will include the inherent vulnerability ratings, contaminant inventory ratings, and susceptibility determinations for each system.

Once the presentation format for the assessment is developed, a draft will be provided to Technical and Citizens Advisory Committee members for feedback on clarity of the information. This should help ensure that the assessments will be understandable to the public. The following methods will be used for distributing this information: the Internet, consumer confidence reports, news releases, trade publications, public service announcements, and public meetings.

Notification of Availability

Internet

North Carolina will develop an Internet site for Source Water Assessments that will provide access to the assessment and the data behind the assessments. The page will also link to other related agency sites and the EPA Source Water page. People will be able to explore and download assessments and data from their home, work, or public library computers. Additionally, post cards with the URL for the North Carolina Source Water web page will be distributed to schools and other county organizations.

Consumer Confidence Reports

All utilities will be required to provide consumer confidence reports (CCR) to their customers starting in 1999. When the Phase I assessments are completed, public water systems will include in their CCR a notice of availability of the assessment for that system, a summary of the assessment results, and information about how the customer can view or get a copy. If PWS systems submit information for use in refining the Phase I assessments, the state will incorporate any information and release the refined Phase I assessments as a group once completed. In the intervening years, systems may use their CCR to educate people that the source water assessment process is occurring and the type of information that would be available in an assessment once completed. The state will draft a few sentences each year that systems can use in their CCR. In addition, the state will draft a notice suitable for a bill stuffer that systems can copy and distribute to their customers.

Newspapers, Trade Publications or Other Organization Publications

The state will issue press releases once the Phase I assessments are complete and available. In addition, there are a number of trade publications for organizations whose members would be interested in the results including but not limited to: water suppliers, local planning organizations (Council of Governments), NC American Planning Association, League of Municipalities, NC Medical Society, AARP, and AIDS services providers, Local Health Department Directors, and River Basin Organizations. The state will draft several articles and press releases for use by the news media and other organizations. This will get a wide distribution to affected individuals. The articles and press releases will discuss what the assessments are, why we have done them, and how they can get access to the results. A subsequent press release will be issued once the Phase II assessments are complete and available.

Other Public Notification Efforts

The state will draft public service announcements for broadcast on public radio and television stations once Phase I assessments are complete and available. The North Carolina State University Extension Service will be included in the press release distribution. An e-mail announcement will be drafted for distribution to different environmental list-servers. Organizations such as League of Municipalities and other groups that hold annual meetings will be solicited by the state for an opportunity to be included on the agenda to make presentations on the SWAP results.

Public Meetings

North Carolina will publicize and hold at least two public meetings in the state to share the strategies, methods and overall results with the general public. These meetings will be noticed in advance. If interest is high, additional meetings will be held. North Carolina will explore the interest in the development of a presentation kit to be used by public water suppliers for their council, commission, or board meetings. This kit could cover the general aspects of source water assessment and allow the system to easily customize a summary including their specific data.

Obtaining a Copy

We expect Phase I assessments to be completed for all PWS systems in North Carolina in a similar time frame. Because of this and in order to take advantage of press releases and newspapers in a cost effective manner, and to minimize the time and effort spent on data manipulation, the Phase I assessments will be released as a group once completed. The assessments will be provided to each water system and will be available on the Internet. For individuals wanting hard copies of the assessment who can not extract what they want from the Internet, they will be notified by all means above to contact the Center for Geographic Information and Analysis (CGIA). CGIA, under the Office of the Governor, is the state's central data location for storage of this type of data and mapping. CGIA will impose their standard charges for copies of the material. If PWS systems submit information for use in refining the Phase I assessments, the state will incorporate any information and release the refined Phase I assessments as a group once completed.

Phase II source water assessments as described in this plan will be completed as the timeline presented in this plan indicates. The Phase II assessments will be released as a group once completed.