

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015**

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**BILL DRAFT 2015-TSz-4 [v.21] (03/14)**

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)  
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Short Title: Eliminate and Consolidate Reports to ERC.

(Public)

Sponsors:

Referred to:

A BILL TO BE ENTITLED  
AN ACT TO ELIMINATE, CONSOLIDATE, AND MAKE OTHER CHANGES TO VARIOUS  
REPORTS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED  
BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

**PART I. ELIMINATE VARIOUS REPORTS TO THE ENVIRONMENTAL REVIEW  
COMMISSION**

**ELIMINATE ANNUAL REPORT ON MINING ACCOUNT PURSUANT TO THE  
MINING ACT OF 1971 BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

**SECTION 1.** G.S. 74-54.1(c) is repealed.

**ELIMINATE ANNUAL REPORT ON THE IMPLEMENTATION OF THE  
SUSTAINABLE ENERGY EFFICIENT BUILDINGS PROGRAM BY THE  
DEPARTMENT OF ADMINISTRATION**

**SECTION 2.(a)** G.S. 143-135.39(f) and (g) are repealed.

**SECTION 2.(b)** G.S. 143-135.40(b) is repealed.

**ELIMINATE QUARTERLY REPORT ON SYSTEMWIDE MUNICIPAL AND  
DOMESTIC WASTEWATER COLLECTION SYSTEM PERMIT PROGRAM BY THE  
ENVIRONMENTAL MANAGEMENT COMMISSION**

**SECTION 3.** G.S. 143-215.9B reads as rewritten:

**"§ 143-215.9B. Systemwide municipal and domestic wastewater collection system permit  
program report.**

The Environmental Management Commission shall develop and implement a permit program for municipal and domestic wastewater collection systems on a systemwide basis. The collection system permit program shall provide for performance standards, minimum design and construction requirements, a capital improvement plan, operation and maintenance requirements, and minimum reporting requirements. In order to ensure an orderly and cost-effective phase-in of the collection system permit program, the Commission shall implement the permit program over a five-year period beginning 1 July 2000. The Commission shall issue permits for approximately twenty percent (20%) of municipal and domestic wastewater collection systems that are in operation on 1 July 2000 during each of the five calendar years beginning 1 July 2000 and shall



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1 give priority to those collection systems serving the largest populations, those under a moratorium  
2 imposed by the Commission under G.S. 143-215.67, and those for which the Department of  
3 Environmental Quality has issued a notice of violation for the discharge of untreated wastewater.  
4 ~~The Commission shall report on its progress in developing and implementing the collection~~  
5 ~~system permit program required by this section as a part of each quarterly report the~~  
6 ~~Environmental Management Commission makes to the Environmental Review Commission~~  
7 ~~pursuant to G.S. 143B-282(b)."~~

8  
9 **ELIMINATE ANNUAL REPORTS ON REDUCING VEHICLE EMISSIONS FROM**  
10 **STATE EMPLOYEE AND PRIVATE SECTOR VEHICLES BY THE DEPARTMENT OF**  
11 **TRANSPORTATION**

12 **SECTION 4.** G.S. 143-215.107C(d) and (e) are repealed.

13  
14 **ELIMINATE ANNUAL REPORT ON PURCHASE OF NEW MOTOR VEHICLES AND**  
15 **FUEL SAVINGS BY THE DEPARTMENT OF ADMINISTRATION**

16 **SECTION 5.** G.S. 143-341(8)(i).2b reads as rewritten:

17 "2b. As used in this sub-sub-subdivision, "fuel economy" and "class  
18 of comparable automobiles" have the same meaning as in Part  
19 600 of Title 40 of the Code of Federal Regulations (July 1, 2008  
20 Edition). As used in this sub-sub-subdivision, "passenger motor  
21 vehicle" has the same meaning as "private passenger vehicle" as  
22 defined in G.S. 20-4.01. Notwithstanding the requirements of  
23 sub-sub-subdivision 2a. of this sub-subdivision, every request  
24 for proposals for new passenger motor vehicles to be purchased  
25 by the Department shall state a preference for vehicles that have  
26 a fuel economy for the new vehicle's model year that is in the top  
27 fifteen percent (15%) of its class of comparable automobiles.  
28 The award for every new passenger motor vehicle that is  
29 purchased by the Department shall be based on the Department's  
30 evaluation of the best value for the State, taking into account  
31 fuel economy ratings and life cycle cost that reasonably consider  
32 both projected fuel costs and acquisition costs. This  
33 sub-sub-subdivision does not apply to vehicles used in law  
34 enforcement, emergency medical response, and firefighting. ~~The~~  
35 ~~Department shall report the number of new passenger motor~~  
36 ~~vehicles that are purchased as required by this~~  
37 ~~sub-sub-subdivision, the savings or costs for the purchase of~~  
38 ~~vehicles to comply with this sub-sub-subdivision, and the~~  
39 ~~quantity and cost of fuel saved for the previous fiscal year on or~~  
40 ~~before October 1 of each year to the Joint Legislative~~  
41 ~~Commission on Governmental Operations and the~~  
42 ~~Environmental Review Commission."~~

43  
44 **ELIMINATE BIENNIAL STATE OF THE ENVIRONMENT REPORT BY THE**  
45 **DEPARTMENT OF ENVIRONMENTAL QUALITY**

46 **SECTION 6.** G.S. 143B-279.5 is repealed.

47  
48 **ELIMINATE ANNUAL REPORT ON FISH KILL ACTIVITY BY THE DEPARTMENT**  
49 **OF ENVIRONMENTAL QUALITY**

50 **SECTION 7.** G.S. 143B-279.7(c) is repealed.  
51

**ELIMINATE THE ENVIRONMENTAL MANAGEMENT COMMISSION QUARTERLY REPORT ON DEVELOPING ENGINEERING STANDARDS GOVERNING MUNICIPAL AND DOMESTIC SYSTEMS TO ALLOW REGIONAL INTERCONNECTION**

**SECTION 8.** Section 11.1 of S.L. 1999-329 reads as rewritten:

"Section 11.1. The Environmental Management Commission shall develop engineering standards governing municipal and domestic wastewater collection systems that will allow interconnection of these systems on a regional basis. ~~The Commission shall report on its progress in developing the engineering standards required by this section as a part of each quarterly report the Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b).~~"

**ELIMINATE BIENNIAL REPORT ON IMPLEMENTATION OF THE NORTH CAROLINA BEACH AND INLET MANAGEMENT PLAN BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

**SECTION 9.** Section 13.9(d) of S.L. 2000-67 reads as rewritten:

"Section 13.9.(d) Each plan shall be as complete as resources and available information allow. ~~The Department of Environment and Natural Resources shall revise the plan every two years and shall submit the revised plan to the General Assembly no later than March 1 of each odd-numbered year. The Department may issue a supplement to the plan in even-numbered years if significant new information becomes available.~~"

**ELIMINATE ANNUAL REPORT ON INFORMAL REVIEW PROCESS FOR AGENCY REVIEW OF ENGINEERING WORK**

**SECTION 10.** Sections 29(j) and 29(k) of S.L. 2014-120 are repealed.

**PART II: CONSOLIDATE VARIOUS REPORTS TO THE ENVIRONMENTAL REVIEW COMMISSION**

**CONSOLIDATE REPORTS ON THE COASTAL HABITAT PROTECTION PLAN**

**SECTION 11.(a)** G.S. 143B-279.8(e) reads as rewritten:

"(e) The Coastal Resources Commission, the Environmental Management Commission, and the Marine Fisheries Commission shall report to the Joint Legislative Commission on Governmental Operations and the Environmental Review Commission on progress in developing and implementing the Coastal Habitat Protection Plans, including the extent to which the actions of the three commissions are consistent with the Plans, on or before ~~4-September~~September 1 of each ~~year-year in which any significant revisions to the Plans are made.~~"

**SECTION 11.(b)** G.S. 143B-279.8(f) is repealed.

**CONSOLIDATE AND REDUCE FREQUENCY OF REPORTS ON COST AND IMPLEMENTATION OF ENVIRONMENTAL PERMITTING PROGRAMS**

**SECTION 12.(a)** G.S. 143-215.3A(c) reads as rewritten:

"(c) The Department shall report to the Environmental Review Commission and the Fiscal Research Division on the cost of the State's environmental permitting programs contained within the Department on or before January 1 ~~November~~ of each odd-numbered year. The report shall include, but is not limited to, fees set and established under this Article, fees collected under this Article, revenues received from other sources for environmental permitting and compliance programs, changes made in the fee schedule since the last report, anticipated revenues from all other sources, interest earned and any other information requested by the General Assembly. The Department shall submit this report with the report required by G.S. 143B-279.17 as a single report."

**SECTION 12.(b)** G.S. 143B-279.17 reads as rewritten:

**"§ 143B-279.17. Tracking and report on permit processing times.**

The Department of Environmental Quality shall track the time required to process all permit applications in the One-Stop for Certain Environmental Permits Programs established by G.S. 143B-279.12 and the Express Permit and Certification Reviews established by G.S. 143B-279.13 that are received by the Department. The processing time tracked shall include (i) the total processing time from when an initial permit application is received to issuance or denial of the permit and (ii) the processing time from when a complete permit application is received to issuance or denial of the permit. No later than ~~March~~ January 1 of each ~~odd-numbered~~ year, the Department shall report to the Fiscal Research Division of the General Assembly and the Environmental Review Commission on the permit processing times required to be tracked pursuant to this section. The Department shall submit this report with the report required by G.S. 143-215.3A(c) as a single report."

**SECTION 12.(c)** The first combined report required by subsections (a) and (b) of this section shall be submitted to the Environmental Review Commission and the Fiscal Research Division no later than January 1, 2017.

## **CONSOLIDATE AND REDUCE FREQUENCY OF REPORTS BY THE ENVIRONMENTAL MANAGEMENT COMMISSION**

**SECTION 13.(a)** G.S. 143B-282(b) reads as rewritten:

"(b) The Environmental Management Commission shall submit ~~quarterly~~-written reports as to its operation, activities, programs, and progress to the Environmental Review ~~Commission~~Commission by January 1 of each year. The Environmental Management Commission shall supplement the written reports required by this subsection with additional written and oral reports as may be requested by the Environmental Review Commission. ~~The Environmental Management Commission shall submit the written reports required by this subsection whether or not the General Assembly is in session at the time the report is due.~~"

**SECTION 13.(b)** G.S. 143-215.1(h) reads as rewritten:

"(h) Each applicant for a new permit or the modification of an existing permit issued under subsection (c) of this section shall include with the application: (i) the extent to which the new or modified facility is constructed in whole or in part with funds provided or administered by the State or a unit of local government, (ii) the impact of the facility on water quality, and (iii) whether there are cost-effective alternative technologies that will achieve greater protection of water quality. The Commission shall prepare ~~a quarterly~~an annual summary and analysis of the information provided by applicants pursuant to this subsection. The Commission shall submit the summary and analysis required by this subsection to the Environmental Review Commission (ERC) as a part of each ~~quarterly~~annual report that the Commission is required to make to the ERC under G.S. 143B-282(b)."

**SECTION 13.(c)** The first combined report required by subsections (a) and (b) of this section shall be submitted to the Environmental Review Commission no later than January 1, 2017.

## **CONSOLIDATE WASTE MANAGEMENT REPORTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

**SECTION 14.(a)** G.S. 130A-309.06(c) reads as rewritten:

"(c) The Department shall report to the Environmental Review Commission and the Fiscal Research Division on or before ~~15 January~~January 15 of each year on the status of solid waste management efforts in the State. The report shall include:

- (1) A comprehensive analysis, to be updated in each report, of solid waste generation and disposal in the State projected for the 20-year period beginning on July 1, 1991.

- (2) The total amounts of solid waste recycled and disposed of and the methods of solid waste recycling and disposal used during the calendar year prior to the year in which the report is published.
- (3) An evaluation of the development and implementation of local solid waste management programs and county and municipal recycling programs.
- (4) An evaluation of the success of each county or group of counties in meeting the municipal solid waste reduction goal established in G.S. 130A-309.04.
- (5) Recommendations concerning existing and potential programs for solid waste reduction and recycling that would be appropriate for units of local government and State agencies to implement to meet the requirements of this Part.
- (6) An evaluation of the recycling industry, the markets for recycled materials, the recycling of polystyrene, and the success of State, local, and private industry efforts to enhance the markets for these materials.
- (7) Recommendations to the Governor and the Environmental Review Commission to improve the management and recycling of solid waste in the State, including any proposed legislation to implement the recommendations.
- (8) A description of the condition of the Solid Waste Management Trust Fund and the use of all funds allocated from the Solid Waste Management Trust Fund, as required by G.S. 130A-309.12(c).
- (9) A description of the review and revision of bid procedures and the purchase and use of reusable, refillable, repairable, more durable, and less toxic supplies and products by both the Department of Administration and the Department of Transportation, as required by G.S. 130A-309.14(a1)(3).
- (10) A description of the implementation of the North Carolina Scrap Tire Disposal Act that includes the amount of revenue used for grants and to clean up nuisance tire collection under the provisions of G.S. 130A-309.64.
- (11) A description of the management of white goods in the State, as required by G.S. 130A-309.85.
- (12) A summary of the report by the Department of Transportation on the amounts and types of recycled materials that were specified or used in contracts that were entered into by the Department of Transportation during the previous fiscal year, as required by G.S. 136-28.8(g).
- (13) Repealed by Session Laws 2010-142, s. 1, effective July 22, 2010.
- (14) (Expiring October 1, 2023) A description of the activities related to the management of abandoned manufactured homes in the State in accordance with G.S. 130A-117, the beginning and ending balances in the Solid Waste Management Trust Fund for the reporting period and the amount of funds used, itemized by county, for grants made under Part 2F of Article 9 of Chapter 130A of the General Statutes.
- (15) A report on the recycling of discarded computer equipment and televisions in the State pursuant to 130A-309-140(a).
- (16) An evaluation of the Brownfields Property Reuse Act pursuant to G.S. 130A-310.40.
- (17) A report on the Inactive Hazardous Waste Response Act of 1987 pursuant to G.S. 130A-310.10(a).
- (18) A report on the Dry-Cleaning Solvent Cleanup Act of 1997 pursuant to G.S. 143-215.104U(a) until such time as the Act expires pursuant to Part 6 of Article 21A of Chapter 143 of the General Statutes.
- (19) A report on the implementation and cost of the hazardous waste management program pursuant to G.S. 130A-294(i)."

**SECTION 14.(b)** G.S. 130A-309.140(a) reads as rewritten:

"(a) ~~No later than January 15 of each year, the Department shall submit a report on The Department shall include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c), a report on the recycling of discarded computer equipment and televisions in the State under this Part to the Environmental Review Commission.~~ Part. The report must include an evaluation of the recycling rates in the State for discarded computer equipment and televisions, a discussion of compliance and enforcement related to the requirements of this Part, and any recommendations for any changes to the system of collection and recycling of discarded computer equipment, televisions, or other electronic devices."

**SECTION 14.(c)** G.S. 130A-310.40 reads as rewritten:

**"§ 130A-310.40. Legislative reports.**

The Department shall ~~include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c), prepare and submit to the Environmental Review Commission, concurrently with the report on the Inactive Hazardous Sites Response Act of 1987 required under G.S. 130A-310.10,~~ an evaluation of the effectiveness of this Part in facilitating the remediation and reuse of existing industrial and commercial properties. This evaluation shall include any recommendations for additional incentives or changes, if needed, to improve the effectiveness of this Part in addressing such properties. This evaluation shall also include a report on receipts by and expenditures from the Brownfields Property Reuse Act Implementation Account."

**SECTION 14.(d)** G.S. 130A-310.10(a) reads as rewritten:

"(a) The Secretary shall ~~include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c), a report on inactive hazardous sites to the Joint Legislative Commission on Governmental Operations, the Environmental Review Commission, and the Fiscal Research Division on or before October 1 of each year. The report shall include~~that includes at least the following:

- (1) The Inactive Hazardous Waste Sites Priority List.
- (2) A list of remedial action plans requiring State funding through the Inactive Hazardous Sites Cleanup Fund.
- (3) A comprehensive budget to implement these remedial action plans and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the cost of said plans.
- (4) A prioritized list of sites that are eligible for remedial action under CERCLA/SARA together with recommended remedial action plans and a comprehensive budget to implement such plans. The budget for implementing a remedial action plan under CERCLA/SARA shall include a statement as to any appropriation that may be necessary to pay the State's share of such plan.
- (5) A list of sites and remedial action plans undergoing voluntary cleanup with Departmental approval.
- (6) A list of sites and remedial action plans that may require State funding, a comprehensive budget if implementation of these possible remedial action plans is required, and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the possible costs of said plans.
- (7) A list of sites that pose an imminent hazard.
- (8) A comprehensive budget to develop and implement remedial action plans for sites that pose imminent hazards and that may require State funding, and the adequacy of the Inactive Hazardous Sites Cleanup Fund.
- (8a) Repealed by Session Laws 2015-286, s. 4.7(f), effective October 22, 2015.
- (9) Any other information requested by the General Assembly or the Environmental Review Commission."

**SECTION 14.(e)** G.S. 143-215.104U reads as rewritten:

1 **"§ 143-215.104U. Reporting requirements.**

2 (a) The Secretary shall include in the status of solid waste management report required to  
3 be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c), a report on  
4 ~~present an annual report to the Environmental Review Commission that shall include~~ at least the  
5 following:

- 6 (1) A list of all dry-cleaning solvent contamination reported to the Department.
- 7 (2) A list of all facilities and abandoned sites certified by the Commission and the  
8 status of contamination associated with each facility or abandoned site.
- 9 (3) An estimate of the cost of assessment and remediation required in connection  
10 with facilities or abandoned sites certified by the Commission and an estimate  
11 of assessment and remediation costs expected to be paid from the Fund.
- 12 (4) A statement of receipts and disbursements for the Fund.
- 13 (5) A statement of all claims against the Fund, including claims paid, claims  
14 denied, pending claims, anticipated claims, and any other obligations.
- 15 (6) The adequacy of the Fund to carry out the purposes of this Part together with  
16 any recommendations as to measures that may be necessary to assure the  
17 continued solvency of the Fund.

18 ~~(b) The Secretary shall make the annual report required by this section on or before 1~~  
19 ~~October of each year."~~

20 **SECTION 14(f).** G.S. 130A-294(i) reads as rewritten:

21 "The Department shall include in the status of solid waste management report required to be  
22 submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c), a report to the  
23 ~~Fiscal Research Division of the General Assembly, the Senate Appropriations Subcommittee on~~  
24 ~~Natural and Economic Resources, the House Appropriations Subcommittee on Natural and~~  
25 ~~Economic Resources, and the Environmental Review Commission on or before January 1 of each~~  
26 ~~year~~ on the implementation and cost of the hazardous waste management program. The report  
27 shall include an evaluation of how well the State and private parties are managing and cleaning up  
28 hazardous waste. The report shall also include recommendations to the Governor, State agencies,  
29 and the General Assembly on ways to: improve waste management; reduce the amount of waste  
30 generated; maximize resource recovery, reuse, and conservation; and minimize the amount of  
31 hazardous waste which must be disposed of. The report shall include beginning and ending  
32 balances in the Hazardous Waste Management Account for the reporting period, total fees  
33 collected pursuant to G.S. 130A-294.1, anticipated revenue from all sources, total expenditures by  
34 activities and categories for the hazardous waste management program, any recommended  
35 adjustments in annual and tonnage fees which may be necessary to assure the continued  
36 availability of funds sufficient to pay the State's share of the cost of the hazardous waste  
37 management program, and any other information requested by the General Assembly. In  
38 recommending adjustments in annual and tonnage fees, the Department may propose fees for  
39 hazardous waste generators, and for hazardous waste treatment facilities that treat waste generated  
40 on site, which are designed to encourage reductions in the volume or quantity and toxicity of  
41 hazardous waste. The report shall also include a description of activities undertaken to implement  
42 the resident inspectors program established under G.S. 130A-295.02. In addition, the report shall  
43 include an annual update on the mercury switch removal program that shall include, at a  
44 minimum, all of the following:

- 45 (1) A detailed description of the mercury recovery performance ratio achieved by  
46 the mercury switch removal program.
- 47 (2) A detailed description of the mercury switch collection system developed and  
48 implemented by vehicle manufacturers in accordance with the NVMSRP.
- 49 (3) In the event that a mercury recovery performance ratio of at least 0.90 of the  
50 national mercury recovery performance ratio as reported by the NVMSRP is

not achieved, a description of additional or alternative actions that may be implemented to improve the mercury switch removal program.

(4) The number of mercury switches collected and a description of how the mercury switches were managed.

(5) A statement that details the costs required to implement the mercury switch removal program, including a summary of receipts and disbursements from the Mercury Switch Removal Account."

**SECTION 14.(g)** The first combined report required by subsections (a) through (f) of this section shall be submitted to the Environmental Review Commission and the Fiscal Research Division no later than January 15, 2017.

## **CONSOLIDATE SEDIMENTATION POLLUTION CONTROL ACT AND STORMWATER REPORTS**

**SECTION 15.(a)** G.S.113A-67 reads as rewritten:

### **"§ 113A-67. Annual Report.**

The Department shall report to the Environmental Review Commission on the implementation of this Article on or before ~~4 October~~October 1 of each year. The Department shall include in the report an analysis of how the implementation of the Sedimentation Pollution Control Act of 1973 is affecting activities that contribute to the sedimentation of streams, rivers, lakes, and other waters of the State. The report shall also include a review of the effectiveness of local erosion and sedimentation control programs. The report shall be submitted to the Environmental Review Commission with the report required by G.S. 143-214.7(e) as a single report."

**SECTION 15.(b)** G.S. 143-214.7(e) reads as rewritten:

"(e) On or before October 1 of each year, the Commission shall report to the Environmental Review Commission on the implementation of this section, including the status of any stormwater control programs administered by State agencies and units of local government. The status report shall include information on any integration of stormwater capture and reuse into stormwater control programs administered by State agencies and units of local government. The report shall be submitted to the Environmental Review Commission with the report required by G.S. 113A-67 as a single report."

**SECTION 15.(c)** The first combined report required by subsections (a) and (b) of this section shall be submitted to the Environmental Review Commission no later than October 1, 2016.

## **CONSOLIDATE VARIOUS WATER RESOURCES AND WATER QUALITY REPORTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

**SECTION 16.(a)** G.S. 143-355(n) is repealed.

**SECTION 16.(b)** G.S. 143-355(o)(9) is repealed.

**SECTION 16.(c)** G.S. 143-355 is amended by adding a new subsection to read:

"(p) Report. – The Department of Environmental Quality shall report to the Environmental Review Commission on the implementation of this section, including the development of the State water supply plan and the development of basinwide hydrologic models, no later than November 1 of each year. The Department shall submit the report required by this subsection with the report on basinwide water quality management plans required by G.S. 143-215.8B(d) as a single report."

**SECTION 16.(d)** G.S. 143-215.8B(d) reads as rewritten:

"(d) As a part of the report required pursuant to G.S. 143-355(p), ~~The~~ the Commission and the Department shall each report on or before November 1 ~~October~~ of each year on an annual basis to the Environmental Review Commission on the progress in developing and implementing basinwide water quality management plans and on increasing public involvement and public education in connection with basinwide water quality management planning. The report to the Environmental Review Commission by the Department shall include a written statement as to all



1 concentrations of heavy metals and other pollutants in the surface waters of the State that are  
2 identified in the course of preparing or revising the basinwide water quality management plans."

3 **SECTION 16.(e)** The first combined report required by subsections (c) and (d) of this  
4 section shall be submitted to the Environmental Review Commission no later than November 1,  
5 2016.

6  
7 **CONSOLIDATE REPORTS BY THE DIVISION OF WATER INFRASTRUCTURE OF**  
8 **THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE STATE WATER**  
9 **INFRASTRUCTURE AUTHORITY**

10 **SECTION 17.(a)** 159G-26(a) reads as rewritten:

11 "(a) Requirement. – The Department ~~must~~shall publish a report each year on the accounts  
12 in the Water Infrastructure Fund that are administered by the Division of Water Infrastructure. The  
13 report ~~must~~shall be published by ~~4~~November 1 of each year and cover the preceding fiscal year.  
14 The Department ~~must~~shall make the report available to the public and ~~must~~shall give a copy of  
15 the report to the Environmental Review ~~Commission and the~~Commission, the Joint Legislative  
16 Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal  
17 Research Division of the Legislative Services Commission. Division with the report required by  
18 G.S. 159G-72 as a single report."

19 **SECTION 17.(b)** G.S. 159G-72 reads as rewritten:

20 "**§ 159G-72. State Water Infrastructure Authority; reports.**

21 No later than November 1 of each year, the Authority shall submit a report of its activity and  
22 findings, including any recommendations or legislative proposals, to the ~~Senate Appropriations~~  
23 ~~Committee on Natural and Economic Resources, the House of Representatives Appropriations~~  
24 ~~Subcommittee on Natural and Economic Resources, and the Fiscal Research Division of the~~  
25 ~~Legislative Services Commission.~~ Environmental Review Commission, the Joint Legislative  
26 Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal  
27 Research Division with the report required by G.S. 159G-26(a) as a single report."

28 **SECTION 17.(c)** The first combined report required by subsections (a) and (b) of this  
29 section shall be submitted to the Environmental Review Commission, the Joint Legislative  
30 Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal  
31 Research Division no later than October 1, 2016.

32  
33 **CONSOLIDATE REPORTS BY SOIL AND WATER CONSERVATION COMMISSION**  
34 **AND THE DIVISION OF SOIL AND WATER CONSERVATION OF THE**  
35 **DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

36 **SECTION 18.(a)** G.S. 106-850(e) reads as rewritten:

37 "(e) The Soil and Water Conservation Commission shall report on or before ~~31~~January 31  
38 of each year to the Environmental Review Commission, the Department of Agriculture and  
39 Consumer Services, and the Fiscal Research Division. This report shall include a list of projects  
40 that received State funding pursuant to the program, the results of the evaluations conducted  
41 pursuant to subdivision (7) of subsection (b) of this section, findings regarding the effectiveness of  
42 each of these projects to accomplish its primary purpose, and any recommendations to assure that  
43 State funding is used in the most cost-effective manner and accomplishes the greatest  
44 improvement in water quality. This report shall be submitted to the Environmental Review  
45 Commission and the Fiscal Research Division with the reports required by G.S. 106-860(e) and  
46 G.S. 139-60(d) as a single report."

47 **SECTION 18.(b)** G.S. 106-860(e) reads as rewritten:

48 "(e) Report. – The Soil and Water Conservation Commission shall report no later than ~~31~~  
49 January 31 of each year to the Environmental Review Commission, the Department of Agriculture  
50 and Consumer Services, and the Fiscal Research Division. The report shall include a summary of  
51 projects that received State funding pursuant to the Program, the results of the evaluation

conducted pursuant to subdivision (5) of subsection (b) of this section, findings regarding the effectiveness of each project to accomplish its primary purpose, and any recommendations to assure that State funding is used in the most cost-effective manner and accomplishes the greatest improvement in water quality. This report shall be submitted to the Environmental Review Commission and the Fiscal Research Division as a part of the report required by G.S. 106-850(e)."

**SECTION 18.(c)** G.S. 139-60(d) reads as rewritten:

"(d) Report. – No later than January 31 of each year, the Division of Soil and Water Conservation of the Department of Agriculture and Consumer Services shall prepare a comprehensive report on the implementation of subsections (a) through (c) of this section. The report shall be submitted to the Environmental Review Commission and the Fiscal Research Division as a part of the report required by G.S. 106-850(e)."

**SECTION 18.(d)** The first combined report required by subsections (a) through (c) of this section shall be submitted to the Environmental Review Commission and the Fiscal Research Division no later than January 31, 2017.

### **PART III: MAKE OTHER CHANGES TO VARIOUS REPORTS TO THE ENVIRONMENTAL REVIEW COMMISSION**

#### **INCREASE FREQUENCY OF REPORTING BY THE ENERGY POLICY COUNCIL OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

**SECTION 19.** G.S. 113B-12(a) reads as rewritten:

"(a) ~~Every two years the~~ On or before January 1 of each year, the Energy Policy Council shall transmit to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Environmental Review Commission, the Joint Legislative Commission on Energy Policy, and the chairman of the Utilities Commission a comprehensive report providing a general overview of energy conditions in the State."

#### **DECREASE REPORTING FREQUENCY ON TERMINAL GROINS PILOT PROJECT BY THE COASTAL RESOURCES COMMISSION**

**SECTION 20.** G.S. 113A-115.1(i) reads as rewritten:

"(i) ~~No later than September 1 of each year,~~ January 1, 2017 and every five years thereafter, the Coastal Resources Commission shall report to the Environmental Review Commission on the implementation of this section. The report shall provide a detailed description of each proposed and permitted terminal groin and its accompanying beach fill project, including the information required to be submitted pursuant to subsection (e) of this section. For each permitted terminal groin and its accompanying beach fill project, the report shall also provide all of the following:

- (1) The findings of the Commission required pursuant to subsection (f) of this section.
- (2) The status of construction and maintenance of the terminal groin and its accompanying beach fill project, including the status of the implementation of the plan for construction and maintenance and the inlet management plan.
- (3) A description and assessment of the benefits of the terminal groin and its accompanying beach fill project, if any.
- (4) A description and assessment of the adverse impacts of the terminal groin and its accompanying beach fill project, if any, including a description and assessment of any mitigation measures implemented to address adverse impacts."

#### **DECREASE REPORTING FREQUENCY ON PARKS SYSTEM PLAN BY THE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES**

**SECTION 21.** G.S. 143B-135.48(d) reads as rewritten:

"(d) No later than October 1 of each year, 1, 2016 and every five years thereafter, the Department shall submit electronically the State Parks System Plan to the Environmental Review Commission, ~~the Senate and the House of Representatives appropriations committees with jurisdiction over natural and cultural resources,~~ the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division. Concurrently, the Department shall submit a summary of each change to the Plan that was made during the previous ~~fiscal year~~ five fiscal years."

#### **REDIRECT INTERAGENCY REPORT ON SUPERFUND COST SHARE TO THE ANER OVERSIGHT COMMITTEE**

**SECTION 22.** Section 15.6 of S.L. 1999-237 reads as rewritten:

"Section 15.6.(a) The Department of ~~Environment and Natural Resources~~ Environmental Quality may use available funds, with the approval of the Office of State Budget and Management, to provide the ten percent (10%) cost share required for Superfund cleanups on the National Priority List sites, to pay the operating and maintenance costs associated with these Superfund cleanups, and for the cleanup of priority inactive hazardous substance or waste disposal sites under Part 3 of Article 9 of Chapter 130A of the General Statutes. These funds may be in addition to those appropriated for this purpose.

Section 15.6.(b) The Department of ~~Environment and Natural Resources~~ Environmental Quality and the Office of State Budget and Management shall report to the ~~Environmental Review Commission and the Joint Legislative Commission on Governmental Operations~~ Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources the amount and the source of the funds used pursuant to subsection (a) of this section within 30 days of the expenditure of these funds."

#### **REDIRECT REPORT ON EXPENDITURES FROM BERNARD ALLEN EMERGENCY DRINKING WATER FUND TO ANER OVERSIGHT COMMITTEE**

**SECTION 23.** G.S. 87-98(e) reads as rewritten:

"(e) The Department, in consultation with the Commission for Public Health and local health departments, shall report no later than October 1 of each year to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources ~~Environmental Review Commission, the House of Representatives and Senate Appropriations Subcommittees on Natural and Economic Resources,~~ and the Fiscal Research Division of the General Assembly on the implementation of this section. The report shall include the purpose and amount of all expenditures from the Fund during the prior fiscal year, a discussion of the benefits and deficiencies realized as a result of the section, and may also include recommendations for any legislative action."

#### **REDIRECT REPORT ON PARKS AND RECREATION TRUST FUND TO THE ANER OVERSIGHT COMMITTEE**

**SECTION 24.** G.S. 143B-135.56(f) reads as rewritten:

"(f) Reports. – The North Carolina Parks and Recreation Authority shall report no later than October 1 of each year to the Joint Legislative ~~Commission on Governmental Operations, the House and Senate Appropriations Subcommittees on Natural and Economic Resources,~~ Oversight Committee on Agriculture and Natural and Economic Resources, the Fiscal Research Division, and the Environmental Review Commission on allocations from the Trust Fund from the prior fiscal year. For funds allocated from the Trust Fund under subsection (c) of this section, this report shall include the operating expenses determined under subdivisions (1) and (2) of subsection (e) of this section."

#### **PART IV: EFFECTIVE DATE**

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**SECTION 25.** This act is effective when it becomes law.