

Catawba River Study Committee  
February 18, 2009

MINUTES

Attendance:

Robert Long	Lake James Environmental
George Johnson	Lake James Environmental
Jack Raker	Lake James Environmental
Caroline Martin	Covekeeper
John Martin	Concerned Citizen
Terry Watts	Hickory
Sue Ballbach	Catawba County
Charles Beck	Lenoir
Jim Carr	Catawba County
Sam Erwin	WPCOG
Tony Gallegos	WPCOG
Terry Lail	Conover
Donald Duncan	Conover
Lance Hight	Conover
Guy Barriger	Taylorsville
Leah Martin	WPCOG
Jeff Morse	Valdese
Seth Harris	Alexander County
Rani Holland	Long View
Lohr Loveland	Harbor Ridge
David Merryman	Catawba Riverkeeper
Angi Harris	Newton
Mark Young	Morganton
Lindsey Major	Equinox
John Brzorad	Reese Institute
Lenny Rogers	Alexander Extension
Greg Wilson	Granite Falls

Guy Barriger opened the meeting and had everyone introduce themselves. The minutes from the last meeting (November 12, 2008) were reviewed and a motion to accept was made by Jim Carr and seconded by Donald Duncan. The minutes were approved.

At this point, Vice-Chair Barriger had to leave the meeting and Donald Duncan took over running the meeting. Mr. Duncan turned the meeting over to Tony Gallegos who updated the group active, pending and potential grant applications, water resource updates, regional water issues and 2009 priorities.

## Grants

- Aquatic Plant Outreach – (US Boating Foundation) \$3,000 request. (See Attachment for more information).
- Unifour Septic Systems Program – (CWMTF) \$500,000/\$120,000 20% recommended match. ( See Attachment for more information)
- The 3 R's – Rain, Roofs and Retention (319h) \$136,250/\$244,000 40% match. Mr. Gallegos briefed the group on the City of Morganton program that aims to get residents to disconnect their rain gutter systems and receive credits.
- Water Quality Assessment Wilson Creek (205(j)) \$13,966/\$23,836 Mr. Gallegos told the group that the WPCOG had submitted an application to monitor Wilson Creek. The project would use the LRU Reese Institute.
- Evaluation and support for Local Stormwater Programs (205(j)) \$6,583/\$9,683 This grant would provide support to work with communities on their stormwater checklist to assure that they meet compliance.
- Stormwater Outreach Action Plan Development (205(j)) \$8,394/\$13,180 This grant would provide assistance for the WPCOG to work with the Stormwater Working Group.
- Henry River Dam Removal (USFWS Habitat Restoration – American Rivers) The WPCOG has talked with the USFWS about administering a grant to remove two dams on the Henry Fork River that would allow the American Eel to migrate upstream to its natural waters.

## Water Resource Updates

- Economic Stimulus Funding – Leah Martin with the WPCOG updated the group on the economic stimulus for wastewater and public water supply projects. The letters to the state with proposed projects are due February 20 and the public water supply letters are due on February 27. Mr. Gallegos told the group that the WPCOG recently learned that the State will have \$700,000 for 205(j) planning in the next cycle. This represents 10 times the normal funding amount. The COG's are talking on how to develop applications. There may be a joint application submitted for the Catawba with Isothermal, Centralina and Western Piedmont COG's.
- Terry Watts gave an update on the StormWater Working group. The administrative manual has been developed and the Carolina Yards and Neighborhoods workshop will be held on March 3 and 10 (See Attachment). There will also be a Bioretention Workshop on March 19-20 at the Hickory Metro Convention Center (See Attachment).
- FERC Update – Duke received their 401 water quality certification from North Carolina. The South Carolina certification is still being reviewed. (See Attachment). An application has been submitted to enlarge the Taylorsville Beach Marina. David Merryman made a motion that Mr. Gallegos submit a letter on behalf of the CRSC to Duke requesting that the applicant follow Marina Water

Quality Standards. The motion was seconded by Jim Carr and passed unanimously.

- IBT/Bi-State River Commission – Mr. Gallegos updated the group and told them that there has been little activity (See Attachment).
- Water Allocation Study Recommendations and Response - Mr. Gallegos updated the group (See Attachment)
- State Water Infrastructure Commission Recommendations – An update was given to the group (See Attachment)
- Muddy Water Watch – David Merryman briefed the group on the upcoming Muddy Water Watch training sessions (See Attachment)
- Rhodhiss Project Update – The Rhodhiss 319 project is winding down (See Attachment)
- Hunting Creek Assessment – Lindsey Major with Equinox Environmental updated the group on the Hunting Creek Assessment. The project was funded with EPA 319 funds which was matched with CWMTF. The study will look at ways to improve water quality on the watershed which drains the eastern part of Morganton.
- Drought update – Mr. Gallegos gave an update (See Attachment).
- Stimulus Funding Webinar – Will be conducted February 20 from 11 to 12 (See Attachment)
- Upper Catawba Valley Conservation Forum – The forum will be held at LRU on February 24 from 12:30 to 1:30 (See Attachment)
- Earth Day Catawba and Burke Counties – (See Attachment)
- Riverfest 2009 – The annual event will be held on September 19 at Geitner Park.

### Water Resource Issues and Concerns

Recently WPCOG staff along with Kitty Barnes, Chair, WPCOG Policy Board met with Dee Freeman the new Secretary of DENR to make him aware of water resource issues and concerns in the Upper Catawba Valley. These included water supply and interbasin transfer legislation, stormwater regulations and management, river basin planning and water supply, regional water resource partnerships, water infrastructure financing issues and permitting.

### 2009 Work Priorities

Mr. Gallegos went over the 2009 work priorities. These include the Lake Rhodhiss 319 project, Stormwater Working Group, Unifour Septic System Repair Program, C-K Interbasin Transfer, FERC and Lower Creek Advisory Team (See Attachment).

The next meeting was set for March 18. There being no further business, the meeting was adjourned.

Catawba River Study Committee  
March 18, 2009

MINUTES

Attendance:

Jeff Marcus	NC Wildlife Resources Commission
Sam Erwin	WPCOG
Tony Gallegos	WPCOG
John Martin	Concerned Citizen
Caroline Martin	CoveKeeper
Greg Padgett	Valdese
Allen Stewart	Cajahs Mountain
Dennis Benfield	Caldwell Soil & Water District
Terry Lail	Conover
Lance Hight	Conover
Greg Wilson	Granite Falls
Sue Ballbach	Catawba County
Terry Watts	Hickory
Mike Bennett	Hickory
Dan McClure	Land & Lakes RC&D
Mark A. Young	Morganton
Russ Cochran	Morganton
Bob Hibbitts	Catawba County

Bob Hibbitts opened the meeting and had everyone introduce themselves. The minutes from the last meeting (2-18-09) were reviewed and a motion to accept was made by Terry Watts and was seconded by Allen Stewart. The minutes were approved.

Chairman Hibbitts introduced Jeff Marcus with the NC Wildlife Resources Commission who talked about the Green Growth Toolbox. Mr. Marcus started by showing housing densities in North Carolina from 1960 to the present and how urbanization has increased. Poorly planned growth is the top threat to wildlife resources. The challenge is to bridge the gap between biologists and land use decision makers. The Green Growth Toolbox consists of four elements. These are as follows: (1) Technical assistance tool; (2) Handbook, website, GIS dataset; (3) Training workshop and (4) follow-up technical assistance. Green growth benefits communities by maintaining healthy ecosystems that provide “free” ecosystem services, create nature-based tourism opportunities, attract new businesses and improve quality of life for citizens. Green growth can be achieved by using conservation data, green planning, greening ordinances and greening development review and site design. Using conservation data consists of GIS dataset, use data in planning and starting a local natural resource inventory. Green planning consists of land use planning to conserve important habitats, writing “habitat

conservation” sections for local plans and a menu of conservation strategies. Greening ordinances are structuring zoning and development ordinances to conserve important habitats alongside development and general principles of “green ordinances”. Greening development review& site design consists of using conservation data to review development proposals and applying wildlife-friendly development practices to site design. The NC Wildlife Resources Commission is looking for local partners to assist in delivering training workshops, follow up technical guidance and developing local data and recommendations. Also, the will be conducting a “Train the Trainer” workshop later this year.

### Water Resource Updates

Tony Gallegos gave updates on various water resource issues. FERC recently issued a “draft” Environmental Impact Statement for the Catawba-Wateree relicensing. A final EIS along with two Section 401 water quality certifications (one from NC and one from SC) are required before FERC can issue a new license. Comments will be accepted regarding the “Draft” to FERC until May 8. Public meetings will be held the week of April 20 with one in NC and one in SC. On April 16, there will be a meeting of stakeholders that signed the agreement. A motion was made by Allen Stewart that staff send a letter to FERC supporting the “draft” and approve the licensing agreement. The motion was seconded by Dennis Benfield. The motion was approved.

Mike Bennett updated the group on the IBT. The region continues to wait on the State to submit all of its discovery documents. They have been delayed in this effort as they are preparing documents for both our case and the Supreme Court case. The court has reconsidered allowing other parties to intervene and this has not yet been resolved.

A Bioretention Workshop will be held on March 19-20 in Hickory at the Hickory Metro Convention Center

Earthday 2009 in Catawba County will be held at the Patrick Beaver Memorial Library on Saturday April 25 from 11 to 3.

Earthday 2009 will be held in Burke County on April 26 from 9 to 4 at the Soccer Complex on the Greenway.

RiverFest 2009 will be held on September 19, 2009 at Geitner Park.

Mr. Gallegos told the group that he recently learned that the 319h grant had not been approved along with the Water Quality Assessment for Wilson Creek and the Stormwater Outreach Action Plan Development. It was also mentioned that the recently submitted Septic Systems Repair Program project application to CWMTF may not be funded this cycle due to the CWMTF funds being reallocated in State government.

ARRA 205j stimulus funds are being jointly sought through a partnership of the Regional Councils in the Catawba Basin. A draft concept for stormwater education/outreach efforts has been accepted by state for consideration.

The no April meeting next meeting was set for May 20 with focus on Rhodhiss recommendations. There being no further business, the meeting was adjourned.

Catawba River Study Committee  
May 20, 2009

MINUTES

Attendance:

Dan McClure	Carolina Land & Lakes RC&D
Sam Erwin	WPCOG
Tony Gallegos	WPCOG
Terry Watts	Hickory
Sue Ballbach	Catawba County
Mary George	Catawba County
Greg Wilson	Granite Falls
Kelly Groves	NCCES-Catawba
Johnny Wear	WPCOG
Greg Padgett	Valdese
Jeff Morse	Valdese
Jonathan Kanipe	Town of Catawba
John Martin	Muddy Water Watch
Caroline Martin	Covekeepers
Charles Beck	Lenoir
David Cable	Catawba Lands Conservancy

Tony Gallegos opened the meeting and the minutes from the last meeting (3-18-09) were reviewed. A motion to accept was made by Terry Watts and was seconded by Susan Ballbach. The minutes were approved.

Mary George with Catawba County and David Cable with the Catawba Lands Conservancy gave a presentation on Conserving the Upper Catawba Corridor. The project goal is to permanently preserve one of the last remaining pristine sections of the free flowing Catawba as a legacy for public enjoyment & appreciation, water quality protection, and farmland & wildlife habitat preservation.

The project objectives are as follows:

- Permanently protect the riparian corridor through voluntary conservation easements or fee acquisition
- Emphasize connectivity of conserved lands
- Evaluate potential for added protection through land use planning incentives
- Raise awareness of the natural heritage values of the corridor
- Inspire public use as greenway/blueway

The 6 mile project area begins below Lake Lookout and goes to the upper reaches of Lake Norman. The area is naturally vegetated and is a mostly wooded riparian buffer with the northern segments highly visible from I-40.

The buffer is composed of 43 parcels in Iredell and Catawba Counties covering 4,396 acres. There is 12.6 miles of riverfront on both sides. The corridor is in the path of growth and development and over the next 5 years, an additional 25,000 residents are projected to move to Catawba and Iredell Counties.

The potential funding sources for the project include the state of North Carolina, re-directing Catawba River Conservation Easement fund (Crescent Resources), private foundations, Carolina Thread Trail and leveraging state & federal tax codes. Conservation tax incentives were discussed and how they could be used for the project.

A project leadership team and key stakeholders have been established for the project. The steps to success – near term are as follows:

1. Leadership consensus on plan forward.
2. Meet w/key landowners to seek counsel & support
3. Seek NC CWMTF mini grant for transaction costs
4. Stakeholder gathering to seek input & discuss plan
5. Use GIS to evaluate corridor
6. Cultivate political champions & resolutions of support
7. Stakeholder/Funder boat trip
8. Complete natural resource/heritage inventory of corridor, starting w/CR sites.

The steps to Success – longer term are

1. Individual land owner conservation
2. Explore community corridor incentives
3. Integrate corridor into Carolina Thread Trail as determined by community planning efforts.

Mr. Cable and Ms. George said they will draft a resolution of support for the CRSC to adopt at a later date.

### Water Resource Updates

Tony Gallegos updated the group on the drought status. Due to recent rainfall our region has now dropped to a LIP level 1. There is no clear picture for long range precipitation in the Catawba Basin.

A Catawba Basinwide ARRA 205(j) water quality grant application was submitted in May in partnership with Centralina COG to develop a water awareness outreach plan for the new Water Users Group.

Mr. Gallegos told the group that comments were submitted to FERC on behalf of the CRSC and local governments in support of the agreement. Duke has some concerns with FERC's response in relation to the terms of the license and evasive species.

The legislation is moving forward on the NC Water Policy Act of 2009. Act seeks to implement recommendations of Water Allocation Study. Under the act, water suppliers will start looking at water policy and permitting from a state perspective. Similar bills to create a water permit system in SC is in their legislature.

Terry Watts updated on activities of the Stormwater Working Group. A workshop on Phase II administrative manual will be held at the Hickory Metro Center about implementation the requirements for developers.

American Rivers latest endangered rivers list has come out and the Catawba River is not on the list.

The US Boating Foundation Grant is nearing completion. It has allowed development outreach displays on invasive aquatic plants and bumper stickers for use at lake access points in the Upper Basin, Special thanks to Kelly Hoke from the State Parks for all here work on developing display content.

The Habitat Enhancement Program applications are due at the end of July. The City of Hickory's Hilton Park is possibility for a project that could be funded.

Mary George told the group that there will be a meeting on May 28 at the Agricultural Resources Building to gather input on Catawba County Hazard Mitigation Plan.

An update and discussion (using the projection screen) on the Lake Rhodhiss Plan recommendations/strategies. Group was in agreement with recommendations which are divided into the following four areas: general, point-source, agricultural and urban tactics.

Jeff Morse brought up issue of providing sewer service to a new residential development on Lake Rhodhiss in Valdese near Rutherford College. Jeff asked CRSC to send a letter to Rutherford College regarding nutrient loading in the lake and the environmental benefits of sewer systems over septic systems with leech fields on properties near the lake. Group agreed staff would follow up by seeking direction from WPCOG administration before proceeding.

The next meeting was set for Wednesday, July 15. There being no further business, the meeting was adjourned.

# Catawba River Study Committee

July 15, 2009

## MINUTES Revised 7/16/09

### Attendance:

Melanie Williams  
Carrie Ruhlman  
Sam Erwin  
Tony Gallegos  
Mary Beth Griggs  
Johnny Wear  
Terry Watts  
Allen Stewart  
Dan McClure  
Jon Kanipe  
Greg Wilson  
Mike Bennett  
Kelly Groves  
Fred Miller  
Charles Beck  
Terry Lail  
Lance Hight  
Greg Padgett  
John Tippet  
Mike Young  
Bob Hibbitts

NC DENR  
NC DENR  
WPCOG  
WPCOG  
Catawba River Keeper  
WPCOG  
Hickory  
Cajahs Mountain  
CL &L  
Catawba  
Granite Falls  
Hickory  
NC Cooperative Ext.  
NC Cooperative Ext.  
Lenoir  
Conover  
Conover  
Valdese  
WPCOG  
Morganton  
Catawba County

Bob Hibbitts opened the meeting and the minutes from the last meeting (5/20/09) were reviewed. A motion to accept was made by Allen Stewart and seconded by Jon Kanipe. The minutes were approved.

Tony Gallegos introduced Carrie Ruhlman with NC DENR who gave a presentation on the NPDES Discharge Monitoring Coalition Program. The program is a voluntary discharger led ambient monitoring program that assesses water quality in a watershed context. A Memorandum of Agreement (MOA) is developed between members and DWQ. The agreement will list sampling locations, parameters, sample collection, monitoring frequency and is for a 5-year cycle. The stations selected are mutually agreeable locations. The parameters considered are field and physical parameters, nutrients, metals and others such as chlorophyll a and fecal coliform. The sample collection is contracted out by coalition members and is done monthly except in the summer when it is done twice monthly. There is a field monitoring guidance document to be used by the samplers. The laboratory analysis must be done by a DWQ-certified lab. There are minimum reporting levels in the MOA and the data is reviewed

and submitted to DWQ. The data collected is used by coalition members to monitor facilities and BMP's, trading programs, TMDL participation and support for grants and research. The data is used by DWQ for modeling, planning, permitting, 303d/305b and inspections. The program benefits the coalition with potential cost savings, increased efficiency, waive in-stream monitoring requirements, program flexibility, liability relief and member networking. Currently, there are 6 coalitions in 4 river basins in the state. These are the Yadkin-Pee Dee River Basin Association, Upper Cape Fear River Basin Association, Middle Cape Fear River Basin Association, Lower Cape Fear River Program, Lower Neuse Basin Association and Tar-Pamlico Basin Association. There is potential for a Catawba Basin Association as there are 78 NPDES permits in the basin. An association would be beneficial in that more knowledge leads to better decision-making.

There was some discussion regarding the program and a motion was made by Allen Stewart for the WPCOG to dedicate staff resources to investigate local options for forming a stream monitoring program. The motion was seconded by Terry Watts. The motion was passed unanimously.

### Water Resource Updates

Mr. Gallegos told the group that as of June 30, the region was officially out of the drought and that stream flows are now running ~88% of long term normal flow.

Mike Bennett updated the group on the Protect Catawba Coalition. Due to delays at the State level the Administrative Appeal is on hold until fall.

Mr. Gallegos told the group that NCDENR has requested local input on watersheds in which to focus limited resources from their Mooresville Regional Office. A decision has not been made yet, but in our region Clarks Creek meets multiple criteria and has been recommended by local resource staff.

The Hunting Creek Watershed Plan is proceeding. Equinox Environmental is developing the plan which should be completed in February 2010.

The WPCOG will receive a stimulus funds grant for \$28,000 through NC DENR. The grant will develop water (efficiency/conservation)educational outreach and will involve working with the Water Management Group.

Catawba Riverfest is scheduled for September 19 at Geitner Park. WPCOG staff will be playing a smaller role in organizing this years event.

DHEC granted approval in May to allow the power company to continue operating dams on the Catawba-Wateree river system. Two environmental groups have petitioned to appealed the decision. The South Carolina Attorney General has asked the

SC Department of Health and Environmental Control Board (DHEC) to deny Duke's 401 water quality permit.

#### Final Lake Rhodhiss Watershed Plan Recommendations

Mr. Gallegos and Johnny Wear went over the draft recommendations that have been developed for the Lake Rhodhiss Watershed Plan. The recommendations are on the website for the plan <http://www.wpcog.org/rhodhiss/> . They are as follows:

##### Non-Agricultural Recommendations

1. Subwatershed Plans
2. Regional Coordination
3. Green Development Practices
4. Education and Outreach
5. Best Management Practices
6. Stormwater Management
7. Sedimentation and Erosion Control
8. Secure Funding
9. Onsite Residential Sewage Treatment Systems
10. GIS Information
11. Instream Substrate Disturbances
12. Riparian Buffers
13. Long Range Land-Use Plans
14. Greenways Adjacent to Streams
15. Water Quality Monitoring

##### Proposed Agricultural Recommendations

1. Green Nurseryman Coalition
2. Increase Riparian Buffers

##### Point Source Recommendations

1. Non-Structural Management Methods
2. Plant Modifications
3. Capital Improvements
4. Comprehensive Sewage Overflow
5. Volunteer Water Monitoring Coalition

Those present were supportive of the recommendations as presented. Dan McClure expressed to the group he was pleased with the effort of WPCOG and the plan

The next meeting was set for September 16. Melanie Williams, DENR Basin Planner will determine if it will work better to present the new Catawba Basin Plan to CRSC at the September meeting. Scheduling TBD

There being no further business, the meeting was adjourned.

# Catawba River Study Committee

September 16, 2009

## MINUTES

### Attendance:

Greg Padgett

Jeff Morse

Terry Watts

Jack Huss

Tony Gallegos

Sam Erwin

Allen Stewart

Melanie Williams

Jessica Bargsley

Mike Young

Dennis Benfield

Seth Harris

Valdese, Public Works

Valdese, Town Manager

Hickory, SW Engineer

Burke Soil & Water, Board

WPCOG, Natural Resources Admin.

WPCOG, Environmental Specialist

Cajahs Mountain, Councilman

NC DENR, Basin Planner

Town of Rutherford College, Clerk

Morganton, PW Engineer

Caldwell Soil & Water, Board

Alexander County, Planner

Chair and Vice Chair were not in attendance due to conflicts with medical appointments. Tony Gallegos called the meeting to order and had everyone introduced themselves and related program area. A motion was made to approve the minutes of the last meeting (July 15) by Jeff Morse and seconded by Terry Watts. The minutes were approved unanimously.

### Special Presentation:

Melanie Williams with NC DENR gave a presentation on the proposed Catawba River Basin Plan 2009. Noted that Basin Plans are non-regulatory. The schedule is for internal review to occur in October and public review from November 1<sup>st</sup> through December 14, 2009. The final-Draft will be presented to WQC in mid-January 2010 and the final plan presented to the EMC in Mid-March 2010. Ms. Williams told the group that the Google Earth project has been put on hold due to limits of access allowed by multiple agencies. They are also looking at converting NC subbasins designation to the nationally recognized standard 8-digit hydrologic unit numbers. At this time, preliminary evaluation indicates NC may recommend several surface waters be added to the 2010 Impaired Waters 303d list some significant potential candidates in are region include: Canoe Creek; Gunpowder Creek; and McLin Creek. Melanie cautioned that there is further quality control and verification of data to be used in designation

In our area this may include Gunpowder Creek. Waters from our region expected to removed from the impaired waters list include:

- Irish Creek

- Greasy Creek
- McGalliard Creek

Draft lake data (2007) for new plan shows: (State SOP has sampling from April to September only)

Lake James: no impairments.

Lake Rhodhiss: concerns from Chlorophyll a; TP; TKN – impairments: high pH

Lake Hickory: Low pH

Lake Norman and Wylie are still under preliminary review.

There is a possibility of lower the current Chlorophyll a standard

Trends of concern in the Catawba Basin include pH, turbidity and fecal coliform bacteria. Things to come are recommendations, management strategies (non-regulatory) and a comprehensive River Basin Plan targeted more towards planning.

Upcoming reclassification of headwater streams in McDowell County to expand High Quality Water – HQW designation.

Future Basin Plans more focused on planning and recommending management strategies

Electronic copies of images and maps will be made available from DENR at a later time.

#### Water Resource Updates

Mr Gallegos gave several water quality updates. The US Boating Foundation grant is complete. Invasive Aquatic Plant Displays and Bumper stickers are available from Lake James and Lake Norman State Parks

The WPCOG recently signed a contract with the State funded by ARRA money to work with the Water Management Group. This will be a joint project with the Centralina Council of Governments, focused on their water resource education outreach plan

The Stormwater Group that has been meeting regularly discussing IDDE in recent meetings. The SWWG is interested in forming a consortium to implement phase II regulations. City of Hickory is developing a contract with WPCOG to jump start such a consortium. Contract pending.

The Lake Rhodhiss Watershed Restoration Project is concluding at the end of the month. Currently, the project team is trying to get local governments to support the plan. RC&D will complete contract with State at end of October.

The Lake Advisory Committee of the Habitat Enhancement Program part of FERC relicensing mitigation has recommended 4 projects for funding relating to fish and wildlife habitat on the Catawba river reservoirs.

Drought remains at Level 0 (Normal conditions) but lake levels are lower due to minimal rainfall and climate models show a normal or less than normal fall rainfall.

Mike Bennett informed the group that there has been no change in the status of the Interbasin Transfer issue since the last meeting.

#### Other Business

Mr. Gallegos led the group in discussion about the history, mission and structure of the Catawba River Study Committee, noting that it has been over ten years since the committee mission and structure has been reviewed. Mr Morse noted as one of the original members of this committee that it has been highly effective over the years and has functioned as an advisory board to the WPCOG Policy Board and been generally noncontroversial and consensus driven. There are no formal bylaws or guidelines on membership that can be readily located. Some concerns are: the many instances there is more than one representative from a local government at a meeting and there is no established protocol for voting; also the failure of some of the local governments and other non-government members to attend. A subcommittee was formed that will look at membership and other issues. Mr. Gallegos will present recommendations of this subcommittee which will consist of Terry Watts, Allen Stewart, Dennis Benfield, Seth Jeff Morse and Bob Hibbitts at a future meeting.

There being no further business, the meeting was adjourned at 1:25 pm

Next meeting scheduled for November 18<sup>th</sup> with special presentation from Amy Pickle, Senior Attorney State Policy from Duke University on the Proposed Water Policy Act.

# Catawba River Study Committee

November 18, 2009

## MINUTES

### Attendance:

Greg Padgett	Valdese, Public Works Superintendent
Terry Watts	Hickory, Stormwater Engineer
Tony Gallegos	WPCOG, Natural Resources Administrator
John Tippett	WPCOG, Director Community Development
Allen Stewart	Cajahs Mountain, Councilman
Jessica Bargsley	Town of Rutherford College, Clerk
Lee Anderson	Morganton, Planning Director
Dan McClure	Carolina Land & Lakes RC&D
Sue Ballbach	Catawba County, Planner
Greg Wilson	Granite Falls, Planner
Kelly Groves	NCCES-Catawba, Environmental Agent
Jonathan Kanipe	Town of Catawba, Manager
John Martin	Concerned Citizen - Muddy Water Watch
Caroline Martin	Hickory Covekeepers
Charles Beck	Lenoir, PW Director
Bob Hibbitts	Catawba County, Chairperson
Leah Martin	WPCOG, Community Development
Erin Seiling	Reese Institute, Assistant Director
Lenny Rogers	Alexander Extension Director
Mike Bennett	City of Hickory, Assistant to Manger
Amy Pickles	Duke University, Senior Attorney State Policy
Barbara Lawrence	AmeriCorp Project Development
JR Steigerwald	AmeriCorp Project Development
Megan Chelette	Conservation Natural Resources Senior LRU

Bob Hibbitts called the meeting to order and had everyone introduced themselves and related program area. A motion was made to approve the minutes of the last meeting (September 16th) by Charles Beck and seconded by Allen Stewart. The minutes were approved unanimously.

### SPECIAL PRESENTATION

Proposed NC Water Policy Act, Amy Pickle, Senior Attorney State Policy, Nicholas Institute for Environmental Policy Solutions Duke University.

Amy started by giving background on water resource challenges in the region, state and SE United States that set up the need to address water resource management on a holistic scale.

The nine recommendations of the Water Allocation Study were reviewed then Amy began discussing details of NC Water Policy Act which are an outgrowth of these recommendations

#### SB 907/HB1101: An Overview

- Establishes a set of ten policy statements that are to guide all administrative and judicial decisions concerning water resource issues
- Based on Model Riparian Code
- Examples: “Efficient and equitable allocation during shortfalls;” “Pricing water to cover fully allocated costs.”
- Most controversial statement: “Waters of the State are a public trust resource.”

But consider: N.C. Constitution, Art. XIV, Sec. 5

- Directs DENR to develop science-based hydrologic models for all 17 river basins

in NC.

- Models will establish required minimum instream flows as well as available daily yields for all surface water resources
- Models to be based on best available data and methodology
- Development of models requires public input and participation
- Models adopted and periodically updated by EMC

Models will predict which river basins or subbasins/regions of the state will be overallocated.

- Insufficient daily yield at any point during 40-year time horizon
- An allocated use will have insufficient availability, considering all its available resources, for more than 7 consecutive days in two or more years

Provides 3 options to balance the budget in overallocated basins:

- 1) State adjustment of permitted allocations, according to priority categories with “essential uses” being the last to be adjusted
- 2) A regional or river basin planning organization will develop a plan to balance the budget by increasing storage/reducing demand, or
- 3) Fallback: EMC will use Capacity Use Act to write rules

Prior to adoption of approved basin hydrologic model, provides an interim allocation to existing water users of 100,000 gallons/day or more

- Requires users of 100,000 gpd or more to apply for permits

- Some differentiation between consumptive and non-consumptive uses
- permits must take into account applicable water quality, water conservation, and drought management regimes in effect in the basin
- permit duration tied to periodic updating of water supply plans and models (5 yrs.)

Limited impact on groundwater withdrawals because of insufficient data and modeling capabilities

Other Water Allocation Study recommendations, e.g.:

- Greater DNER and LGC oversight of public water system finances
- Increased reporting on water efficiency programs and efforts
- SEPA exemption for certain new water storage systems in overallocated river basins

S. 907 and H. 1101, 2009 Session of NC General Assembly

- Further refinement and stakeholder work continues
- Likely debate in 2010 on major recommendations, including
  - Withdrawal permitting
  - Relationship of hydrologic models to regulation
  - State role in storage development
  - Many others, see <http://water.unc.edu>

Why Now?

- Water users – industry, utilities, local governments, & agriculture – need certainty to protect existing investments and plan for the future
- “Water Footprinting” – industries are beginning to assess their water use and the risks to assured supplies of water
- Recession has temporarily slowed growth and demand for water services; Now is a good time to make the transition to a more orderly water withdrawal policy. Transition will take time....
- Time – it will take years:
- To develop river basin water models and balance budgets
- To put in place an integrated river basin based water withdrawal and wastewater discharge permitting program
- To develop new water storage
- To increase water efficiency
- Other states in the region are moving forward; interstate cooperation and coordination are important for environmental and economic reasons
- Water can be a major, global, competitive advantage for NC
- Legislative timetable – 2010 and beyond
- Key decision: sequence and scope of implementation
- Permit system followed by model development

- Based on actual, historical withdrawals
- Generates funding for further model development
- Model refinement and development proceed before any permitting
- Interim protection structure for existing uses not created
- What source of funding?
- “Pilot” implementation in one or two river basins

## The Future of Water

Resilient water systems that rely on a mix of supply and demand options and that integrate drinking water, wastewater and stormwater programs and are capable of weathering cycles of drought and flood.

River Basin plans and balanced water budgets provide certainty.

Competitive advantage to cities and regions with assured supplies of water.

## AMERICORP ENVIRONMENTAL STEWARDSHIP PROGRAM (ACTION ITEM)

Application Deadline Feb 26, 2010 - Award Date Spring 2010 – AmeriCorps Members recruited by end of September 2010. Project Period - 3 years renewable to 10 years

The recruitment and training of AmeriCorps Members will provide structural capacity to enhance and accelerate collaboration, volunteer recruitment and training, development of educational curricula, and support projects to protect and improve watershed in the Catawba River Basin. Projects will include stormwater program elements, watershed restoration, public education and awareness, volunteer training, residential assistance projects, student service learning clean water initiatives. The overarching focus is water stewardship for sustainable communities.

- The geographic region for this grant is the Catawba River Basin starting at the headwaters in NC and including Mountain Island Lake, the watershed area for the river to the SC line.
- The lead applicant will be Centralina Council of Governments who has agreed to provide the projects financial oversight. A fulltime Program Director will be funded out of grant. Catawba River Basin COG’s (Western Piedmont and Centralina) will be reimbursed for regional assistance and project support.
- Partner host sites will provide a share of funding based on the number of AmeriCorps Members (part-time to full-time) supervised. Proposed host partners: Local Governments in the Catawba River Basin, regional non-governmental organizations.

- Host sites will provide matching funds (24% first year) for: living allowance, insurance, space and equipment needs and provide direct supervision of individual AmeriCorps Members placements. In addition host sites will participate in cross training of all members, and collaborate on Basinwide projects as well as public awareness efforts.
- Create a minimum of twenty (21) full and part-time jobs.

Staff has discussed the project with proponents and Centralina COG staff and recommends further exploration of the project's potential to support local environmental stewardship programs (particularly stormwater management) and other general green government goals.

Lee Anderson moved to "Approve project support and development of Catawba River Basinwide AmeriCorps Water Stewardship Proposal" Seconded by Allen Steward, approved unanimously. WPCOG Policy Board will take action at the November 24<sup>th</sup> meeting.

#### WATER RESOURCE UPDATES

Mr. Gallegos gave a brief overview regarding recent fall training in TMDLs, 303d listing Stormwater Program Audits, Trends in Environmental Finance, and Raingarden Certification.

RiverKeeper helped to identify ambient monitoring error on Wilson's Creek (monitoring wrong creek past couple years). It will be removed from draft 2008 list. However the recently monitored tributary Stackrock Creek will be added to impaired surface water list for low pH of unknown cause, (natural conditions are likely).

New grant submitted on October 20th, "Implementation Selected Recommendation from lake Rhodhiss Watershed Restoration Plan" partnering with RC&D, Isothermal Planning and Development Commission and Lenoir Rhyne University. Seeking \$27,311 from the North Carolina Department of Environment and Natural Resources to further develop and begin implementation of five (5) of the non-structural strategies found in the Lake Rhodhiss Watershed Restoration Plan.

1. Regional Coordination:
2. Green Development Practices:
3. Education and Outreach:
4. Water Quality Monitoring:
5. Volunteer Water Monitoring Coalition:

2009 Catawba River Basinwide Plan delayed, out for public review in early 2010.

The WPCOG is in month two of 205j ARRA grant to work with the Catawba-Wateree Water Management Group. This will be a joint project with the Centralina Council of Governments, focused on their water efficiency/conservation education and outreach. In survey and benchmarking stage

The Stormwater Group (SWWG) has been interested in forming a partnership to implement phase II regulations. City of Hickory administration last week approved a contract with WPCOG to subcontract with Dr Brzorad to assist with education and outreach and jumpstart a regional stormwater partnership.

#### OTHER BUSINESS

There being no further business, the meeting was adjourned at 1:15 pm

Next meeting scheduled for January 13<sup>th</sup>