

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: December 7, 2009

SUBJECT: Proposed Intake on the French Broad River and Expanded Water Supply Watershed Boundary

ATTACHMENTS: 1. Staff Memo
2. Proposed Water Supply Watershed Boundary for the City of Hendersonville's Intake on the French Board River (McGill & Associates Sealed Map)
3. PowerPoint

SUMMARY OF REQUEST:

The N.C. Department of Environment and Natural Resources (DENR) Division of Water Quality (DWQ) is considering a proposed surface water intake for the City of Hendersonville on the French Broad River north (downstream) of the confluence of Mills River. The intake would provide raw water to the Hendersonville Water Treatment Facility.

DWQ stated that the proposed intake requires an expansion of the existing WS-III Balance of Watershed and Critical Area. Planning Staff worked with the City of Hendersonville and McGill and Associates (the City's Project Engineering Firm) to determine the validity of these new boundaries based on requirements set by NCDENR Public Water Supply Section (See Attachment 1 and Attachment 2).

In addition, DWQ also discovered that the existing WS-III and WS-IV boundaries are incorrect. This requires an amendment to the County's official Water Supply Watershed Boundary Map to address inconsistencies with the State's corrected watershed boundary. Staff anticipates moving forward with these amendments to the County Water Supply Watershed Boundary Map upon approval by the State for the new raw water intake and necessary boundaries for the watershed classification areas.

BOARD ACTION REQUESTED:

Staff requests the Board's support to send a letter to DWQ to request that the State accept the engineer's determination that the WS-III boundary does not require expansion on the west side of the French Broad to accommodate the City's new intake as reflected in the attached map. A small addition (26 acres) on the east side of the River would be required.

If the Board supports the proposed intake on the French Broad River by the City of Hendersonville, a resolution of support, to be passed at a future meeting, is required for the State to proceed with Hendersonville's request. Staff plans to provide the Board with a presentation about the City's plans for the new intake at the Board's January meeting if desired by the Board. Planning Staff could prepare a resolution of support by the County for consideration at that future meeting.

Suggested Motion:

I move that the Board direct the Planning Director to send a letter to DWQ to request that the State accept the engineer's determination that the WS-III boundary does not need to be expanded on the west side of the French Broad to accommodate the City's new raw water intake on the French Broad.

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MEMORANDUM

TO: Board of Commissioners
Steve Wyatt, County Manager
Selena Coffey, Assistant County Manager

FROM: Anthony W. Starr, AICP, Planning Director

DATE: December 7, 2009

SUBJECT: Proposed Intake on the French Broad River and Expanded Water Supply Watershed Boundary

The City of Hendersonville has been working with the N.C. Department of Environment and Natural Resources (DENR) Public Water Supply Section and Division of Water Quality (DWQ) to approve a new surface water intake on the French Broad River. The intake is proposed north (downstream) of the confluence of Mills River and will allow the City to continue to supply water to customers during drought conditions that might deplete the amount of surface water available at the existing intake on the Mills River.

DWQ stated that the proposed intake requires an expansion of the existing water supply watershed classification of WS-III Balance of Watershed and Critical Area due to an existing drainage ditch upstream of the proposed intake. According to the City, the Public Water Supply Section of DENR will require the drainage ditch to be relocated downstream of the proposed intake to ensure that the water flow is redirected away from the intake. It appears that the drainage ditch was created for agricultural purposes and is not a perennial or intermittent stream. Staff worked with the City and McGill and Associates (the City's Project Engineering Firm) to determine the validity of these new boundaries. Planning Staff and the engineer determined that relocating the existing drainage ditch will alter the existing watershed drainage area to the new intake and will eliminate the need to expand the WS-III boundary on the west side of the French Broad River for this project. A small addition (26 acres) on the east side of the River would be required.

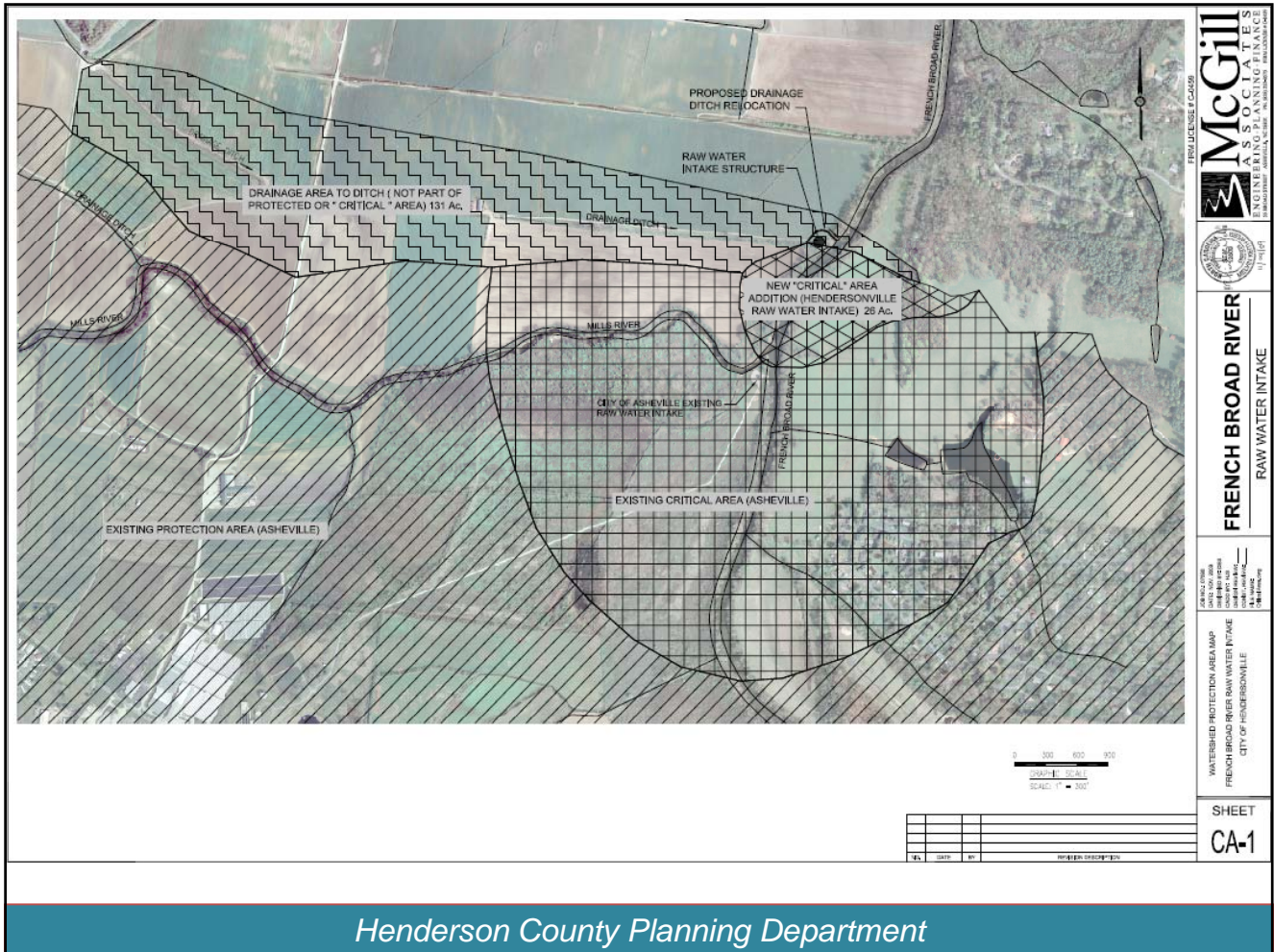
As a result of the City's new intake request, DWQ has also discovered that the existing Water Supply Watershed boundary for the WS-III and WS-IV is incorrect. This requires an amendment to the County's official Water Supply Watershed Boundary Map. These amendments are essentially treated as rezonings and require a public hearing by the Board of Commissioners before amending the map. Planning Staff anticipates moving forward with these amendments to the County Water Supply Watershed Boundary Map upon approval by the State for the new raw water intake and necessary boundaries for the watershed classification areas. Amending the Watershed Boundaries once will attempt to avoid public confusion as opposed to conducting separate hearings for the new intake and map corrections.

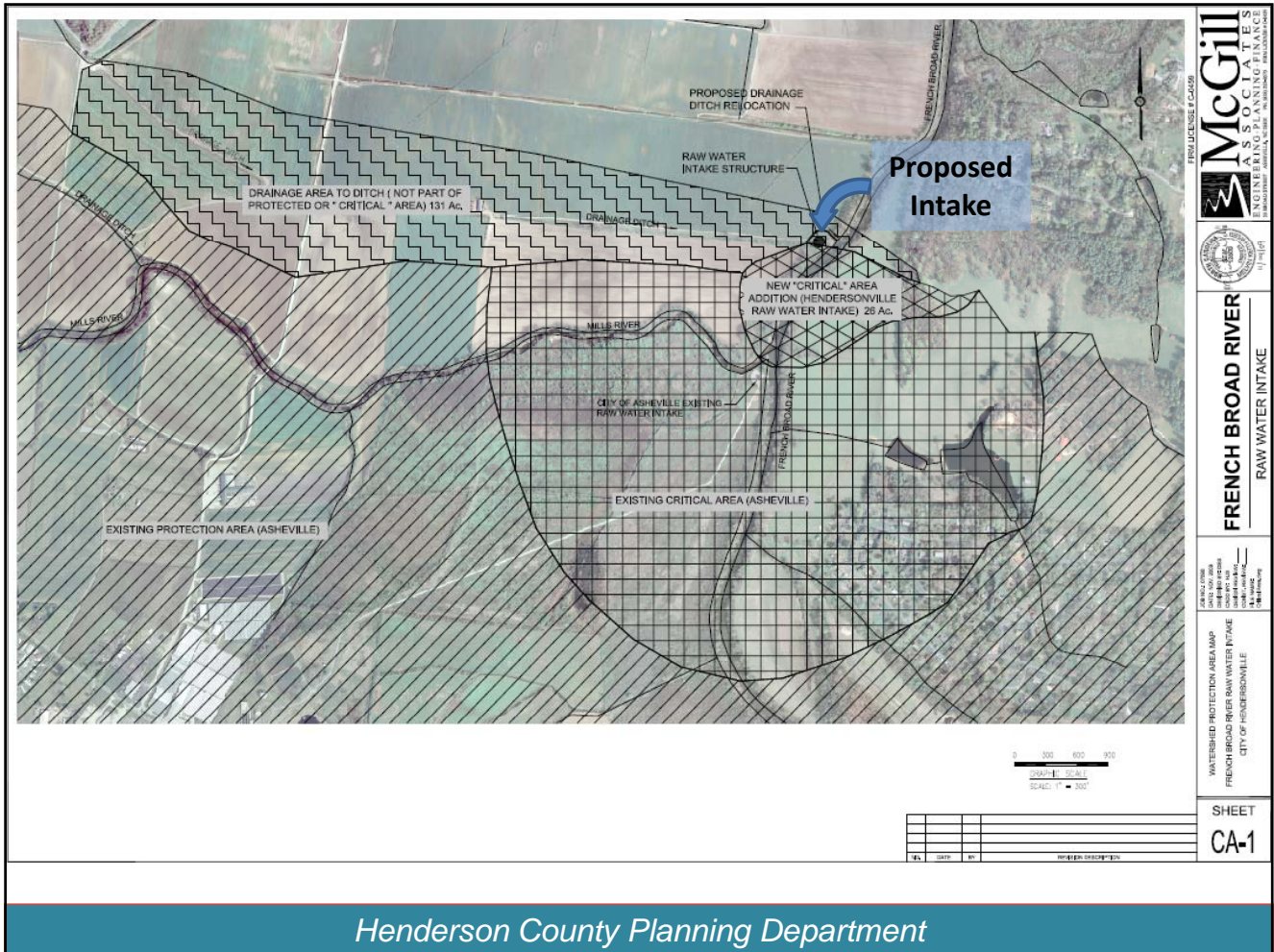
The Environmental Management Commission (EMS) approves any new intakes and reclassifications. Once approved by the EMC, the Rules Review Commission reviews the document. At that point, the State review is complete and the local jurisdictions have 270 days to adopt the watershed map and regulations. It is uncertain what the expected timeframe for State approval or local adoption is at this point.

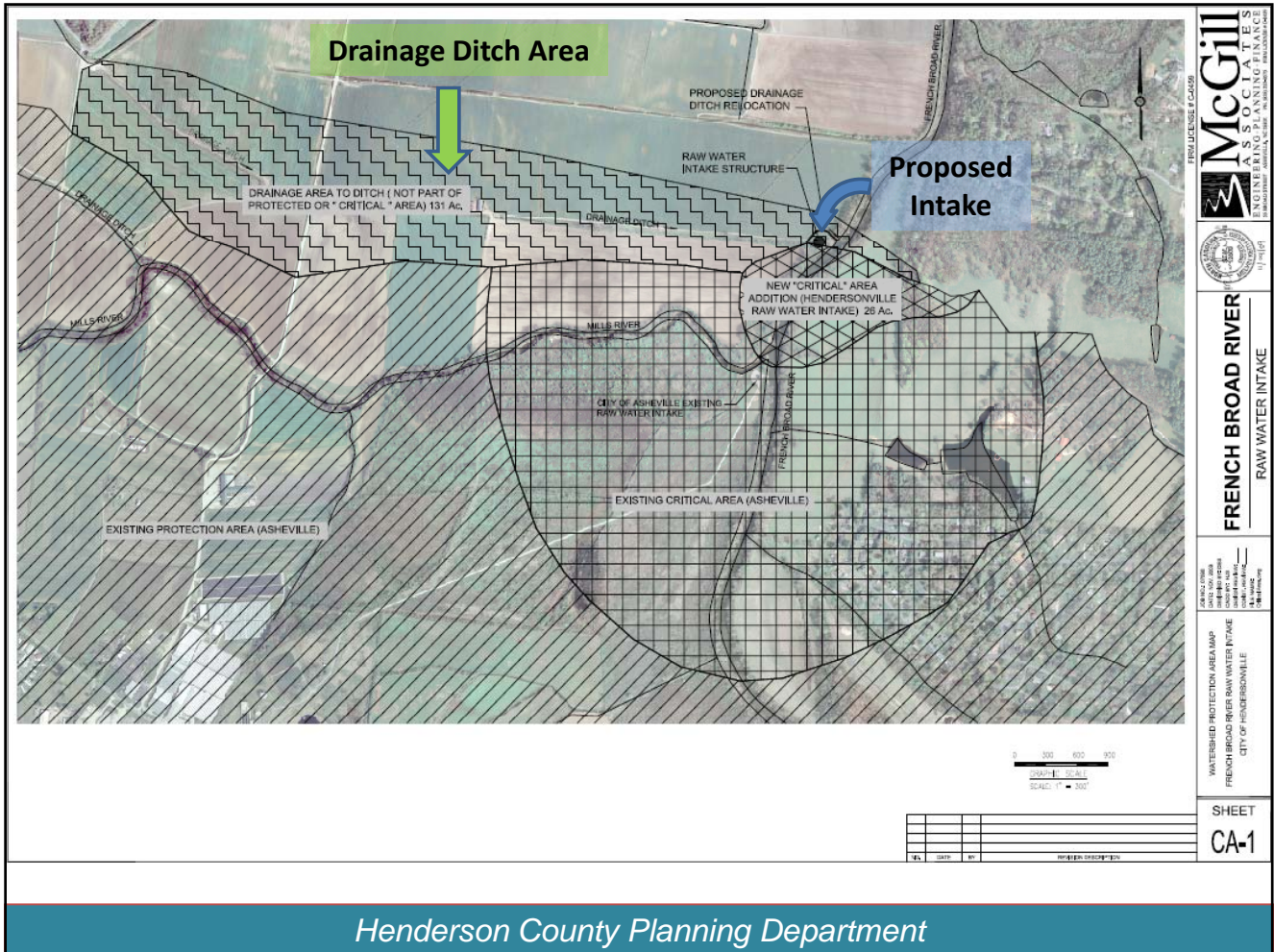
If the Board supports the proposed intake on the French Broad River by the City of Hendersonville, a resolution of support, to be passed at a future meeting, is required for the State to proceed with Hendersonville's request. Staff plans to provide the Board with a presentation about the City's plans for the new intake at the Board's January meeting if desired by the Board. Planning Staff could prepare a resolution of support by the County for consideration at that future meeting.

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Henderson County Planning Department

