

**Chatham County Environmental Review Board Meeting  
July 16, 2009**

**Meeting Minutes**

ERB members present: Elaine Chiosso (Chair), Raj Butalia, Catherine Bollinger, Allison Weakley, Lin Andrew, Hal House, Sonny Keisler, Steve Wing, Martha Girolami.

Staff present: Fred Royal, Environmental Resources Director

Approval of Meeting Minutes from June 18, 2009

Minute revisions:

Steve asked for the following statements to be added to the minutes in the "Proposed Chatham County Landfill" section:

"Steve noted that wealthy communities create more solid waste than low income communities, and that it would not be fair to locate a landfill in a low-income community. John McSween pointed out that current rules prohibit locating a landfill in the Jordan Lake watershed, which includes much of higher income NE Chatham County."

Sonny moved to accept this revision; Catherine seconded; passed unanimously.

Allison said the following was left out of the "Staff Report" section and should be added:

"Staff report also included introduction to Quick Bird, climate newsletter and reviewed recommendations for Camp Maranatha EA amendments concerning trails."

Allison asked that the following revision be made to the "Briar Chapel 404 Permit Modification" Section:

"The violations included failure to record conservation easements, failure to pay fines, and failure to maintain erosion control devices. Mr. Mumford stated that in the future, contractors will make sure they understand permit conditions. He apologized for the permit violations and stated they are instituting a voluntary compliance system, and the check list will be submitted to the Environmental Resources Division on a quarterly basis."

".....use bottomless culverts and bridges instead of traditional culverts on Andrews Store Rd. because 3 culverts are proposed in a short distance of stream reach."

Motion to accept Allison's revisions by Catherine; seconded by Lin; unanimous in favor.

Motion to accept minutes with all revisions noted above by Allison; seconded by Catherine; vote to accept was unanimous.

Public input. No public comments

Staff Report (Fred Royal)

Fred met with the county FEMA and NC Division of Emergency Management (Milton Carpenter) on a project of map maintenance for problem areas—primarily creek flooding. (NC Map Modern/Maintenance Priorities). Highest priority was Pokeberry Creek then Wilkinson and Dry. Bad design and older developments and lack of maps result in a need for more detailed study.

He showed the updated Climate Summary Map for June (+ 2" rainfall) from the State Climate Office.

Cary-Chatham Joint land-use meetings have been held in June. The next step is a county public meeting to be held Monday August 10<sup>th</sup> 6:30 - 8:30 p.m. - North Chatham School multipurpose room.

Regarding a letter from John Dorney (DWQ) to Steve Levitas, of Kilpatrick Stockton, law firm: "DWQ review of monitoring reports for The Preserve at Jordan Lake and Chapel Ridge Golf Course, Chatham County."

Fred has tried to review the DWQ 401 monitoring reports for these developments. There were no reports on file at DWQ. There have been problems in the past with late reports, and missing information. Cynthia backed this effort and feels the county should have copies of all state and federal permit reports. We need to look at the Subdivision Ordinance to make sure that 401 permit monitoring reports are available in the county.

Elaine would like to have Cynthia and Jason Sullivan attend a future meeting with the ERB to discuss monitoring report management, tracking, and storage in a central repository.

Allison asked what action steps are required of the developer if the water quality is declining or in violation. Is this not in their permit?

Vote on Final version of resolution presented by Sonny (edits by Allison) concerning "designed ecosystems" approach to removing nutrients from wastewater streams.

Hal recused himself. Motion to accept by Steve; seconded by Catherine; passed unanimously.

## Climate Change: Discussion of ERB goals, and timeframe; possible formation of subcommittee.

Elaine mentioned the original idea for a public forum on climate change. Also, the county needs a tree ordinance to educate and reach large land owners and to provide real incentives to retain trees...perhaps carbon credits.

Raj emphasized outreach and education. Sonny talked about the need to achieve scale in reaching the public about this issue. Fred mentioned related groups that should be contacted, such as the Green Building and Green Economy Task Forces, and Elaine mentioned grant money that might be available for projects.

A Climate Change subcommittee was formed to be chaired by Sonny. Members signing up are Hal, Elaine, and Martha in addition to Sonny. Meetings must be advertised 48 hours in advance.

## Ongoing Issues – Updates, Discussions

### 1. Landfill

Elaine mentioned that the BoC wants to determine if the old county landfill site could be used for county-only waste. Several members expressed concern over the composition of the leachate, which could contain pharmaceuticals, hormone-like substances, surfactants, as well as bacteria, viruses, metals, and chemical toxins. Current regulations are not adequate to treat emerging chemicals.

Hal mentioned newer technologies that use constructed wetlands to treat leachates. Also landfills that are managed to accelerate decay and produce more methane, which can be captured.

All support scaling up county recycling efforts.

### 2. Jordan Lake (*revisions suggested by Elaine for accuracy*)

The “existing development” section of the Jordan Lake Nutrient Rules were altered through a bill with compromise language passed by the legislature. The Governor has now signed them into law. DWQ has a copy of the Rules on their website...not updated yet.

Jordan Lake Durham Boundary Issue.

The Durham Planning Commission meets on August 11 to take up the issue of whether or not to accept the map changes and re-zoning requested by the “751’ development project, based on the survey they did that would change the boundary line of where Jordan Lake normal pool elevation is on New Hope Creek. The Haw River Assembly commissioned its own survey using a different methodology, with very different results. The HRA-commissioned survey shows the boundary point on the creek far upstream. HRA is asking the Durham PC to

deny the developers request. *(note: Fred Royal has been asked by Chatham BOC to represent the county at the meeting to urge denial of the developer's request)*

3. SludgeLin spoke of the application of Burlington sludge onto a friend's farm. This farmer thought sludge application was highly regulated with a \$10,000 fine for the sludge spreading (running). A second farmer he knew reported that all applications were supervised 100% and soil tests were required.

Steve commented that DWQ does not normally inspect application events and that the only NC county that has an inspection program is Orange. He asked who levied the fine for the application at Lin's friend's farm, and how the violation had been identified.

Allison asked if Martin with DWQ was called out. He inspects all permitted sludge sites every year -- over 100. Elaine commented on how understaffed they are at DENR, which underscores the need for local notification that sludge will be applied to a specific site.

Allison asked about the county health department meeting on sludge. Steve says we need to ask George Lucier and the Board of Health about the outcome of the BOH's review of the sludge issue and whether they have taken a position on the ERB's recommendation that the county request advanced notification of sludge land application events.

Elaine says various boards need to be talking to each other about this. Lin sits on the Agricultural Board and this board should be involved.

Fred mentioned that a DWQ staffer should be involved in these discussions.

#### Oversight of state/federal permits

See Staff Report above

Motion to adjourn by Catherine; seconded by Allison; passed unanimously, 8:45 p.m.