



New Hanover County Local Watershed Planning Group

MEETING SUMMARY

Wednesday, July 10, 2002 meeting held at the Cape Fear River Watch.
Summaries available on WECO website: www.ces.ncsu.edu/WECO

PLEASE NOTE: WE WILL MEET AT 5:45 P.M. AT FOREST HILLS ELEMENTARY SCHOOL ON AUGUST 7, THEN MOVE TO THE CAPE FEAR RIVER WATCH AND HAVE PIZZA THERE. PLEASE BRING A COUPLE DOLLARS FOR PIZZA.

Next meeting scheduled for Wednesday, August 7

Agenda:

- ◆ **Streamside Overview of Burnt Mill Creek**
- ◆ **Discussion of Stormwater Regulations**
- ◆ **Discussion of Greenfield Lake Pet Waste Recommendations**
- ◆ **Finish Review of Draft Watershed Plan**

Group Members/alternates present:

Bouty Baldrige, Cape Fear River Watch
Michael Pope, Sierra Club, Wrightsboro Community
Dick Loeffert, Northchase Homeowners Association
Jim Bordeaux, Castle Hayne Steering Committee
Matt Hayes, City of Wilmington
Tommy Tew, Corbett Timber Co.
Chris O'Keefe, New Hanover County Planning
Marian McPhaul, Lower Cape Fear River Program
Shelly Miller, New Hanover Co. Soil and Water

Support staff & guests present:

Christy Perrin, WECO/NCSU
Patrick Beggs, WECO/NCSU
Bonnie Duncan, NC WRP
Jason Jolley, WECO/NCSU
Deborah Amaral, Cape Fear River Assembly

This meeting summary contains the following:

- **Project Status Update**
- **Follow-up Issues**
- **Review Watershed Plan**

Project Status Update

Burnt Mill Creek Community Meeting

Bonnie reported an outstanding turnout for the Burnt Mill Creek Community meeting. Many interested landowners attended, and a few landowners are still being tracked down. She spoke with the Forest Hills Apartment owners and will work with them to sure up an easement. She is also working with the City attorney to put utility language in the easement agreement. Currently, the focus is on restoring Mineral Springs Branch and the small piece of Burnt Mill Creek running adjacent to Forest Hills Elementary School property. Bonnie also reported that she has presented information to the New Hanover County School Board and is trying to contact landowners on the other side of Metts Avenue, who did not attend the Community Meeting.

Modeling and Project Update

Bonnie reported that she has data from Mike Mallin indicating curiously high levels of fecal coliform in Prince George's Creek. One of the monitoring sites was immediately adjacent to a horse farm with no vegetated buffer. One other monitoring location was close to another large horse farm, which could be contributing to high fecal in this area. A package treatment plant is also located in the area and could also be contributing. The Castle Hayne Steering Committee noted problems with fecal coliform in the past. Because the lab that analyzes the samples is open at limited times, Mike Mallin was unable to collect a true first flush sample (the first rainfall), so our anticipated nutrient spikes are not depicted in the data collected.

Larry and Bonnie visited Northchase today to take site elevations regarding the drainage issue presented by Dick Loeffert. WRP is also working with the Northchase owner/developer on another project.

Larry and Bonnie also viewed other potential stream restoration sites along Laney High School property. There is a perennial stream with visible erosion and lots of sediment deposition. There is also a possibility for a bioretention area at the headwaters of this stream. They are also examining the County's new Juvenile Detention Center and other County owned property.

Larry and Bonnie had a difficult time locating the UNCW property off of Smith Creek Parkway on Harris Road. Chris O'Keefe noted that this was now County-owned property and he has a file on the property Bonnie can examine. Tommy Tew informed Bonnie that Harris Road is also referred to as Crooked Pine Road on some road maps.

Also, Bonnie examined the AAI site and determined that it needs stabilization, rather than restoration. Clean Water Management Trust Fund could possibly fund the project.

Deborah Amaral informed the group that she met with Dave Mayes and Bouty Baldrige to discuss projects for the Clean Water Management Trust Fund (CWMTF). They examined three potential sites.

1. A new constructed wetlands across from the rugby field
2. Using a new technology smart sponge that absorbs hydrocarbons at culvert between 12th and 13th streets across from cemetery
3. New storm capture technology that uses gravity and centrifical force to remove solids.

CWMTF is less decisive about the new technologies, but may allow them if they have been used elsewhere in NC. They will continue to search for funding and individuals to pick up and coordinate opportunities identified in the restoration opportunities document and the local watershed plan.

Follow-up Issues

Environmental Court Day

Marian McPhaul met with the area District Attorney (DA) and Assistant District Attorney to inquire about an Environmental Court Day. The DA's office has implemented some new changes and now uses every Friday as traffic court day. This has eased the regular flow of cases and has created a lot of work for the staff. They feel setting up a separate court day for environmental cases would be counter productive and think that the new flow of cases allows all cases, including environmental cases, to be given full consideration. The DA is going to email other DA's in North Carolina to determine if they have an environmental court day and provide this information to Marian. Without the support of the DA, this issue cannot move forward. Marian also offered to speak with NC

Wildlife Resources Commission regarding prosecution of wildlife cases.

Stormwater Regulations/Letter to EMC

The group previously discussed state level regulations that prevent local developers from pursuing more innovative environmental and stormwater management practices. The group considered sending a letter to the Environmental Management Commission regarding this issue, but wanted to first gather some examples from developers and stormwater professional.

Tommy Tew contacted Warren Wakeland with the Cape Fear Homebuilders Association Land Use Council to discuss the issue. He suggested that Tommy contact a couple developers who would be interested and helpful. One of those was Chris Yerkes, who is on the Cape Fear River Watch Board of Directors.

ACTION ITEM: BOUTY WILL SPEAK WITH CHRIS YERKES ON THE ISSUE AND ASK HIM TO ATTEND THE AUGUST 7TH MEETING.

Matt Hayes attended the meeting for the City of Wilmington. Matt brought some examples of regulations that prevented or provided a disincentive to developers pursuing more environmentally friendly stormwater management options.

Example 1: Time Required for State Review

Typical development scenarios go through concurrent review at the state and local level. If the landowner gets approval from the state review, which takes 90 days, they do not wish to make minimal changes recommended at the local level because this requires developers to resubmit the plans to the state and wait an additional 90 days. Because development is time-sensitive, the additional 90-day waiting period costs the developer money and delays the project.

Example 2: Stormwater Discharge Not Allowed in Existing Wetlands

Matt displayed a map where a developer was installing a parking area on a site with existing ponds and an existing wetland. State regulations prevent the release of stormwater into existing existing wetlands; therefore, pipes must be used to bypass the wetland and release the flow into an artificial retention pond. This may cause the wetland to dry up and reduce the habitat. It also fails to take advantage of the pollutant removing capacity of a natural wetland.

The group recommended we ask Linda Lewis, the local

Stormwater Director to attend a meeting to discuss our concerns and acquire more information on state regulations.

Greenfield Lake Pet Recommendations

The group elected to discuss these recommendations at the next meeting, once the group has another chance to review them.

ACTION ITEM: WECO WILL SEND A COPY TO MARIAN MCPHAUL, SINCE SHE DID NOT RECEIVE A COPY WHEN THESE WERE DISCUSSED INITIALLY.

Letter to County Commissioners

Jason Jolley read the changes made to the letter to County Commissioners regarding the Stormwater Roundtable Report. Changes were made to highlight some group members' concern that the UDO did not exempt silvicultural and agricultural activities. Some concern was expressed that the UDO's tree ordinance violated private property rights. Group members wanted to consider endorsing the Roundtable recommendations without supporting the UDO, under the pretense that the group did not have the expertise to examine and recommend support of the UDO.

ACTION ITEM: It was also suggested that the reference to the amount of removal of nitrogen and phosphorus be removed from the letter and any specific information like this could be referenced in the plan which could be attached to the letter.

ACTION ITEM: REVIEW WATERSHED PLAN

Christy reviewed a draft plan of the watershed with the group. At the August meeting, the group will discuss how they wish to distribute the plan. She asked them to focus on two questions while reviewing the draft.

- ◆ Do you agree that what is written is what happened, and what the group agreed upon?
- ◆ If not, how can it be changed to reflect your understanding?

Some group members expressed concern that the group has a larger purpose than just focusing on water quality, because some initial concerns focused on flooding and other issues. Other group members thought the group's purpose was to pick sites for WRP.

Changes to Watershed Plan:

- ✓ **ACTION ITEM: INCLUDE CONTENT FROM THE PARAGRAPH ON PAGE 9, WHICH OUTLINES THE GROUP'S PURPOSE, ON PAGE 3.**

- ✓ **ACTION ITEM: CHECK WITH JABE TO FIND OUT IF HE IS COMFORTABLE BEING LISTED AS REPRESENTING DEVELOPMENT INTERESTS AND LIST DOT (TRANSPORTATION) AS AN INTEREST.**

- ✓ **ACTION ITEM: ADD ENVIRONMENTAL INFRACTIONS IMPROVEMENT AS A GOAL/ACTION THE GROUP IS TAKING.**

- ✓ **ACTION ITEM: ADD AN APPENDIX WITH A SUMMARY PARAGRAPH FOR EACH REFERENCE DOCUMENT. THIS COULD HELP GUIDE PEOPLE USING THE PLAN TO MORE DETAILED REFERENCE INFORMATION.**

- ✓ **ACTION ITEM: CHRIS O'KEEFE OFFERED TO ASSIST IN MAKING COLOR COPIES OF THE KCI STUDIES AND SOURCE DOCUMENT, SO A COPY CAN BE PLACED IN THE PUBLIC LIBRARY. AN ORIGINAL WILL BE STORED AT THE CAPE FEAR RIVER WATCH.**

- ✓ **ACTION ITEM: ADD A TABLE OF CONTENTS TO THE PLAN.**

- ✓ **ACTION ITEM: ON PAGE 23 IT WAS SUGGESTED THAT WE ADD A MATRIX OF RECOMMENDED PROJECTS AND FUNDING SOURCES FOR IMPLEMENTING THESE PROJECTS.**

- ✓ **ACTION ITEM: BOUTY WILL PRESENT INFORMATION ON THE BROWNFIELD (LOVE GROVE LANDFILL), WHICH JUST RECEIVED AN EPA BROWNFIELDS GRANT. IF THE GROUP CONCURS WITH THE PROJECT, IT CAN BE ADDED TO THE LIST.**

- ✓ **ACTION ITEM: BONNIE WILL ADD SEVERAL PARAGRAPHS ON DECISION-MAKING TO EXPLAIN HOW THE WATERSHED AND THE SUBCATCHMENTS IN THE WATERSHED WERE SELECTED.**

- ✓ **ACTION ITEM: THE FONT USED IN THE DOCUMENT WILL BE CHANGED.**
- ✓ **ACTION ITEM: BONNIE OFFERED TO CHANGE THE SECTION ON PAGE 24, BY EXPLAINING WHY BURNT MILL CREEK IS ON THE 303(D) LIST AND EXPLAINING WHAT BIOLOGICAL IMPAIRMENT MEANS.**
- ✓ **ACTION ITEM: TOMMY WILL OFFER RECOMMENDATIONS REGARDING SECTION C, PAGE 25 WHICH STATES THAT STREAM RESTORATION IMPROVES WATER QUALITY.**
- ✓ **ACTION ITEM: MARIAN VOLUNTEERED TO OFFER RECOMMENDATIONS TO MODIFY SECTION D, PAGE 25. THE GROUP EXPRESSED CONCERN THAT THE CURRENT WORDING IN THE PLAN WAS NOT SENSITIVE TO THE ISSUES FACING MANY AFRICAN-AMERICANS WHO FISH IN BURNT MILL CREEK.**

NEXT MEETING: THE GROUP WILL BEGIN THEIR DISCUSSION WITH LETTER E, PAGE 25.

What does the New Hanover Local Watershed Plan *look like*?!

Good question! WECO is compiling a summary of the Group's activities, decisions, recommendations, and actions to serve as their Watershed Plan. WECO has sent drafts for the Group to review for accuracy and to help edit. The Plan will not be written in stone, but will act as a guidance document for agencies and the watershed community.



Help us make a training video!!

WECO and Steve Smutko, Natural Resources Leadership Institute, have recently received a small grant from the North Carolina Cooperative Extension Service to make a training video on collaborative watershed groups and the principles that make them successful. We will be highlighting the efforts of the New Hanover Watershed Group in this video.

We will be filming footage for the video at Forest Hills Elementary School before our **August 7 meeting**. Sonya Williams with Cooperative Extension's Communications Services Department will contact Group members prior to the meeting to provide the questions ahead of time and inform of the specifics of our shooting schedule.

We look forward to working with you on this exciting project! Contact Christy if you have any questions at (919) 515-4542 or christy_perrin@ncsu.edu.

For more information about the New Hanover County Local Watershed Planning Group, or to be removed from this mailing list, contact Christy Perrin or Jason Jolley at (919)515-4542
Email: christy_perrin@ncsu.edu

