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Interim Director



NORTH CAROLINA  
Environmental Quality

Rwd 5/1/19  
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April 24, 2019

Patrick Young  
Planning Director  
Durham City-County Planning  
101 City Hall Plaza  
Durham, NC 27701

Subject: Watershed Protection Overlay Interpretation Approval

Dear Mr. Young:

The Division of Energy, Mineral and Land Resources (DEMLR) has reviewed and approved the proposed amendments to Durham's water supply watershed protection overlay boundary received by our office on October 30, 2018. Durham submitted the revised overlay in response to a request from Jacob Anderson (representing property owner) for an administrative interpretation of the Falls /Jordan Lake Protected Area (F/J-B) boundary located at 739 Baptist Road. We accept that the proposed map and supporting materials accurately represent the location of Durham's F/J-B Protected Area Boundary. We recognize that you are not proposing to adjust the location of normal pool elevation with this request.

DEMLR approved the boundary change in accordance with North Carolina General Statute 143-214.5 and North Carolina Administrative Code 15A NCAC .0100, .0200, .0620-.0624. Specifically, 15A NCAC 2B .0623 (4) requires that all revisions to the Environmental Management Commission's (EMC) or the local government's critical and protected area boundaries be approved by EMC prior to adoption by the local government.

On July 12, 2007, the EMC issued a decision to delegate approvals under the Water Supply Watershed rules to the Director of Division of Water Quality (DWQ). On August 1, 2013, this delegation was transferred from DWQ to DEMLR.

We appreciate Durham's efforts to help protect the vital public water supplies of this state. Please contact Paul Clark [paul.clark@ncdenr.gov](mailto:paul.clark@ncdenr.gov) or (919) 707-3642 should you need assistance.

Sincerely,

Annette Lucas  
Stormwater Program Supervisor

cc: Grace Smith, Planning Supervisor, Durham City-County Planning

