

Meeting Minutes

Chatham County Environmental Review Advisory Committee (ERAC)

February 13, 2019 - 6:30 p.m.

Performance Building Conference Room

Present:

Staff: Rachael Thorn, Watershed Protection Director, Jason Sullivan, Planning Director.

Members Present: Victor D'Amato, Terri Tyson, Elaine Chiosso, Farrell V. Moose, Madison Ponder, Ray Bode, Fran DiGiano, Mary Beth Koza, Sherri Stuewer (remote)

Absent: Jeanette Ragland, Terry Schmidt

Guests: Jeannie Ambrose, Caroline Siverson (Planning Board Chair), Sharon Garbutt, Debby S. Wakefield, and Don Wollum

1. Selection of the recording secretary for the meeting minutes – Victor D'Amato

2. Approval of meeting minutes: Several minor edits were suggested. With edits, Farrell Moose motioned to approve and Fran DiGiano seconded. All present voted in favor. January meeting minutes approved.

3. Public Input: Debby S. Wakefield read a prepared statement on behalf of Sonny Keisler in support of request for Chatham County funding for biological/ecological monitoring/assessment for the Rocky River in anticipation of the Mountaire Farms nitrogen load increase to the Siler City WWTP. (prepared statement attached)

4. Updates from ERAC Members: Elaine provided information about the Chatham Park tree coverage issue and announced that there will be a demonstration at the Historic Pittsboro Courthouse Friday (2/15) at 4:30 pm – the Procession of the Trees.

5. Zoning Ordinance Amendments - Oil and Gas Exploration and Development: Rachael Thorn introduced Jason Sullivan (Planning Director) and Caroline Siverson (Planning Board Chair). Jason provided folders with relevant documents to all ERAC members. Jason also included an abstract, dated January 22, 2019, which had been presented to the Board of Commissioners and provides background on the issue. Jason presented a summary. Chatham and Lee County staff have been working with Glenn Dunn, an environmental attorney with Poyner and Spruill, to develop draft recommendations for the Zoning Ordinance amendments for High Impact Land Use.

A special study is required for any high impact uses, as defined in Section 10.13 of Chatham County's ordinances. An EIA is required for any high impact uses with a disturbed land area greater than 10 acres. The special study is to be conducted by a consultant mutually agreeable to the applicant and County. Applicant will ultimately pay for the study. County needs to develop criteria for special studies and will have to address all of the listed high impact uses. Rachael indicated that having criteria for mining operations will be good as there are many in

Chatham County and although many are grandfathered, there are some new ones on the horizon. ERAC will be asked to provide input into standards.

6. Update on Rocky River Monitoring and Siler City NPDES Permit: Fran DiGiano provided background on water quality criteria and restrictions for the Deep and Rocky Rivers. DEQ is currently using a SWAT model to assess water quality in these watersheds. Does not predict algal activity – endpoint standard is 40 ug/l Chl-A. State is working on numeric nutrient standards.

DEQ started a two-year water quality monitoring study in January. They are using 9 monitoring locations in the Upper Cape Fear basin including 2 on the Rocky, 3 on the Deep and 1 on Bear Creek. The sampling protocol includes monthly sampling and increased monitoring in summertime (2x/mo) and during two storm events.

Vic D'Amato provided background and update on the Mountaire pretreatment permit (already issued) and Siler City NPDES (draft) permit issues and reported on the results of the January 24, 2019 public hearing on the NPDES permit and the current status as relayed by the DWR permit writer, Mike Templeton.

Ray Bode framed the discussion in light of the request for the County to conduct an ecological study of the Rocky. The group decided by consensus to pursue the collection and review of the DEQ data from the special study independently of the BoC. Rachael Thorn will run this by the County Manager's office to ensure that there are no issues for ERAC approaching DEQ about getting data or suggesting additional monitoring.

Debby Wakefield spoke on the threats posed by the Mountaire facility and in support of the proposed aquatic taxa survey. Rachael recommended that Ms. Wakefield or others present the study proposal directly to the BoC at their next meeting Monday since any topic can be brought up during public comments (ERAC or staff topics must be on the agenda). It is OK to say that ERAC supports the concept of additional studies.

6. Other Updates:

Elaine Chiosso reported that she attended a presentation at a recent Pittsboro Town Board meeting. The Town has hired CDM-Smith to recommend advanced water treatment to reduce PFAS and 1,4-Dioxane and also investigate the feasibility of connecting to Jordan Lake Partners. Mary Beth Koza has an article on PFAS that she will scan in and share with the ERAC.

7. Adjournment: Fran DiGiano motioned to adjourn, Mary Beth Koza seconded. Meeting concluded at 9:04 pm.

Next meeting: March 14, 2019; 6:30 pm at Performance Building Conference Room