

Chatham County Environmental Review Board (ERB)
Minutes for November 19, 2009
Dunlap Classroom

ERB members present: Elaine Chiosso, Tara Allden, Catherine Bollinger
Martha Girolami, Raj Butalia, Sonny Keisler, Steve Wing, Allison Weakley
Staff present: Fred Royal

1. Approval of meeting minutes from October 22.
Sonny moved to accept; Catherine seconded; all approved.
2. Public input. None.
3. Update from Board of Health (BoH) on Sludge Application (SA) notification:
Guests: George Lucier, Holly Coleman, Andy Siegner

The ERB recommended at their meeting in October 2008 that sludge Land Appliers notify the Chatham Health Department of SA in a timely fashion. Steve attended the BoH meeting in April 2009 and requested that the BoH make an evaluation for the feasibility of such notification.

Andy's report: Andy met with the DWQ, read USEPA rules, spoke with Land Appliers, visited the waste water treatment plant (WWTP) in Siler City, and spoke with citizen groups concerned with SA. He made a presentation to the BoH about his findings. Some of these are noted below.

NC law requires 24 hours notice to the DWQ for only the first SA to a site. Land Appliers that he spoke with (OWASA and Synagro) told him that notification prior to each land application occurrence was not feasible because their schedules change too much due to rain and wind restrictions etc.

There is recent legislation requiring the NC Department of Agriculture (DA) to study the safety of land application of biosolids with a reporting deadline of May 2010. The BoH is waiting to hear the results of this study before taking further action. The NC DEH, DWQ and the DWM are expected to give input to this study.

Farmers told Andy they want more sludge not less and cannot get as much as they need so SA right now tends to be light. Orange Co. receives voluntary 24 hours notification to its health department of SA from OWASA and other Land Appliers. They follow up with random inspections of the SA. There are possible future forums on SA (NCSU, John White).

George will ask Jep Rose to determine if a memorandum of agreement with DWQ is possible. Could Chatham improve compliance to SA rules using our

buffer standards. He was asking if using local ordinance was the best approach to improve compliance.

Granville Co had a local ordinance on biosolids application. The county was sued by Biosolids Application Co. and lost. Steve thought the problem was the fee charged by the county. Not sure. Steve pointed out that the Land Appliers have a monthly schedule for SA which might be made available to the health department.

Martha pointed out that if the Orange County can get 24 hr notification of SA to the health department, then Chatham Co. health department should be able to get equal treatment.

Elaine emphasized again that the ERB had discussed SA in the first place because the NC state regulations are not being followed. There is a real need for research to determine impacts of SA.

Allison says that, as of three years ago, Martin Richmond of DWQ has 100 sites to inspect annually plus complaints etc and is stretched very thin. There is need for more staff, for enforcement and supervision.

Steve says that the 24 hour notification by Land Appliers (OWASA, Synagro, Durham, Hillsboro) to Orange County Health Dept. has reduced citizen calls and complaints to the Department of Health (Greg Grimes, Tom Konsler). Also there is a need for public education. On the county website there could be a list of FAQ as well as posting the SA sites on a county map.

A further step might be that the BoC send a resolution to the NC DA Study Panel.

4. Staff Report (Fred Royal)

a. Northeast Park update –60% Review phase.

Fred made a trip to the park and sited the large oak trees. Some are 12-14 feet in circumference. To protect the 3 largest trees, the changes that are needed are to shift the field toward the parking lot, reduce fill near the pond, ask for reduction in concession stand bathroom wastewater flow. Possibly the best location for the septic is in the “natural” meadow. He will report back on the feasibility of these changes.

b. Update from Joint Chatham/Cary Plan meeting on Nov. 19.

No one on the ERB or Fred attended the meeting.

Fred plans on a trip to the 418 acres on Lewter Shop Rd (higher density) this winter to assess streams and make a buffer map for Sally's SC. Elaine received a memo from the Cary ERB saying that they were Impressed with our ordinances. There was a suggestion that our boards might meet sometime informally.

c. Bynum WWTP improvement:

Fred will write a report to the BoC on issues impacting plant operations such as Perry Harrison intermittent flow, town of Bynum needs, old septic systems, etc. He will suggest that this project is perfect for revolving funds or environmental justice funds (Elaine).

d. Elaine says she will write a memo to George asking for a seat for the ERB on the Parks and Recreation board so that the ERB can have input on land acquisition.

5. EA Reveiws – Draft recommendations from subcommittee (SC) (Allison and Catherine)

a. Shambley Meadows, Ph IV (Small subdivision)

Allison/Catherine's letter to the Chatham Planning Board made several recommendations pertaining to street design, rare species/ habitat (Loggerhead Shrike) and steep slopes. The developer Harold Howard was present to answer questions. He voiced some concerns about the small subdivision approval process. Tara moved to accept the recommendation letter to the Planning Board, dated November 19, 2009; Raj seconded; all approved.

b. Heard. (Existing cell tower/house rezoning)

Their letter dated November 19, 2009 to the planning board said that the ERB had no concerns. Catherine moved to accept the letter; Steve seconded; all approved.

6. Report from ERB SC on Watershed Review Board procedures (Tara)

Fred and Tara met with Jeb Rose. He recommended adapting the model procedures for a watershed review board.

7. Climate Change SC:

Martha referred to early flooding predicted in NC from the Greenland ice field. Sonny handed out several articles, some of which predict up to a six degree centigrade temperature rise by 2100 if the world continues business as usual.

8. Announcements and updates from ERB members:

a. Friends of Plant Conservation annual meeting report:

Catherine attended this meeting of the above non-profit that supports the NC DA. The speaker, Dr. Cecil. Frost, working for the US DoD on fire ecology and global warming, says that a 1.5 meter sea level rise is expected which will flood Dare County by 2100. NC marshes will persist because these will migrate inland as sea level rises. The NC piedmont axis is north/south which will allow plants to migrate north. 343 sites having rare species have been identified in NC and these will hopefully be preserved.

b. Regional Conservation Summit Report:

Catherine attended this summit. One speaker J. Wallace of NC Wildlife Resources. said that to protect a wetland ecosystem there needs to be an 150 ft buffer around the wetland and a 600 ft buffer of upland. Also, to preserve all life in a riparian ecosystem, there needs to be a 600-foot stream buffer (wood thrush). She talked about Michael Kirschman of Mecklenburg Co Parks., Division Director of Natural Preserves and Natural Resources. He has valued all preserves and says that for every dollar spent, three dollars are returned in value. In 30 years all areas outside of preserves in Mecklenburg Co will be built on.

c. Siler City WWTS permit: Sonny reports that the Friends of the Rocky River are still considering legal action.

d. Jordan Lake Boundary Dispute: Elaine reports that the land owner petition was valid. But the Durham BoC will not change their position allowing the Boundary's to be moved closer to the Lake even though the vote was Inadequate. They are saying sue us to stop us.

e. Six members of the ERB have terms that expire 2/2011.