

REQUEST FOR BOARD ACTION

HENDERSON COUNTY
TECHNICAL REVIEW COMMITTEE

MEETING DATE: December 16, 2014

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

PRESENTER: Matt Champion, Planner

ATTACHMENTS: 1. Approval Letter from NCDENR
2. Map - Proposed WS-III-Balance of Watershed

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 will be notified prior to the Planning Board and BOC meeting.

Suggested Motion:

I move that the Technical Review Committee 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.

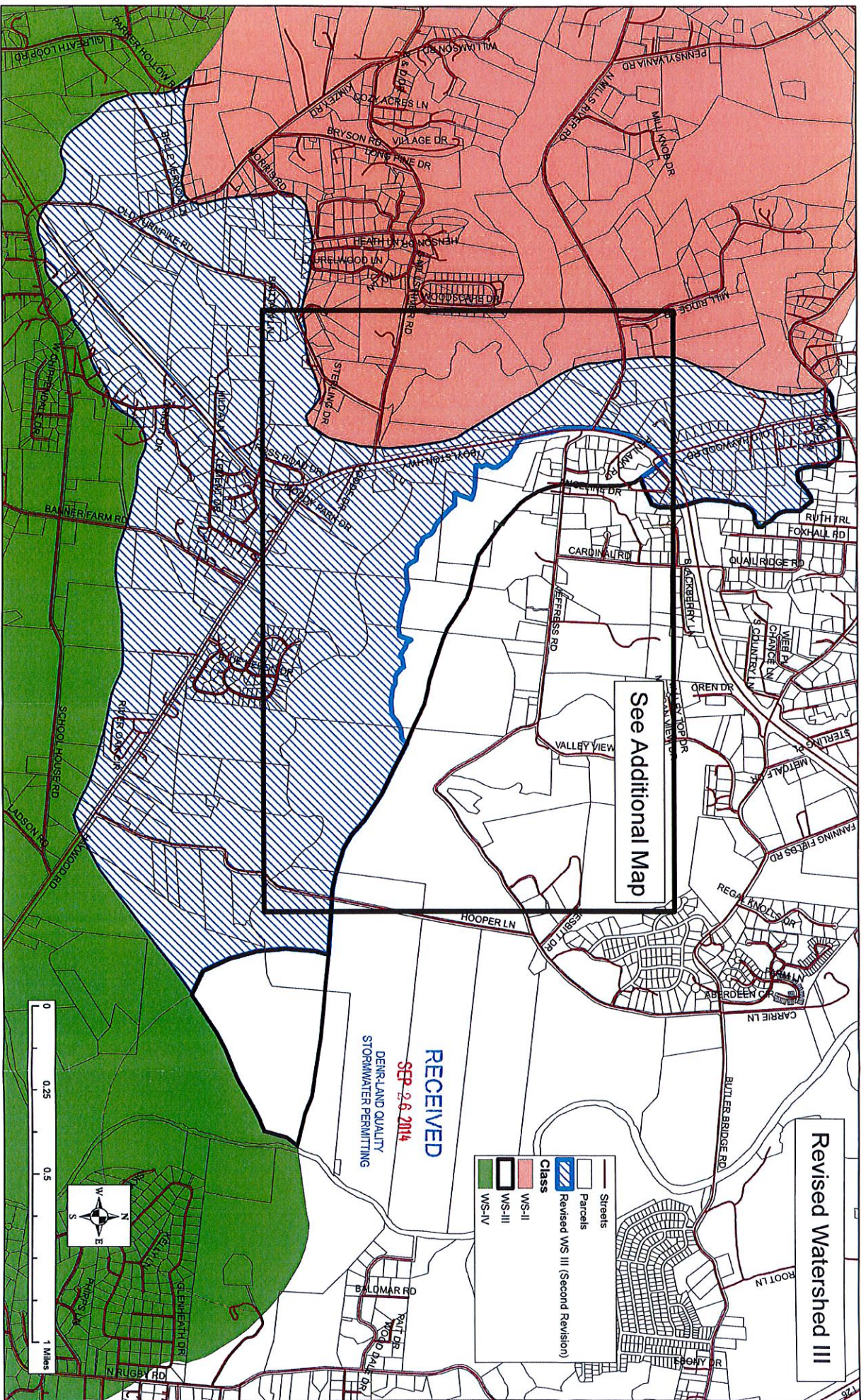
Sincerely,

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

RECEIVED
 SEP 26 2014
 DENR-LAND QUALITY
 STORMWATER PERMITTING

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

Revised Watershed III



Henderson County

Revised Watershed III

— Streets
▭ Parcels
▨ Revised WS III (Second Revision)

Class
■ WS-II
▭ WS-III
■ WS-IV

