

DT: May 31, 2008

TO: DWQ
Coastal Rules Stakeholders
ERC Members



RE: UNANSWERED QUESTIONS about COASTAL RULES ?

Following are several questions, most of which were asked of the DWQ/ EMC last year in the Public Hearing process. Although we received no direct answers, we presume that the DWQ / EMC considered and resolved these concerns. Anyway, we are still unclear about the answers, and believe everyone needs to know the resolutions.

Several of these questions relate to requirements by SL 246 (Phase II) and the Coastal Rules to retain up to average 24 Hr Storm Water volumes on a site by use of Rain Gardens, Cisterns, Rain Barrels, and other storm water retention methods. This volume can approach 4". It is well known that infiltrating water can raise ground water levels. What are the effects of this on :

- 1) **Septic Tanks :**
Previous Question:
Retaining large volumes of Storm Waters would raise ground waters and could cause float-out of effluents from septic tanks. This could be a public health problem.
Is there a guarantee from DWQ or NC Health Dpt. that Septic Tanks will be fixed by the State if Coastal Rules cause on-site or adjacent Septic Tanks to fail?
Or, who will pay for possible Septic Tank failures caused by the Rules ?
- 2) **Flood Insurance:**
Previous Question.
Containing large SW volumes raise water tables and may cause over- flooding ?
Could this affect Flood Insurance policies or claims?
DWQ has probably contacted FEMA to find out. What did FEMA Say ?
Can you get a letter from FEMA guaranteeing NC property Owners or neighbors that Flood Insurance Policies and Claims will not be affected by these Coastal Rules ?
- 3) **Mold & Mildew:**
Previous Question
We hear that containing large volumes of SW raises water tables and has caused Mold and Mildew problems to adjacent properties ?
Can we get a guarantee that Mold and Mildew caused by raising water tables will be repaired by the State if SW retention causes problems for adjacent property owners ?
Or , who will pay for repair of possible problems ?
- 4) **Termites :**
New Question
We hear that, for some reason, NC is the second highest state for termite damage .
Retaining water around a house sometimes nullifies Termite Contracts.
Are there studies showing that rain barrels, cisterns, rain gardens or raising water tables will not affect Termite policies, or cause damage to owners or adjacent property owners ?
Or , who will pay to repair possible problems ?
- 5) **GOG :**
Previous Question
The Land Alliance has suggested many times that, economical Gas, Oil, and Grease absorbers/ filters could be used in existing storm drains, if needed, to improve water quality. (Could be paid for with CWTF funds.)
We understand that a Federal water quality survey indicates significant reductions of chemical pollutants, and we see DWQ/ EMC does not address this in the Rules.
Does DWQ/ EMC not consider this as a problem ?
- 6) **SEPTIC TANKS :**
Previous Question
The Land Alliance has often suggested that Failing Septic Tanks be found and fixed.
So far as we can tell DWQ/ EMC has not addressed this in the rules .
Does DWQ/ EMC not see this as a problem?
- 7) **WILDLIFE POLLUTION:**
Previous Question
The Land Alliance observed that Vegetated Buffers increase Wildlife, Wildlife poops, - that increases N and bacterial pollution - QED, Vegetated Buffers increase pollution.
(This seems to be confirmed as Neuse River N fees are used to build buffers, so, although DWQ has removed the required 30% N from the River, WQ is little better.)
Does DWQ/ EMC have a wildlife control plan to reduce wildlife (ducks, seagulls, deer, geese, rabbits, etc.) or is it intended that pollution should increase ?