

Chatham County Environmental Review Board (ERB)  
Minutes for January 28, 2010  
Dunlap Classroom

ERB members present: Elaine Chiosso, Tara Allden, Catherine Bollinger, Raj Butalia, Steve Wing, Sonny Keisler, Vic D'Amato, Martha Girolami, Hal House

Staff present: Fred Royal

Commissioners present: George Lucier

1. Introduction of new ERB member

Hal House introduced our new ERB board member Vic D'Amato -- an expert in waste water systems, water regulations, etc. Hal House took a leave of absence at this meeting until further notice. He left the meeting after his announcement.

2. Approval of meeting minutes from December 17, 2009.

Catherine moved to approve; Sonny seconded. All approved.

3. Public Input

George Lucier used this time to report on BoC actions:

Capital Improvement Plan for Chatham (recently approved by the BoC):

- a. The new high school (HS) on Jack Bennet Road is back in the Plan. The County may try to obtain more land to add to the school site from Westfall development.
- b. The new Judicial Building will be built soon since the existing courtrooms are over capacity. This project will start in 2010 and be completed in 2011 on land between the existing county annex and Robeson Creek. Concerns were raised about the potential impact to Robeson Creek.
- c. The Commissioners are committed to development of a County Landfill either at the existing site or a new site over the next five years. The existing landfill site would require 20 more acres if the scope is 180 ton/day (150 acre total). If the goal is 500 ton/day then 400 acres would be required. Five to ten sites are now being studied/identified. The BoC would push for effective recycling programs. Also a new ordinance on construction debris needs to be in place. The County currently produces half of NC's average tonnage of landfill waste per person. The BoC was impressed by the Eco-Industrial Complex of Catawba County presentation on its composting, recycle, reuse center on 650 acres. A tour of that facility is possible.
- d. There is a need for a new jail to be built 3-5 miles from the new Judicial Bldg.

Update on the Conservation and Development Plan:

This Plan is the BoC vision statement to guide future regulation which is now in the hands of the Planning Board. They need various boards to work on this and integrate it

into relevant ordinances (Land Use, Economic Development, Sedimentation etc.?) How do we integrate the CCP into this Plan? Also Pittsboro is doing a C & D plan which needs to be examined.

Land Purchases by Chatham County: Elaine reminded George that the ERB would like to have an early voice in land purchase decisions; Fred was proposed as the best representative of the ERB on this.

#### 4. Staff Report (Fred Royal)

- a. Bynum Waste Water Treatment Plant: Improvement/replacement is badly needed to prevent overflows and hence violations. The current permit allows 25,000 gallons/day [from about half of Bynum residences, Allen and Son restaurant, and Perry Harrison school (about 5000 gallons/day)].  
The County is currently repairing the old clay pipes running to the plant where they are damaged, and will remove clogs and roots. The current plant has six 3000 gallon tanks, an aeration tank, chlorination and de-chlorination tanks. In the future a new package WWTP (wastewater treatment plant) at Perry Harrison or in Bynum may be feasible. Other ideas suggested include pretreatment of the school waste water, or on-site application using a constructed wetlands approach. Significant improvements in the WWTP would help the County comply with the Jordan Lake Nutrient Rules.
- b. Website Hits: The average time on the ERB Web site is 2 minutes. The site needs more interesting educational content, photos, and other features to inform the public. Catherine offered to help Fred strategize about ways to organize the ERB Web site to maximize its accessibility and usefulness.
- c. FY2010 Planned Activities: Please refer to the appended Environmental Resources Division Staff Up-date sheet on "FY2010 Planned Activities" presented by Fred.

#### 5. Watershed Review Board Draft Procedures (Tara Allden)

The ERB discussed the need for Fred to be sworn in as the Watershed Review Board (WRB) administrator as soon as possible. In order to begin the variance appeal process, an applicant needs to submit a form. Fred is checking with the Planning Board to see if such a form exists before a new form is developed. The ERB should read the procedures section and rules of conduct. George recommended that the entire ERB serve on the WRB. The number of heads for a quorum needs to be determined. Legal advice from Jep (Pointer and Spruill) is needed..

6. Review/improve current Environmental Documentation Submittal Form.  
<http://www.chathamnc.org/Index.aspx?page=882>. *Postponed for future discussion*

## 7. Discussion of a Resolution in support of Chatham County Action Regarding Sludge Application (SA) Notification Provisions (Steve Wing)

In October 2008, the ERB recommended to the BoC that notification be given to the County when SA was scheduled to take place. There has been no action to date. This step was taken because of complaints of health effects and noxious odors from neighbors. In Orange County SA companies notify the county health department 24 hours before spraying will take place; the county goes out to monitor some of these sites.

In Chatham, SA fields could be noted on the county map with a link to regulations on SA. Martha and Catherine agreed to work with Steve to make suggestions about information related to land application of sewage sludge in Chatham that could be put on the county web site. George Lucier said he will ask Jep Rose on whether the county could legally require advanced notification of planned sludge application.

## 8. Report from Climate Change Subcommittee (SC) (Sonny Keisler)

The SC presented a draft climate resolution. The ERB intends to get input from other boards, especially the PB, GBAB, and EDC. Elaine suggested it would be useful to give board members copies of the document on climate change in NC that was produced by Environmental Defense and will see if we can obtain free copies.

Motion by Sonny to approve the draft climate change resolution to take to all relevant county boards and then submit to the BoC. George would like us to include an appended list of what the county has accomplished to date to reduce its carbon footprint (energy audit, LEED county building requirement, Transportation-schools cost, etc.) when we present the final version of the resolution to the BoC for action. Steve seconded. All approved.

George emphasized that the county should focus on what we can do as a community to cope with and reduce climate change.

## 9. Review of Briar Chapel 401 Certification Process

Tara recused herself from this discussion and left the meeting at this time. Elaine asked about the 401/404 mitigation starting soon at Briar Chapel that is the result of violations of their permit. Fred is attending a meeting on this issue at the site and will report back to us. Elaine also asked about the current status of water quality monitoring reports from the Preserve and Chapel Ridge. Fred will discuss reports with ERB next month.

Lee Bowman, project manager for Briar Chapel, spoke about their Restoration Plan that resulted from violations of their 401/404 permit. In 2009, Briar Chapel hired Backwater Environmental and Chris Huysman as a consultant on wetlands. There will be a pre-construction meeting in early Feb. Briar Chapel files a compliance management report

quarterly to Fred. Their consultant will make a site visit weekly to look at sensitive sites and after a rainfall. There are 20 monitoring locations at wells and streams.

Elaine asked about the best approach to permit oversight (e.g., which reports should the ERB review?).

#### 10. Western Wake FEIS (Fred Royal)

Review of previous ERB comments, discussion, and plan of action for Feb. 9 comment deadline.

There will be 9 miles of pipeline in Chatham Co. with a 30-50 foot easement that impacts streams and wetlands. The outfall on the Haw River will have a impact to the river and wetlands. Chatham is not a signatory of the MOA for this project but it is now mentioned in the EIS. The NCEEP (NC Ecosystem Enhancement Program) handles the wetland mitigation for this project and there is none planned in Chatham. The Army Corp of Engineers (ACoE) may provide for mitigation in Chatham during 404 permitting.

Steve suggested that the ERB comments include that the EIS should further address the issue of sludge disposal from the proposed WWTP, and should question the accuracy of the environmental justice information.

Motion by Catherine that Elaine and Fred collaborate on the ERB response and email a copy of their letter to the ERB. Sonny seconded. All approved.

#### 11. Announcements, and updates from ERB members

Raj noted there is a conference on Environmental Issues - Rural-Urban Fringe Systems - that he will be contributing to, and asked if any other ERB members were interested in participating in this conference to be held in April, 2010 in Atlanta, Ga. .

## Staff Up-date FY 2010 Planned Activities

- ✓ Joint Stage 1 Jordan Lake TMDL Program with Town of Pittsboro (public education is big component). Program proposal is pending DWQ approval.
  
- ✓ Refine and further develop the stormwater program to meet the requirements of the ordinance by providing guidelines for the submittal of stormwater plans, develop a formal process of reviewing stormwater plans, filing/tracking and issuing development approvals, inspections and follow-up.
  
- ✓ Recent and planned public education activities:
  - i. Presentation to Fearington Garden Club. *Stormwater 101 and Back Yard Rain Garden Design*, Jan. 19, 2010
  - ii. Presentation to Landscape Design Group (w/ Ag. Extension) *Stormwater BMP Design*, Feb. 25, 2010
  - iii. Teach Envirothon Class (Perry Harrison) on sampling and ID of aquatic macroinvertebrates to prep for up-coming state competition, Feb. 24, 2010.
  - iv. Participate as judge at annual Science Fair (Northwood HS), Feb. 4, 2010
  
- ✓ Develop a "Work Plan" to establish goals and objectives for the next FY
  - i. 3- 5 year strategic plan (to include public education program and watershed planning and prioritization)
  - ii. Fund leveraging via grants
  - iii. Establish metrics to document reduced impacts to the natural resources through ordinances and services
  - iv. Provide excellent technical (customer) services
  
- v. Provide cross-training of other staff in the Department