

MINUTES  
NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION  
NOVEMBER 15, 2022  
TRAINING ROOM, GREEN SQUARE BUILDING  
RALEIGH, NORTH CAROLINA

The North Carolina Sedimentation Control Commission met on November 15, 2022, at 10:00 a.m. in person in Room 1210 of DEQ's Green Square Building located at 217 W. Jones Street and remotely. The following persons were in attendance (either in-person or remotely) for all or part of the meeting.

**COMMISSION MEMBERS**

Dr. Susan White (Chair)  
Mr. Benjamin Brown  
Mr. Michael Taylor (absent)  
Dr. Richard McLaughlin  
Mr. Hartwell Carson  
Ms. Emily Sutton  
Ms. Marion Deerhake  
Mr. Mark Taylor  
Mr. Michael Willis  
Mr. Steven Wilson

**OTHERS**

Mr. Brian Wrenn, Director, DEMLR  
Mr. Brad Cole, Regional Operations Chief, DEMLR  
Mr. Toby Vinson, Program Operations Chief, DEMLR  
Mr. Graham Parrish, State Assistant Sedimentation Specialist, DEMLR  
Ms. Julie Coco, State Sedimentation Specialist, DEMLR  
Ms. Rebecca Coppa, State Sedimentation Education Specialist, DEMLR  
Ms. Davy Conners, Environmental Program Consultant, DEMLR  
Ms. Sarah Zambon, Commission Counsel, Attorney General's Office  
Mr. Jeevan Neupane, Wake County  
Ms. Karyn Pageau, Wake County  
Mr. Brian Wall, Wake County  
Mr. Trevor Spencer, High Point  
Mr. Nick Tosco, attorney representing the city of High Point  
Ms. Meghan Maguire, High Point  
Mr. Brandon Wise, Town of Boone  
Mr. Ike Archer, Town of Knightdale  
Mr. Robert Patterson, Town of Apex  
Mr. James Misciagno, Town of Apex  
Mr. Jonathan McNeill, Durham County  
Mr. Ryan Eaves, Durham County

Mr. Jay Wilson, City of Charlotte  
Mr. Aaron Harper, NCDOT  
Mr. Benjamin DeWit, NCDOT  
Mr. Jeremy Goodwin, NCDOT  
Mr. David Harris, NCDOT  
Mr. Dennis Jernigan, NC Turnpike Authority  
Mr. Jonathan McNeill, Durham County  
Mr. Ryan Eaves, Durham County  
Ms. Maria Pollizi – NCFS  
Ms. Tammy Sawaya – Preserve Rural Durham  
Ms. Donna Steinbeck – Preserve Rural Durham  
Ms. Pam Williams – Preserve Rural Durham  
Mr. Keith Larrick, NC Farm Bureau  
Mr. James Lamb, Soil & Water Commission

## **PRELIMINARY MATTERS**

Dr. Susan White called the meeting to order at 10:05 am.

Those in attendance introduced themselves.

Mr. Steven Wilson took the oath of office as a new member of the commission.

Dr. White asked for a motion to approve the minutes from the August 18, 2022, meeting. Dr. McLaughlin moved to approve the minutes. Ms. Sutton made a second. Mr. Carson abstained from voting; the motion passed.

Dr. Susan White read Executive Order No. 1 regarding avoidance of conflict of interest. She announced any potential conflicts with the Commission members and reminded them to recuse themselves from any discussions related to those conflicts.

## **ACTION ITEMS**

### **2023 Local Program Workshop**

Chair White recused herself from this action item. Ms. Coppa gave an overview of the purpose of the contract with the Water Resources Research Institute (WRRRI) for the Local Program Workshop, announced the dollar amount proposed within the contract, and recommended allowing for use of the funds. Mr. Carson made a motion to approve the recommendation made by the DEMLR staff. Mr. Willis made a second. The motion passed.

### **County of Watauga Local Program Review**

Mr. Parrish presented the findings from his review of this program. Staff's recommendation was to continue the county's delegation. Mr. Carson made a motion to approve the recommendation made by the DEMLR staff. Mr. Willis made a second; the motion passed.

### **Town of Boone Local Program Review**

Mr. Parrish presented the findings from his review of this program. Staff's recommendation was to continue the town's delegation. Ms. Sutton made a motion to approve the recommendation made by the DEMLR staff. Dr. McLaughlin made a second; the motion passed.

### **City of High Point Ordinance Review**

Ms. Coco presented the city's adopted ordinance for the members to review. There were questions from the members. Counsel addressed the questions. Mr. Carson made a motion to approve the City of High Point's ordinance. Dr. McLaughlin made a second; the motion passed.

### **NCDOT Annual Program Review**

Mr. Parrish presented the findings from his review of this program. Staff's recommendation was to continue delegation of the State program. Ms. Coco added commentary. A discussion ensued. Commission requested information next year regarding river basins and geography. Chair recommended reviewing NCDOT delegation since it has not been updated recently. Mr. Carson made a motion to approve the recommendation made by the DEMLR staff. Mr. Mark Taylor made a second; the motion passed.

### **Ethics Liaison to the State Government Ethics Act**

Dr. White asked for a volunteer to self-nominate for the position of Ethics Liaison. Ms. Sutton said she is interested but would want more information before an official nomination. The action item was deferred to the next meeting.

## **INFORMATION ITEMS**

### **NCDOT Report**

Ms. Coco presented the one ICA report issued by the NCDOT and the one trout buffer waiver issued by the DEMLR to the NCDOT during the most recent reporting period.

### **Durham County Ordinance Review**

Ms. Coco introduced the county's ordinance and proposed changes for an informal review by the members. A discussion ensued. The county is anticipating have changes made and the ordinance re-adopted with the intent of coming before the commission for formal approval at the first quarterly meeting in the year 2023.

### **City of Charlotte Ordinance Review**

Ms. Coco introduced the city's ordinance and proposed changes for an informal review by the members. A discussion ensued.

### **Town of Apex Ordinance Review**

Ms. Coco introduced the town's ordinance and proposed changes for an informal review by the members. A discussion ensued.

### **Commission Technical Committee Update**

Mark Taylor is the Chair for this committee. The committee extended their meeting time to two hours. To date, they have reviewed six practice standards that are now ready for DEMLR's further review. Mr. Taylor stated that the committee is still discussing how to publish sections or chapters of the manual and is relying on DEMLR for guidance. It will be some time in the future before the practice standards are ready for publishing.

### **Land Quality Section Active Sediment Cases and Enforcement**

Ms. Coco reported on the status of civil penalty assessments and judicial actions.

### **Education Program Status Report**

The Sedimentation Education Specialist, Ms. Coppa, provided an update on the Education Program. She has attended twelve career fairs, schools, conferences, or talks whether in-person or virtually to discuss environmental issues facing us today or to educate youth on soil and water principles. The hybrid Erosion & Sediment Control Workshop is scheduled for December 1, 2022, in Raleigh on the NCSU campus. The annual Local Programs Workshop is being planned for late April of 2023, tentatively at the Wake County Common's Building.

### **Sediment Program Status Report**

Ms. Coco reported on the Land Quality Section's statewide plan approvals, inspections, and enforcement activities. Numbers were available through the end of September.

### **Land Quality Section Report**

Mr. Vinson reported that there exist 36 vacancies within the regional offices that deal with the Sedimentation Program. Current available positions include those for engineers and environmental specialists. The Department is working to fill these vacancies as expediently as possible.

### **Remission of Civil Penalties**

This agenda item was postponed until the first quarterly meeting of the year 2023.

### **Vice-Chair for the Commission**

Dr. White is seeking a new vice-chair and is asking interested parties to contact her for this role.

## CONCLUSION

**Remarks by the Director** – The Director presented the risk-based approach to erosion control plans that the Division is continuing to finalize. To streamline plan reviews, regional office environmental specialists will be trained to triage erosion control plans to facilitate efficient reviews by regional office plan review engineers. The Director also stated that December 5<sup>th</sup> would be his last day as Director of DEMLR and an interim director will be appointed.

**Remarks by Commission Members** – Mr. Willis stated that this would be his last commission meeting and named his replacement. He reflected on how far along the program has come under Ms. Coco’s leadership. Ms. Deerhake echoed the sentiments emphasized by the Director regarding a risk-based design approach.

**Remarks by the Chair** – Dr. White thanked the DEMLR for their hard work under challenging conditions and thanked the commission members for their preparation for these meetings.

**Adjournment** – The Chair adjourned the meeting at 3:11 pm.

---

Julie Coco, State Sediment Engineer  
Division of Energy, Mineral, and Land  
Resources

---

William Vinson, Jr.  
Chief of Program Operations  
Division of Energy, Mineral, and  
Land Resources

---

Susan White (Chair)  
Sedimentation Control Commission