

MINUTES
NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION
COMMISSION'S TECHNICAL COMMITTEE
AUGUST 19, 2021
ONLINE WEBEX MEETING

The North Carolina Sedimentation Control Commission's Technical Committee met on August 19, 2021 at 3:30 p.m. online via WebEx. The following persons were in attendance for all or part of the meeting:

COMMITTEE MEMBERS

Mr. Mark Taylor (Chair)
Ms. Karyn Pageau (Vice Chair)
Mr. AJ Lang, PhD
Mr. Donald Pearson
Dr. Rich McLaughlin
Ms. Toni Norton
Mr. Steve Albright

OTHERS

Mr. Toby Vinson, Program Operations Chief, DEMLR, DEQ
Ms. Julie Coco, State Sediment Specialist, DEMLR, DEQ
Mr. Graham Parrish, Assistant State Sediment Specialist, DEMLR, DEQ
Ms. Rebecca Coppa, Sediment Education Specialist, DEMLR, DEQ

Minutes:

Chair Mark Taylor began the meeting at approximately 3:30 pm.

Draft meeting minutes from 7/7/21 and 7/15/21 were approved by consensus.

Mr. Taylor opened the floor to any questions that the Committee still has on procedural issues. None were brought forth.

Mr. Taylor brought the following topics up for future clarification:

- Prioritization of topics. Such as drafting new standards versus editing current standards. New standards are a void that needs to be filled but are more time-consuming while editing existing ones could be finished quickly.
- How big of steps is the Committee looking to/should take with their work effort? What are the expectations for how detailed/thorough the edits should be? Minimum step

being just address what's been asked for. Maximum being a complete edit/comprehensive update, including looking at what other agencies/states are doing, what new technologies exist, etc.

- How far should the Committee's reach be, how far should the Committee look beyond the comments provided to other manuals/standards and what other states are doing. Should they only be looking at neighboring states (similar climates) or all states, etc.?
- If a screening process for conflicting edit requests from various sources is needed. For example, should DEMLR Central Office (CO) staff screen requested edits from various DEMLR Regional Office staff to the Committee or should the conflicting requests be left for the Committee to determine which would be better?

Mr. Taylor opened up the floor for conversation in response to the topics he brought up. Mr. Pearson suggested that after the workgroup updates today there may be clearer direction in what approaches were taken, how DEMLR staff will respond to their approaches, and what questions the workgroups have for DEMLR staff.

Dr. McLaughlin gave the update for his and Ms. Smith's workgroup. Their group had talked with the RRO personnel who submitted comments and Dr. McLaughlin said all the suggestions in their sections made perfect sense. The next steps would be providing the wordings and drawings to make those suggested changes. One question they (RRO staff) brought up is how long should a diversion be (maximum allowed), and suggested that may be something the Committee should add to their list of topics to address. Dr. McLaughlin also mentioned that the new head of their (NCSU) climate office is planning to give a talk on climate change impacts in NC and that may be of interest to the Committee. Their workgroup hasn't established regularly occurring meetings and don't have any future meetings scheduled yet.

Ms. Pageau started the update for her and Mr. Lang's workgroup. Their group had a Teams meeting with DEMLR staff from multiple Regional Offices to discuss temporary stream crossings and construction entrances. Everyone had strong feelings about using stream fords, and they felt that it could be removed from the manual since they have never seen one installed/constructed as designed/as it should be for temporary stream crossings. They also discussed bridges and what people were using, what worked/didn't, and what controls were helpful. They also discussed culverts and again discussed the good and the bad but more specifically the design size and the permitting size that they thought should be represented stronger in the manual. They also discussed construction sequences that they'd like to see in regards to temporary stream crossings and what should be included. They discussed temporary stream crossings so long that they didn't get to construction entrances during that meeting. Mr. Lang added that they also discussed placing an emphasis on the approach ways to the stream itself and what efforts can be added to curb sediment coming from the approach ways. Ms. Pageau added that there isn't anything in the manual really that talks about cofferdams or impervious dikes to facilitate stream diversion. Their question is who would do the details, and would the DEMLR CO staff help support the Committee in that way. Their other question is

what format DEMLR CO staff would want the feedback/suggestions back in. They are still determining how frequently they want to meet, probably every 2 weeks via Teams.

Mr. Taylor added a procedural question for DEMLR CO staff of how the workgroups should contact DEMLR Regional Office staff.

Mr. Pearson started the update for his and Mr. Albright's workgroup. Mr. Pearson stated that their topics weren't really specific to design but instead more the construction sequence and maintenance topics portions of the manual. They reviewed the comments from RRO staff and where the language may fit in the manual sections and what revisions or additions may be needed. Mr. Pearson also mentioned that the NCG01 included language that addresses some of the comments and it may just be possible to incorporate that via reference. They didn't get to discussing the proposed practice standards assigned to them in detail yet. They tentatively plan to schedule calls via phone approximately every two weeks.

Mr. Albright asked about the design manual approval process if it's something simply generated by DEMLR staff and they say it's done, or does it have to be adopted by the Sedimentation Control Commission. Mr. Taylor answered that the historical workflow was that the Commission or DEMLR staff first recommend changes/additions to the Committee, the Committee then work to make those changes/additions, the Committee and DEMLR staff then come to a consensus on the changes and they are then brought back to the Commission for final approval before the manual is updated. Mr. Vinson added that these Manuals fall within the Commission's "tools, recommendations, and guidelines" portion of the rules and are therefore considered the Commission's publications. Mr. Vinson also added that ideas for changes/additions don't only have to come from the Commission that they can also come from other sources such as the Committee members. Mr. Taylor added that topics may also come from the legislature that the Committee then helps DEMLR staff provide technical comment/s on. Mr. Vinson expanded to include that updates could come from other updated permits or agencies that impact DEMLR's operations or technical designs.

Mr. Albright pointed out that all of these comments/recommendations are from regulators and asked if there are any comments/input from the regulated community/other stakeholders and how to even go about getting those comments for inclusion. Mr. Taylor commented that, at the very least, there are a diversity of interests on both the Committee and Commission, by design in the case of the Committee and by statute in the case of the Commission. Mr. Vinson added that DEMLR staff brings recommendations to the Committee that are often brought to them by different stakeholders.

Mr. Taylor started the update for his and Ms. Norton's workgroup. They have attempted to meet (virtually) weekly to discuss their topics/progress. They divided the standards they were assigned between themselves so they could work independently and then report back on the progress of those. They've marked up the Manual sections with their initial edits and need to review them together/discuss any conflicting edits/recommendations. Ms. Norton has looked

at some other agencies/sources for existing compost sock standards as well as reviewing the comments that were submitted by DEMLR staff. In summary they are first looking at the submitted comments, how it changes the manual, if there are any conflicts that need addressed, and then after incorporating those changes looking further to see what other states/agencies are doing and what should be incorporated.

Mr. Taylor opened the floor for open discussion on progress and needs. Mr. Taylor began the discussion by reminding the Committee of the resources and collaborative tools that should be used on the Committee SharePoint, including the shared calendar, the Q&A log, and the resources folder. Mr. Taylor also reminded the Committee that there can't be more than three (3) Committee members in any meeting/call at one time without violating public meeting laws. Mr. Taylor proposed some platform of communication to send questions to other workgroups/Committee members and plans to discuss the feasibility of that with Ms. Coppa before the next meeting.

Dr. McLaughlin asked what they envisioned as the work product/end point for the different workgroups, such as editing the actual text of the Manual and along that line if a diagram is needed are the Committee members supposed to find one somewhere?

Mr. Taylor said his plan, based on historical precedent, is for workgroups to review, research and comment, edit/expand, and forward results and recommendations to the full CTC (via the Chair) for further review and comment, then turn over to DEMLR for review and finalization, or remanding to the CTC if necessary. Chair Taylor and Vice-Chair Pageau plan to seek further guidance/clarification from DEMLR on questions of detail wanted from the Committee on edits/new material and draft drawings before the next meeting.

Mr. Taylor proposed that the next regularly scheduled meeting be 3:30-5:00 pm with general consensus.

Mr. Taylor ended the meeting at 5:01 pm