

**Minutes of the Chatham County Environmental Review Advisory Committee (ERAC) Meeting, February 12, 2015**

**Attendance:**

*Committee members:*

Present: Jerry Cole, Dave Mattison, Vic D'Amato, Fran DiGiano, Terry Schmidt, Graham Swift, Ray Bode, Joan McLean and Sherri Stuewer

Absent: Mary Beth Koza and Bert Garrido

*Guests:*

Bill Causey, President, Rocky River Heritage Foundation

Sonny Keisler, Rocky River Heritage Foundation

Kathleen Hunt, Rocky River Heritage Foundation

Margo High, Rocky River Heritage Foundation

Diana Hales, Chatham County Board of Commissioners Liaison to ERAC

*Staff:*

Dan LaMontagne, Chatham County Public Works Director

**Call to order:**

6:30 PM by Chairman Jerry Cole for meeting to begin following the published Agenda

**Introductions:**

All present, including four guests from the Rocky River Heritage Foundation and Commissioner Hales

**Recording Secretary:**

- Fran DiGiano was designated by chairman, Jerry Cole, as recording secretary for the meeting

**Approval of minutes of the January 8, 2015 meeting:**

- Graham Swift moved to accept the minutes and Ray Bode seconded the motion. All members of committee voted to approve the motion.

**Public Input:**

- No public in attendance

**Presentation and Discussion on the Rocky River Heritage Foundation (RRHF) Activities:**

- President Bill Causey explained that the RRHF has been a nonprofit 501 (c)(3) since April 2006. The mission is to protect the economic, natural, environmental and historical resources of the Rocky River Watershed.

- Kathleen Hunt explained the environmental programs. These include organizing Science Festivals for the three high schools in Chatham County; a week-long education workshops for high school science teachers; and leadership tours of the river to increase awareness of the value of this resource, the need for better protection and the need for increased recreational access (currently limited to the Triangle Nature Conservancy land at the confluence of the Rocky and Deep Rivers). She also noted plans to include public tours of the river for the same purposes. There are also plans to increase social media exposure and to acquire land for recreational access. The Rocky River Management Task Force meets quarterly and is currently interested in monitoring the water release from the dam forming the Charles Turner Reservoir and of water quality below the dam. She asked for the support of ERAC in making the general public more aware of the Rocky River as a resource to be protected.
- Sonny Keisler detailed the 2014 N.C. 303 D Listing of Impaired Waters in the Rocky River Watershed as given in a handout to all members of ERAC in attendance. The handout included potential actions to mitigate each impairment. So far, the RRHF has obtained about \$750,000 in grants to study water quality from various organizations and programs, including Z Smith Reynolds Foundation, Triangle Land Conservancy, Chatham County and state's 319 Program. From these studies, the RRHF recommends upgrades to the Siler City sewer lines to reduce I/I, the Siler City Wastewater Treatment Plant to reduce nutrients and higher water release from the reservoir to increase DO. With regard to the last, withdrawals are limited because of need to hold enough for water supply so this may require tapping another water supply in future such as Jordan Lake to increase releases. With respect to DO impairment, he hopes that the RRHF can launch a study to install DO monitors for continuous recording to determine relationship to water releases.
- Commissioner Hales noted from personal observations that the Rocky River flow rate is very flashy due to small watershed area. (NOTE: Fran found after meeting that watershed area is 234 sq. mi. or 150,000 acres and for comparison, the Haw River watershed is 1,400 sq. mi.). She also noted the importance of Land Use Plan being developed for Chatham County in protecting the Rocky River and all other waters and how this will influence future zoning.

#### **General Discussion of Land Use Planning in Chatham County and Town of Pittsboro**

- Jerry Cole invited Commissioner Hales to provide her insights into role of ERAC. She noted that new County Land Use Plan could drive ERAC tasks in regard to zoning issues. The optimistic estimate for when this Plan will be ready is in 18 months. Residential and commercial construction are rebounding and this will mean more developments must be reviewed. She noted that because Chatham Park is in the jurisdiction of the Town of Pittsboro, no EIS by the Town will be required until the large plot of land is subdivided for development. She suggested that ERAC should also have flexibility to address environmental issues that take advantages of the Committee's wide range of technical expertise.
- Ray Bode commented that the Town of Pittsboro is now developing a GIS mapping tool to identify natural areas for their protection in the form of a subdivision ordinance. This project is an offshoot of the work of the Chatham Conservation Partnership (CCP). The Conservation Ordinance Review Committee is to support the work of the CCP Planning Tools Project by developing recommendations to present to the Town of Pittsboro staff and the Chatham County BOC.
- Vic D'Amato suggested that ERAC should invite Catherine Deininger, the chair of the Conservation Ordinance Review Committee of CCP to make a presentation at future meeting.

#### **Revisions to ERAC Mission Statement**

- Jerry Cole reviewed the discussion of the current Mission Statement at the January 8, 2015 meeting that led to delay in revisions until further guidance was obtained from the Chatham BOC. Such guidance was subsequently obtained in a meeting with Commissioner Hales.
- Lengthy discussion ensued on the revisions needed to the ERAC Mission Statement that would 1) address in Bullet 1 the BOC's request that proposed developments be reviewed in light of currently established "triggers" or modifications thereof that may be recommended by; 2) in Bullet 2, ERAC's role in review of environmental impact statements (EIS) and 3) in Bullet 3, the purpose of conducting "special projects" by ERAC of the Mission Statement.
- Concern was expressed by several committee members that reviews of EIS could be very time consuming. Joanie McLean expressed concern that EIS has no regulatory impact. EIS needs to be better linked to watershed ordinance and the new County Land Use Plan
- Dave Mattison, Graham Swift and Joanie McClean suggested maximum flexibility of ERAC to address environmental issues and to allow for proactive stances where appropriate
- Dan LaMontagne recorded the revised draft of the Mission Statement and will distribute to members of ERAC and to Commissioner Hales

#### **Updates from County Staff:**

- Dan announced with great pride that Chatham County had just won top prize in the small program category in state-wide competition for best Erosion Control Plan. Applause ensued.
- Dan explained a proposed, low-head hydroelectric project at the dam on the Haw River to the east of 15-501, revitalizing an existing facility that has not been used for many years. Various compliance issues must be addressed. ERAC will eventually review project.
- Dan gave an update on the proposed landfilling of Duke Energy's coal ash in Chatham County. CHARA, the owner of the disposal site, will make a presentation to the Chatham County BOC on Monday, February 16 at 4pm. The topic is how leachate will be handled. The major questions are: how much and how long will be generation and what is its composition? Leachate requires that a wastewater treatment plant agree to accept it. Because the leachate is inorganic and wastewater treatment mostly removes organic pollutants, the extent to which passing through such a facility reduces any potential environmental impact is questionable. It is unlikely that the Town of Cary's Western Wake Regional Plant will accept the leachate because association of metals with biosolids will threaten Class A Biosolids status.
- Dan gave the proposed timeline leading to review by ERAC. First step is internal review by DENR. The next step is 60-day Public Comment period. Dan suggested that ERAC formulate its comments as part of this step. He urged members of ERAC to start reviewing the Permit Application available at DENR website and given to members in his recent email. Dan emphasized that a permit to construct will not be given by DENR unless a wastewater treatment plan agrees to accept the leachate.
- Joanie McLean expressed her concern about the lack of an ecological assessment and Dan responded that the County is looking at options to address this issue

#### **Adjournment:**

- The meeting adjourned at 8:30 PM

**Next meeting will be March 12<sup>th</sup> at 6:30 PM.**

Invitation for Planning Board representative to be present

Fran DiGiano, February 13, 2015