



New Hanover County  
Local Watershed Planning Group

## MEETING SUMMARY

Wednesday, January 3, 2001 meeting held at the Cape Fear Riverwatch Educational Ctr.

### Next Meeting scheduled for Wednesday, February 7, 2001

- ◆ Results of watershed concerns rankings
- ◆ Bonnie Duncan, NCWRP, will provide the group with an overview of the technical watershed assessment that will be performed by KCI Associates.
- ◆ Discussion about prioritizing subcatchments in the watershed- KCI Associates has recently asked for the group's help in identifying the subcatchments of the watershed in which they should conduct their detailed analyses.

The meeting will be held at the Cape Fear Riverwatch Educational Center from 6:30 p.m.- 8:30 p.m. The public is welcome to observe

#### Group Members/alternates present:

Jim Bordeaux, Castle Hayne Steering Committee  
Don Cooke, CP&L  
Jabe Hardee, Cameron Company  
Curt Hensyl, Local watershed resident  
David Mayes, City of Wilmington  
Matthew McIver, UNCW (for Marian McPhaul)  
Chris O'Keefe, New Hanover Co. Planning  
Michael Pope, Sierra Club, Wrightsboro Community  
Stacy Smaltz/Bouty Baldrige, Cape Fear River Watch  
Tommy Tew, Corbett Timber Co.

#### Group members not present:

Karen Moorefield, Carolina Heights Neighborhood  
Randy Turner, NCDOT  
Curtis Wright, Coucil of Neighborhood Assoc.

#### Support staff & guests present:

Annie Ruth Montgomery, guest  
Barbara Miller, guest  
Bonnie Duncan, NCWRP  
Ron Ferrell, NCWRP  
Suzanne Klimek, NCWRP  
Christy Perrin, WECO/NCSU  
Kevin Schneider, Cape Fear River Watch volunteer  
Bob Stroud, NC Division of Coastal Management  
Bennett Wynne, NC Wildlife Resources Commission

### Positions and Interests

At the beginning of the December meeting, members were given the opportunity to express their positions and interests in respect to the watershed and this watershed planning process. Understanding individual interests is an essential component to collaborative decision-making. Positions and interests were defined for the group as follows:

**Position:** *What is it you want from the process?*

**Interest:** *Why it is you want what you want? The reason behind the position*

Group members who were not in attendance in December provided their positions and interests at the January Meeting:

#### **Marian McPhaul, Lower Cape Fear River Program:**

**Positions:** LCFRP objectives are to develop an understanding of processes shaping and controlling ecology of the lower Cape Fear River basin and provide a mechanism for information exchange and public education. This watershed planning project will achieve these goals locally.

**Interests:** If the causes of water quality degradation in the watershed can be assessed and understood, restoration and protective measures may be prioritized and commenced. Changes will really take place in small streams and wetlands.

**Jabe Hardee, Cameron Company:**

**Positions:** Representing Cameron Company from forestry and development views.

**Interests:** Wants to learn what we can about clean water and individual property rights.

*Continued on Page 2*

## Overview of N.C. Wetlands Restoration Program

Presentation by Ron Ferrell, Program Manager, N.C. Wetlands Restoration Program

Ron Ferrell provided an overview of the N.C. WRP and provided some examples of the work accomplished so far by the program. A copy of his presentation is available (and was included with the mailing of this summary).

Questions for Ron:

*Q: What was in the stream bed in the slide of the Stone Mountain State Park restoration project?*

A: In that picture you see a *rock vein*, which diverts water flow, and a *root wad*, which provides erosion protection and provides fish habitat. These tools are called *bioengineering* tools.

*Q: How do you control sedimentation from restoration construction?*

A: Some erosion and sedimentation control is done—we work with the Division of Land Quality, who monitors our work. Some temporary sedimentation does occur in the process, but after completion less sedimentation goes into the stream over the long term.

*Q: After a developer pays into the fund for mitigating their impacts, what does the Wetlands Trust Fund do with the money?*

A: We must conduct the mitigation. The USACE sends a letter saying they have accepted the mitigation payment. The NCWRP is then legally liable for implementing mitigation.

*Q: Is the NCWRP supported from money raised through compensatory mitigation?*

A: The NCWRP employs 15 staff. Nine positions are funded from a legislative appropriation, two are funded from grants, and four are funded through payments. Less than 1% of payments are used to pay for staff.

*Q: If a developer wants to fill wetlands and pays the mitigation money, then who continues with it?*

A: The NCWRP finds sites, for example through this

planning process. It is our responsibility to find sites and implement projects.

*Q: Do you always purchase the sites?*

A: Not necessarily. We take donations of property, or the owner can keep their land but must have a conservation easement placed on it.

*Q: When you find a piece of property for a project, do you have a set fee for purchase or do you negotiate?*

A: The state property office handles all of the transactions. They negotiate up to a point based on market values. NCWRP only offers the appraised values or slightly more if the project is an exceptional one. We try to be good stewards of public funds.

*Q: Do you have power of eminent domain?*

A: No. We believe that there are enough sites and willing landowners for success. The General Assembly asked if we wanted that power and we turned it down.

*Q: Are there any mitigation banks around?*

A: The closest is in Cumberland County. There are three approved banks in Craven and Tyrell County also.

*Q: Who approves mitigation banks?*

A: It goes through the USACE who then contacts resource agencies. A “Mitigation Banking Review Team” reviews the restoration plan and sets the credit amount. It is a detailed process and the plans are thoroughly reviewed.

*Q: If you buy the land fee simple, do you keep it?*

A: Yes. Or we may provide funds for a local land conservancy to manage the property.

*Q: What is your monitoring regime?*

A: We have to monitor a project for five years.

*Q: What makes a good restoration project?*

A: It needs to be well designed. There needs to be an extensive study to understand the hydrology and the needed vegetation. We need to ensure that it benefits watersheds.

*Continued on Page 3*

## Overview CAMA Land Use Planning with the Division of Coastal Management

Presented by Bob Stroud, NC Division of Coastal Management (NCDCM), Wilmington District Office

Bob Stroud provided an overview of CAMA, the coastal Area Management Act. Copies of his presentation are available upon request.

Some highlights of his presentation include:

### About CAMA:

CAMA applies to the 20 coastal counties. It is administered by the Division of Coastal Management, which has staff in Raleigh and local permitting officers in its four coastal districts. The Wilmington district covers Onslow, Pender, New Hanover, and Brunswick counties. The Wilmington District Planner is Alex Marks. The NCDCM is managed by the Coastal Resources Commission, consisting of 15 governor-appointed members. A Coastal Advisory Council, comprised of 47 people who are nominated in local communities or represent coastal interests and state agencies.

The requirements for CAMA are

- Resource Protection
- Land Use Planning

To accomplish its resource protection goals, the DCM is involved with:

- Permitting- for coastal development activities
  - *Major permit:* Also a USACE 291 general permit. DCM Field report describes the project and possible impacts. Report goes to State Review Agencies for recommendations. At same time, report goes to Federal Review Agencies for recommendations. Then, CAMA and COE permits are issued
  - *Minor permit:* For <1 acre. Takes 25 days to obtain
- Enforcement
  1. Land Use Planning- purpose is to move a community toward specific goals for the future and provide a process for reaching those

goals. It's an opportunity to develop local policies/requirements for guiding development within CAMA Areas of Concern (AEC)

- Beach Access
- Estuarine Sanctuaries

### Coastal Shoreline Protection Initiative

This initiative addresses inland and estuarine waters. Components include an expansion of the Area of Environmental Concern (AEC)/permit area, 30 foot vegetated buffers on all navigable public trust waters, built-upon/impervious surface limits, and addresses shoreline stabilization.

Website for more information:

[Dcm2.enr.state.nc.us](http://Dcm2.enr.state.nc.us)

### Questions for Bob:

Q: *What is the NCDCM's jurisdiction?*

A: It has jurisdiction over activities in North Carolina's 20 coastal counties. Silviculture and agriculture are exempt from CAMA.

Q: *Will the NCDCM extend their authority upstream from the coastal counties?*

A: That is not likely. In recent years we have seen a 70% increase in permit load, but a zero % increase in field staff.

Q: *What defines "navigable"?*

A: In North Carolina, navigable is defined as the ability to paddle a canoe on it, and ability to portage over blockages.

Q: *How does the required buffer interact with forestry?*

A: Forestry activity is exempt from CAMA.

Q: *What if a clearcut tract gets developed?*

A: There is not a lot of forestry activity where we are active.

Q: *How does CAMA help a resident of the Wrightsboro community?*

A: The CAMA permit program does not directly affect you, but the land use planning process can be used by you and other citizens to express concerns when New Hanover County updates their plan.

Q: *Would wetlands restoration projects need a permit?*

A: The NCDWM is not enamored with mitigation. We are currently undergoing a review of our mitigation policies. If wetlands policies get more lenient, there could be increasing water quality problems. We are losing a lot of wetlands. Water quality is getting worse, although it is not as bad as if no regulations were in place.

### **Watershed Concerns continued...**

The group revisited their list of watershed concerns that they brainstormed in December, in order to see if they needed to add anything. They were presented with the list of headings they identified, with specific concerns summarized below each heading. Their additions are in italics.

#### **Flooding**

- ◆ Consistent, increased volume and frequency of
- ◆ Property damage
- ◆ How well do wetlands control it?
- ◆ Impervious surface as possible cause?

#### **Growth and Development**

- ◆ Urban sprawl
- ◆ Impacts on wetlands/streams?
- ◆ Orderly development
- ◆ *Transportation congestion- alternatives*

#### **Aquatic & Wildlife Habitat**

- ◆ Loss of
- ◆ Protection/increase of
- ◆ Fisheries

#### **Education and Community**

- ◆ Increase public awareness
- ◆ Involve public

#### **Quality of Life**

- ◆ Promoting economic opportunity
- ◆ Values of property/wetlands
- ◆ Trash/pet waste
- ◆ Auto transportation options
- ◆ Open space preservation
- ◆ Natural resource quality
- ◆ Recreation

#### **Water Quality**

- ◆ Impaired waters on (303)d list
  - Sedimentation
  - Fecal coliform bacteria
  - Wetland drainage effect on water quality?
  - Non-point source pollution
  - *Ground water quality*

***Decision and Action Steps:*** *The Group decided to rank the concerns they identified to provide an order to their investigation of them. They asked that they be sent an email or fax form with directions for ranking the concerns. This assignment will be sent out before the next meeting so that Group members can respond and their rankings tallied. **If you are a member of the watershed planning group, please keep your eyes open for this form, fill it out and then send it back via email or fax before February 5<sup>th</sup>.***

*For more information about the New Hanover County Local Watershed Planning Group, contact Christy Perrin at (919) 515-4542, email: [christy\\_perrin@ncsu.edu](mailto:christy_perrin@ncsu.edu)*

