

**General Assembly of North Carolina
Environmental Review Commission
State Legislative Building
Raleigh, North Carolina**

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7 November 2005

TO: Members of the Environmental Review Commission
Interested Parties

FROM: George F. Givens, Commission Counsel
Dot Waugaman, Commission Clerk

RE: **Notice of Commission Meeting
Notice of Planning Meeting
Schedule of Future Meetings
Meetings of Interested Parties (605 Working Groups)
Additional Information**

COMMISSION MEETING:

The Environmental Review Commission (ERC) will meet at 9:30 a.m. Tuesday 22 November 2005 in Room 544 of the Legislative Office Building in Raleigh.

At this meeting, the Commission will begin or continue studies for which the Commission is responsible, hear reports from State agencies, discuss topics to be considered at future meetings, and attend to other matters. Listed below are potential agenda topics for this meeting and for future meetings. More specific information regarding the agenda for the 22 November meeting of the Commission will be developed at the staff planning meeting discussed below.

POSSIBLE AGENDA TOPICS:

General/Miscellaneous:

- 1) Quarterly report on the activities of the Environmental Management Commission (G.S. 143B-282(b))
- 2) Implementation of the Ecosystem Enhancement Program and use of funds in the Ecosystem Restoration Fund (G.S. 143-214.13)
- 3) Semiannual report on agency litter enforcement, litter prevention, and litter removal efforts (G.S. 147-12(b))
- 4) Annual report on the One-Stop Permit Assistance and Coordination Program (G.S. 143B-279.12(e))
- 5) Biennial report on the state of the environment (G.S. 143B-279.5)

- 6) Annual report on the cost of the State's environmental permitting programs contained within the Department of Environment and Natural Resources (DENR) (G.S. 143-215.3A(c))
- 7) Report by the Board of Trustees of the Clean Water Management Trust Fund on the management and stewardship of conservation easements (S.L. 2005-276, Sec. 6.22)
- 8) Annual report on the mercury minimization plan prepared by DENR (G.S. 130A-310.57)
- 9) Measures to reduce the quantity of mercury that is released into the environment that impacts natural resources and that harms the public health of the citizens of the State
- 10) Issues related to the feasibility and desirability of increasing local government administration of environmental programs

Air Quality:

- 11) Annual report on the cost of the Title V Program (G.S. 143-215.3A(c))
- 12) Annual report on implementation of S.L. 2002-4 (Clean Smokestacks Act) (S.L. 2002-4, Sec. 14)
- 13) Annual report on the desirability of requiring and the feasibility of obtaining reductions in emissions of oxides of nitrogen (NOx) and sulfur dioxide (SO2) beyond those required by the Clean Smokestacks Act (S.L. 2002-4, Sec. 11)
- 14) Final report on issues related to the development and implementation of standards and plans to implement programs to control emissions of mercury and carbon dioxide from coal-fired generating units and other stationary sources of air pollution (S.L. 2002-4, Sec. 12-13)
- 15) Annual report on increasing the use of alternative-fueled and low-emissions light-duty cars and trucks in privately owned fleets (G.S. 143-215.107C(c))
- 16) Annual report on development and implementation of a plan to reduce vehicle miles traveled by State employees and vehicle emissions resulting from job-related travel, including commuting to and from work (G.S. 143-215.107C(d))
- 17) Annual report on development and implementation of a plan to reduce vehicle miles traveled by private sector employees and vehicle emissions resulting from job-related travel, including commuting to and from work (G.S. 143-215.107C(e))
- 18) Issues related to the implementation of a low emission vehicle program that would require motor vehicles sold in this State to meet the same motor vehicle emissions standards required for vehicles sold in California

Coastal Management:

- 19) Discussion of coastal natural hazards and the desirability of requiring a seller of real property in a coastal hazard area to provide a prospective purchaser with a disclosure statement of coastal natural hazards prior to the sale of the property
- 20) Issues related to beaches, inlets, and coastal waterways and the desirability of implementing a multiyear beach and waterway conservation, restoration, and public access plan

Environmental Health:

- 21) Issues related to the certification of onsite wastewater contractors and inspectors
- 22) Issues related to the safety and quality of potable water delivered from private drinking water wells in the State

Hazardous Waste Management:

- 23) Annual report on the Inactive Hazardous Sites Program (G.S. 130A-310.10)
- 24) Annual report on implementation of the Resident Inspectors Program at commercial hazardous waste facilities (G.S. 130A-295.02(m))
- 25) Report of Superfund cost share fund expenditures for cleanup of sites on the National Priorities List (S.L. 1999-237(15.6)(b))
- 26) Annual report on the North Carolina Hazardous Waste Management Plan (G.S. 130A-294(ii))
- 27) Annual report on the Effectiveness of the Brownfields Property Reuse Act (G.S. 130A-310.40)
- 28) Issues related to liability for the cleanup of environmental damage and the defenses to liability that are available to innocent landowners and prospective purchasers of contaminated properties
- 29) Establishment of a consistent and uniform risk-based approach to the assessment, prioritization, and remediation of environmental contamination

Land Resources:

- 30) Annual report on the cost of implementing the Mining Act of 1971 (G.S. 74-54.1(c))
- 31) Annual report on implementation of the Sedimentation Pollution Control Act of 1973 (G.S. 113A-67)

Parks and Recreation / Land Conservation:

- 32) Parks and Recreation Trust Fund Annual Report, Fiscal Year 2003-2004 (G.S. 113-44.15(c))
- 33) North Carolina Natural Heritage Trust Fund Award Report, Fiscal Year 2003-2004 (G.S. 113-77.9(e))
- 34) Annual report on progress towards attaining the State's goal of protecting one million acres of farmland, open space, and conservation lands (G.S. 113A-241(c))
- 35) Annual report on implementation of the Conservation Easements Program and inventory of all conservation easements held by DENR (G.S. 113A-235(c))
- 36) Report on vehicle use at Fort Fisher State Recreation Area (S.L. 2004-124, Sec. 12.3(b))
- 37) Report on the feasibility and the desirability of acquiring land and establishing a State Recreation Area at Blewett Falls Lake (S.L. 2004-24, Sec. 2)
- 38) Report on the master plan for farmland preservation in North Carolina (S.L. 2004-124, Sec. 6.31(b))

Waste Management:

- 39) Discussion of policy alternatives and programs for the management of abandoned manufactured homes
- 40) Issues related to solid waste, including measures to reduce the amount of solid waste disposed of within North Carolina landfills, statewide tipping fees, bans on the disposal of certain types of waste in landfills, more aggressive recycling requirements, and enhanced regulatory requirements for landfills and other solid waste management facilities

Water Quality:

- 41) Annual report on permitting and inspecting animal waste management systems/Animal Waste Compliance Report (G.S. 143-215.10M)

- 42) Annual report on the compliance/ enforcement of water quality laws for facilities that discharge into surface waters (G.S. 143-215.9A)
- 43) Annual report on the Wastewater Discharge Elimination Program (S.L. 2001-452, Sec. 2.9)
- 44) Semiannual report on the effectiveness of the pilot program to inspect animal waste management systems by the Division of Soil and Water Conservation (S.L. 2003-340, Sec. 6.2)
- 45) Report on whether to continue or expand the pilot program to inspect animal waste management systems by the Division of Soil and Water Conservation (S.L. 2005-276, Sec. 12.7(c))
- 46) Annual report on Basinwide Water Quality Management Plans (G.S. 143-215.8B)
- 47) Final report on the Neuse River Monitoring and Modeling Project (S.L. 2005-386, Sec. 2.3)
- 48) Annual report on the Dry-Cleaning Solvent Cleanup Program (G.S. 143-215.104U)
- 49) Annual report on the status of leaking petroleum underground storage tanks, the State cleanup funds, and the Groundwater Protection Loan Fund (G.S. 143-215.94M)
- 50) Annual report by the Roanoke River Basin Bi-State Commission (G.S. 77-98)
- 51) Annual report on implementation of the Clean Water Management Trust Fund (G.S. 113-145.6A(a))
- 52) Annual report on the implementation of stormwater rules and programs (G.S. 143-214.7(e))
- 53) Annual report by the Catawba/Wateree River Basin Advisory Commission and the Yadkin/Pee Dee River Basin Advisory Commission (G.S. 77-117)

Water Quantity:

- 54) Annual report on the progress of water supply planning (G.S. 143-355(n))
- 55) Annual report by the Drought Management Advisory Council, including a review of drought advisories issued by the Council and any recommendations to improve coordination among local, State, and federal agencies; public water systems; and water users to improve the management and mitigation of the harmful effects of drought (G.S. 143-355.1(g))

PLANNING MEETING:

To facilitate development of the agenda for the 22 November meeting of the Commission, to begin planning for subsequent meetings of the Commission, and to receive input from interested persons regarding the work of the Commission, the Commission Counsel will hold an informal planning meeting at **2:00 p.m. on Wednesday 16 November 2004 in Room 605 of the Legislative Office Building**. Persons who wish to participate in the development of the agenda for meetings of the Commission, or who are interested in any matter before the Commission, are invited to attend.

SCHEDULE OF FUTURE MEETINGS:

Below is a schedule of meetings of the Environmental Review Commission for November 2005 through May 2006. This schedule is tentative and subject to adjustment. For planning purposes, however, please reserve these dates. Please note the following:

1. This schedule has been developed in anticipation of the need for at least one full-day business meeting each month to address the regular workload. In addition, it allows for at least two joint meetings with other oversight entities, including the Joint Legislative Commission on Seafood and Aquaculture, the Joint Legislative Transportation Oversight Committee, and the Joint Legislative Utility Review Committee. It includes enough days to allow for the possibility of one or more optional field trips and for cancellations as a result of hazardous weather conditions.

2. Commission meetings normally begin at 9:30 a.m., include a lunch break, and run until mid-afternoon. Please plan on meeting from 9:30 a.m. until at least 3:30 p.m. Unless otherwise announced, the Commission will meet in room 544 LOB.
3. To facilitate development of the agenda for meetings of the Commission and to receive input from interested persons regarding the future work of the Commission, the Commission Counsel holds informal planning meetings for staff and interested parties. Commission members are not expected to attend these meetings. Only one staff planning meeting is scheduled per month, regardless of the number of scheduled meetings of the Commission. Unless otherwise announced, public staff planning meetings will be held in room 605 LOB.
4. The 2006 Regular Session is scheduled to begin at 12:00 noon on Wednesday 9 May 2006. The Commission may meet shortly after the beginning of the session to complete work and to consider any legislative proposals and recommendations.

Commission Meeting

Tuesday 22 November 2005

2005

Tuesday 20 December 2005

Tuesday 24 and Wednesday 25 January 2006

Tuesday 14 and Wednesday 15 February 2006

Tuesday 14 and Wednesday 15 March 2006

Tuesday 11 and Wednesday 12 April 2006

Wednesday 3 May 2006

Monday 8 May 2006

Staff Planning Meeting

2:00 p.m. Wednesday 16 November

2:00 p.m. Monday 5 December 2005

2:00 p.m. Tuesday 17 January 2006

10:00 a.m. Friday 3 February 2006

10:00 a.m. Friday 3 March 2006

2:00 p.m. Monday 3 April 2006

10:00 a.m. Thursday 27 April 2006

MEETINGS OF INTERESTED PARTIES (605 WORKING GROUPS):

The Commission Counsel will hold meetings of interested parties on specific topics as indicated below:

- To be announced.

ADDITIONAL INFORMATION:

If you have questions related to the Commission, please feel free to contact the Commission Counsel or other Commission staff at (919) 733-2578.