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Subject: Reiteration of UNRBA Comments on the 2018 303(d) Process
Date: Friday, March 8, 2019 10:39:00 AM
Attachments: [RE Submission of UNRBA Comments on NC's Draft 2018 303\(d\) List Integrated Report and 2018 303\(d\) Methodology .msg](#)
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Hello PFC Members,

In January the UNRBA submitted comments to the EMC on the State's 303(d) process for 2018. We had successfully petitioned the EMC to require public notice for the materials produced from the 303(d) effort. DWR is scheduled to present the status of the 303(d) process and discuss the comments made at next week's EMC Meeting on March 14th. Having reviewed that presentation, it is clear that DWR has only made minor revisions to the 303(d) list, no changes to the revised methodology they used for 2018, and no changes to the Intergraded Report (IR). The IR is where the chlorophyll-a standard compliance assessment for Falls Lake appears. We have tried for several years to fix DWR improper segmentation of Falls Lake for doing standard compliance evaluations.

Despite the fact that it was the EMC that asked for the public notice, DWR is presenting their "conclusions" to the EMC as an "information" item without requesting EMC action. DWR isn't even going to post their responses to the many comments received until next Monday. The EMC directed the notice and the EMC should make a decision on how DWR is to proceed with the 2018 303(d) process. Several organizations and individuals commented:

1. Three North Carolina citizens
2. American Rivers, Et al.
3. City of Charlotte and Mecklenburg County
4. City of Durham
5. Haw River Assembly
6. Lower Neuse Basin Association and Neuse River Compliance Association
7. North Carolina Farm Bureau Federation
8. North Carolina Water Quality Association
9. Sound Rivers
10. Southern Environmental Law Center
11. Upper Neuse River Basin Association
12. WK Dickson
13. Yadkin-Pee Dee River Basin Association

The results of the public review process is an inadequate response to the comments received. At

this point we do not even know the Division's evaluation of the comments received. The deadline for comment submittal was January 18, 2019. This was almost 7 weeks ago. The fact that the agency's responses are not even available for reference is troubling. Even more disappointing and troubling is that there was no reasonable response to our ongoing effort to correct the Falls Lake assessment process.

I reiterated our comments in an email today to the EMC. I have attached that communication for your reference. This is an item on Monday's PFC Meeting agenda.

I hope to see you on Monday.

Forrest

Forrest R. Westall, Sr.

Executive Director



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