

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY PLANNING BOARD

**MEETING DATE:** December 18, 2014

**SUBJECT:** Lower Mills River-Asheville Watershed (WS-III-BW) Boundary Change

**PRESENTER:** Matt Champion, Planner

**ATTACHMENTS:** 1. Approval Letter from NCDENR  
2. PowerPoint

### **SUMMARY OF REQUEST:**

On November 6, 2014, the North Carolina Department of Environment and Natural Resources (NCDENR) approved a request to adjust the Lower Mills River-Asheville Watershed (WS-III-BW) boundary. Henderson County Planning Department Staff submitted a revised map to NCDENR on behalf of the Town of Mills River and WGLA Engineering.

WGLA Engineering discovered the existing WS-III-BW boundary did not drain into the Mills River as previously depicted in the current watershed map. The area in question is located near NC Highway 280 in the Town of Mills River municipal limits. The proposed WS-III-BW boundary would remove approximately 117 acres from the existing WS-III-BW boundary. A total of 31 parcels would be affected by the proposed WS-III-BW boundary change, with 7 parcels being removed entirely and 24 parcels seeing a reduction in the WS-III-BW boundary on their property. The proposed WS-III-BW boundary does not affect any new parcels that are not already found in the existing WS-III-BW boundary nor increase the existing water supply watershed boundaries.

All local government's critical and protected area boundaries must be approved by the Division of Energy, Mineral, and Land Resources (DEMLR) prior to adoption by the local government. DEMLR, a division of NCDENR, approved the proposed modification.

Henderson County Board of Commissioners must hold a public hearing to amend the official water supply watershed map to reflect the approved boundary change. The property owners affected by the new WS-III-BW boundary were notified prior to the Planning Board through mailings and physically posting the property.

### **Suggested Motion:**

I move that the Planning Board recommend the Commissioners approve the proposed Lower Mills River-Asheville Watershed (WS-III-BW) boundary change for Henderson County as approved by the NCDEMLR on November 6, 2014.



North Carolina Department of Environment and Natural Resources  
Division of Energy, Mineral, and Land Resources

Tracy E. Davis, PE, CPM  
Director

Pat McCrory, Governor  
John E. Skvarla, III, Secretary

November 6, 2014

Autumn Radcliff  
Henderson County Planning Department  
100 North King St.  
Hendersonville, NC 28792

**Subject: Approval of Water Supply Watershed Map Change**

Dear Ms. Radcliff:

The purpose of this letter is to inform you that the Division of Energy, Mineral and Land Resources (DEMLR) has reviewed and approved the proposed modifications to Henderson County's Watershed Map received by our office on September 26, 2014. DEMLR approved the map in accordance with North Carolina General Statute 143-214.5 and North Carolina Administrative Code 15A NCAC 2B .0100 and .0200. Specifically, 15A NCAC 2B .0104(o) requires that all revisions to the Environmental Management Commission's (EMC) or the local government's critical and protected area boundaries be approved by the EMC (or its designee) prior to adoption by the local government.

Henderson County submitted the revised map in response to a request from the Town of Mills River and its residents to adjust the watershed boundary of the Lower Mills River - Asheville watershed (Class WS-III-BW) near NC Highway 280. WGLA Engineering (previously William G. Lapsley & Associates) discovered through the course of their work that an area along the east side of NC 280 does not drain to the Mills River as depicted on the county's existing watershed map. Aerial topographic survey information, NCDOT Lidar topographic information and field visits were used to create the revised watershed map. We agree that the revised map you submitted for approval does represent the location of the Lower Mills River WS-III-BW watershed boundary more accurately than the existing map.

Amendments to North Carolina Administrative Code 15A NCAC 2B .0304 (French Broad River Basin) will not be required in this case. However, we will need to update our centralized map to reflect this revised boundary. Please provide us with a GIS shapefile and hard copy of the county's final map upon its adoption.

Lastly, please be advised that new development projects in the area removed from the WS-III-BW may now be subject to NPDES Phase 2 stormwater requirements.

Thank you for your assistance with this process. Please let me know if you have any questions.

Sincerely,

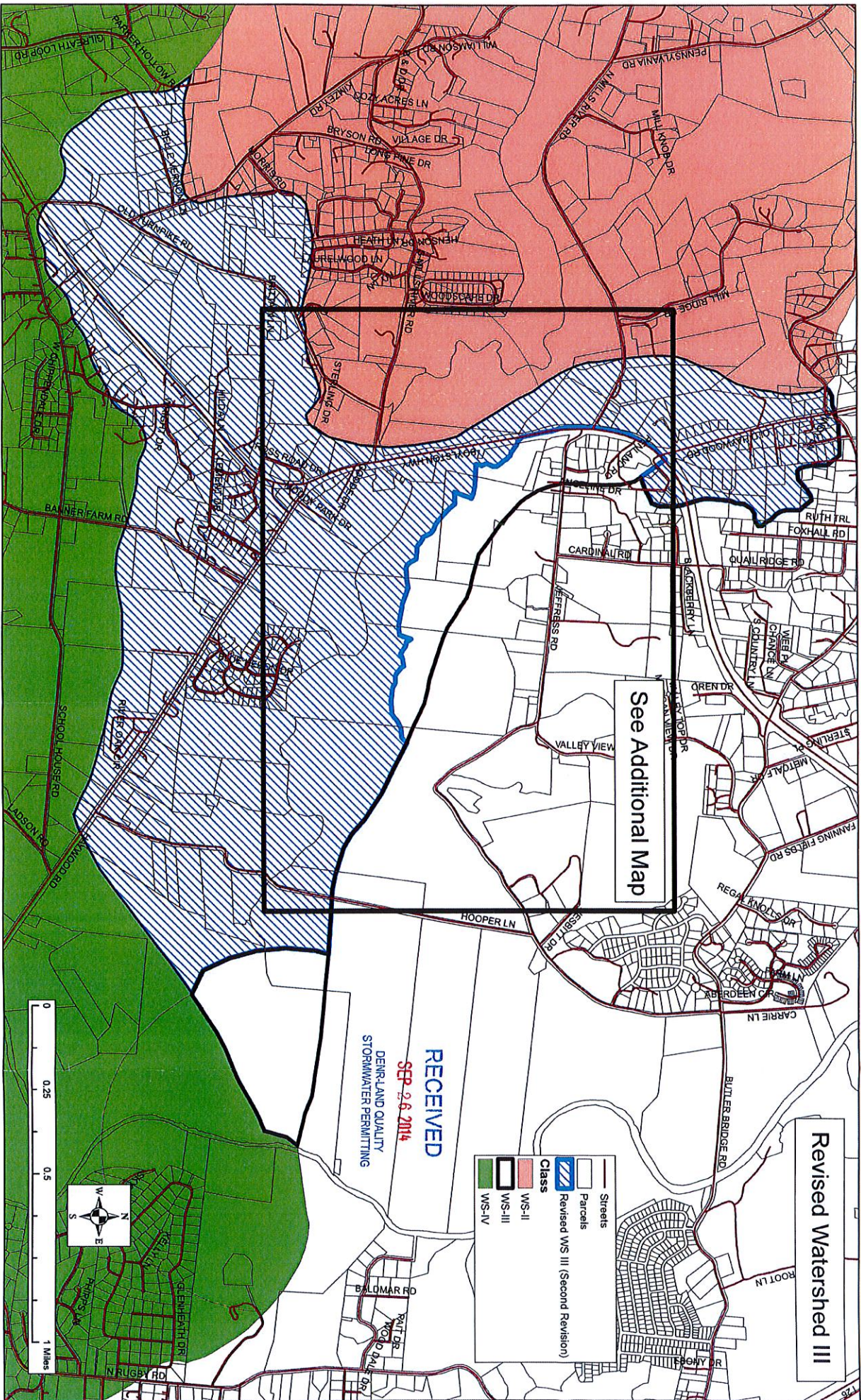
A handwritten signature in cursive script that reads "Julie Ventaloro".

Julie Ventaloro  
WSWP Program Coordinator

Attachment: Approved Watershed Map, dated September 26, 2014







cc: Jaime Laughter, Town Mgr, Town of Mills River, 124 Town Center Drive, Mills River, NC 28759  
Laura Herbert, NC DEMLR, Asheville Regional Office





See Additional Map

Revised Watershed III

- Class**
-  Streets
  -  Parcels
  -  Revised WS III (Second Revision)
  -  WS-II
  -  WS-III
  -  WS-IV

**RECEIVED**  
 SEP 26 2014  
 DENR-LAND QUALITY  
 STORMWATER PERMITTING



Henderson County



## Lower Mills River-Asheville Watershed (WS-III-BW) Boundary Change



Henderson County Planning Board Meeting  
Thursday, December 18, 2014  
Presentation by: Matt Champion, Planner

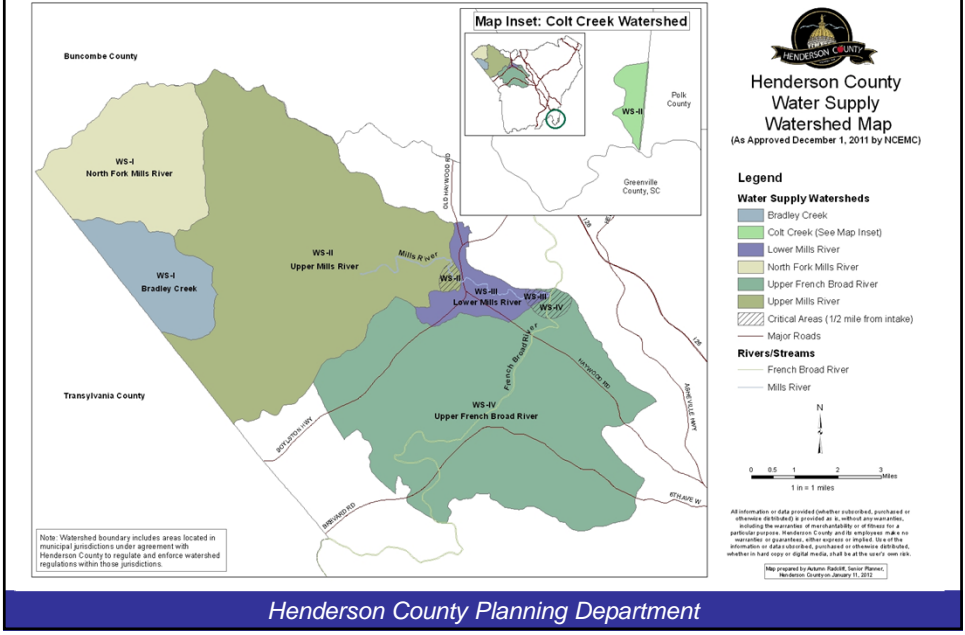
*Henderson County Planning Department*

### WS-III Boundary Change

- Proposed WS-III boundary submitted on behalf of the Town of Mills River and WGLA Engineering.
- NCDENR approved the request on November 6, 2014.
- Approximately 117 acres removed from existing WS-III boundary and 31 parcels affected.

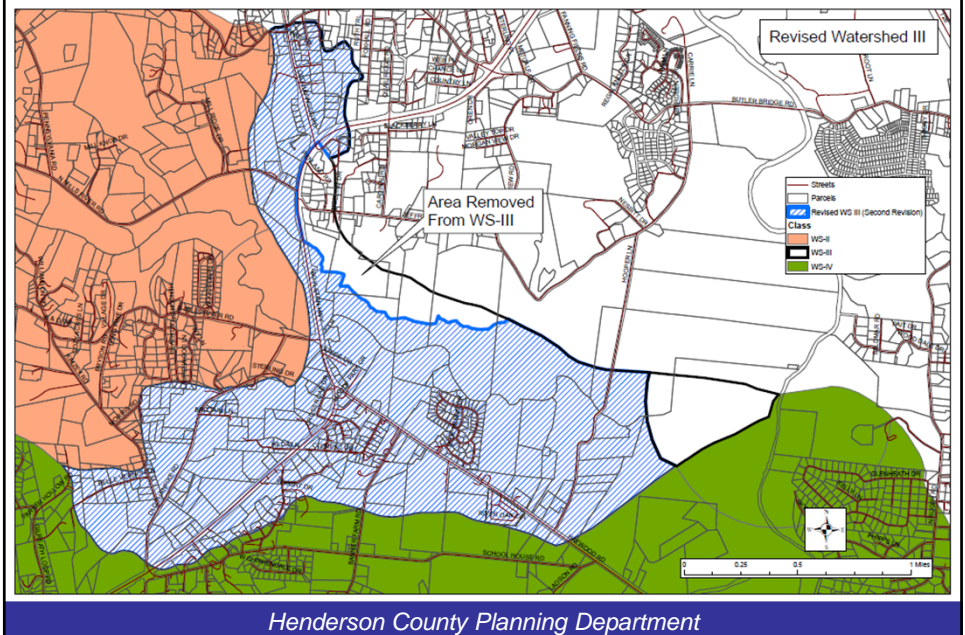
*Henderson County Planning Department*

# Existing Water Supply Watershed Map



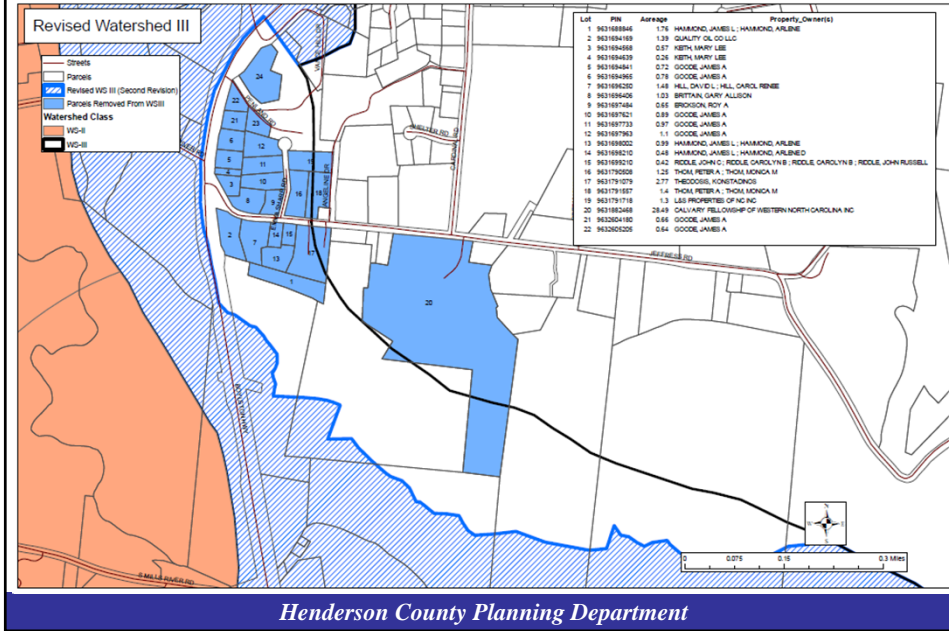
Henderson County Planning Department

# Proposed WS-III Boundary

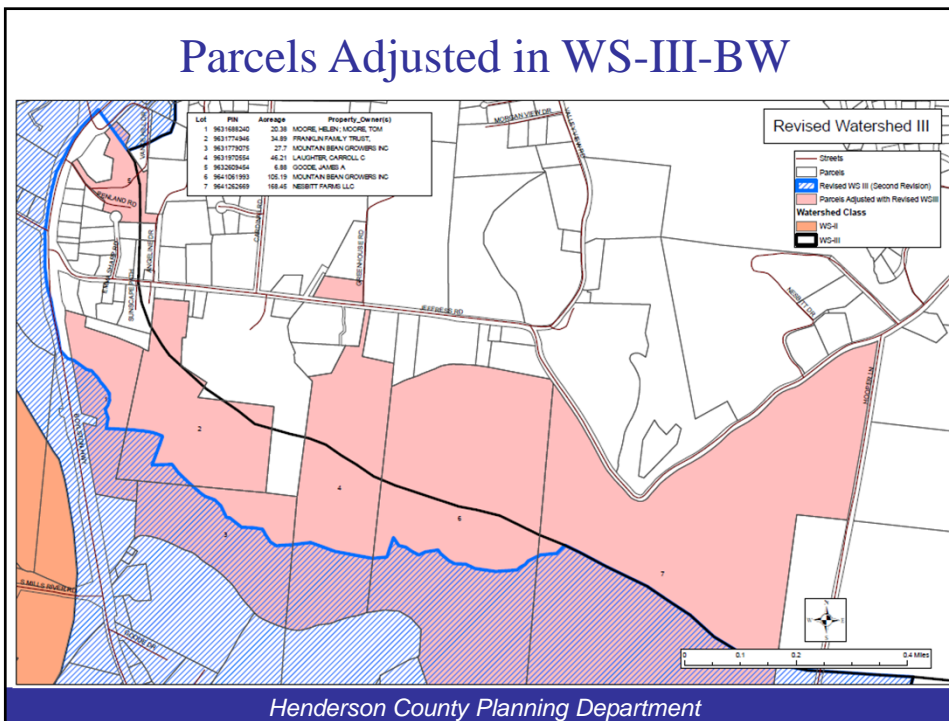


Henderson County Planning Department

## Parcels Removed from WS-III-BW



## Parcels Adjusted in WS-III-BW



## Proposed WS-III-BW Boundary Change

# Questions



*Henderson County Planning Department*