

MINUTES
NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION
FEBRUARY 21, 2023
GROUND FLOOR HEARING ROOM, ARCHDALE BUILDING
RALEIGH, NORTH CAROLINA

The North Carolina Sedimentation Control Commission met on February 21, 2023, at 10:00 a.m. in person in the Ground Floor Hearing Room of DEQ's Archdale Building located at 512 N Salisbury St, Raleigh, 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 (Vice Chair)
Dr. Richard McLaughlin
Mr. Hartwell Carson
Ms. Emily Sutton
Ms. Marion Deerhake
Mr. Mark Taylor
Mr. Steven Wilson
Mr. David Beck

OTHERS

Brad Cole, Regional Operations Chief, DEMLR
Graham Parrish, State Assistant Sedimentation Specialist, DEMLR
Julie Coco, State Sedimentation Specialist, DEMLR
Rebecca Coppa, State Sedimentation Education Specialist, DEMLR
Davy Conners, Environmental Program Consultant, DEMLR
Josh Kastrinsky, Public Information Officer, DEMLR
Paul Clark, Water Supply Watershed Coordinator, DEMLR
Sarah Zambon, Commission Counsel, Attorney General's Office
Jeevan Neupane, Wake County
M. Kevin Fox, Town of Huntersville
Matthew Poling, Town of Fuquay-Varina
Jennifer Mitchell, Town of Fuquay-Varina
Karyn Pageau, Wake County
Brian Wall, Wake County
Matt Osborne, Winston Salem / Forsyth County
Andy Allen, Winston Salem / Forsyth County
Travis Welborn, City of Greenville
Josh Canup, Rowan County

Anne Loftin, Town of Huntersville
Stephen Trott, Town of Huntersville
Marlena Brown
Hayden Dubniczki
Daphne Zhao
Michelle Russell
Monty Freeman

PRELIMINARY MATTERS

Dr. Susan White called the meeting to order at 10:01 am.

Dr. White read Executive Order No. 1 regarding avoidance of conflict of interest. She asked if anyone has a known of a conflict of interest or potential conflicts. Mr. Steven Wilson stated that he had a conflict of interest with the Rowan County Local Program Review and will recuse himself from that discussion.

Those in attendance introduced themselves.

Ms. Emily Sutton read the evaluation of the Statement of Economic Interest filed for the newest member, Mr. David Beck. Mr. Beck swore the oath of office, and the oath was signed and notarized.

Dr. White asked for a motion to approve the minutes from the November 15, 2022, meeting. Mr. Benjamin Brown moved to approve the minutes. Mr. Wilson made a second. The motion passed.

ACTION ITEMS

Selection of Vice-Chair

Dr. White asked for a motion to approve Mr. Brown as Vice-Chair. Ms. Marion Deerhake made a motion to approve. Ms. Sutton made a second; the motion passed.

Winston-Salem/Forsyth County Local Program Review

Mr. Graham Parrish presented the findings from his review of this program. Staff's recommendation was to continue the county's delegation. A discussion ensued. Dr. McLaughlin and Mr. Carson thanked the DEMLR staff for including data on the utilization of Stop Work Orders by the Local Program. Mr. Brown made a motion to approve the recommendation made by the DEMLR staff. Dr. Richard McLaughlin made a second; the motion passed.

Rowan County Local Program Review

Mr. Wilson recused himself from the discussion and vote. Mr. Parrish presented the findings from his review of this program. Staff's recommendation was to continue the county's delegation.

Ms. Deerhake requested that the river basin of each site visited during the review be noted in the report. Ms. Sutton made a motion to approve the recommendation made by the DEMLR staff. Mr. Brown made a second; the motion passed.

Town of Fuquay-Varina Local Program Review

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

Town of Huntersville Local Program Review

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

INFORMATION ITEMS

City of Greenville Ordinance Review

Ms. Julie Coco introduced the city's ordinance and proposed changes for an informal review by the members. A discussion ensued. Dr. White encouraged the City of Greenville to request DEMLR review the ordinance prior to having the commission review.

NCDOT Report

Ms. Coco presented the one ICA report issued by the NCDOT and one inspection report that removed the ICA. No trout buffer waiver issued by the DEMLR to the NCDOT during the most recent reporting period.

Commission Technical Committee Update

Mr. Mark Taylor is the Chair of the Committee. Committee meets monthly to review practice standards reviewed by four work groups. To date, they have reviewed seven out of twenty practice standards that are now ready for DEMLR's further review. The committee is making progress and Dr. White commended their work.

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

Ms. Rebecca Coppa provided an update on the Education Program. The annual Local Programs Workshop is being planned for April 19 & 20, 2023, at the Wake County Common's Building. The hybrid in-person and virtual NC E&SC Workshop (formally the E&SC Design Workshop) was held on December 1, 2022, in Raleigh at the McKimmon Center.

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 January.

Land Quality Section Report

Ms. Coco reported that there are 32 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.

Remissions of Civil Penalties

Ms. Sarah Zambon, Commission Counsel, provided an overview of the criteria and process for hearing, deliberating, and voting on requests for the remission of civil penalties.

CONCLUSION

Remarks by Commission Members

None.

Remarks by Chairman

The Remission Committee will meet after a ten-minute break. If there are agenda topics for which the commission members would like to be educated, please reach out to Dr. White.

Adjournment

The Chair adjourned the meeting at 12:32 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