

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

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**15 September 2006
FIRST REVISION**

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 (Commission) will meet at 9:30 a.m. Monday 9 October 2006 in Room 643 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 9 October meeting of the Commission will be developed at the staff planning meeting discussed below.

STUDIES

- 1) Issues related to solid waste (S.L. 2006-244, Sec.4)
- 2) Issues related to the nutrient offset payment program with regard to the costs associated with providing nutrient controls that are adequate to offset point source and nonpoint source discharges of nitrogen; whether nutrient offset payments should be authorized for additional nutrients, including phosphorus; and whether the nutrient offset program should be expanded to other areas of the State (S.L. 2006-215, Sec. 2)
- 3) Issues related to abandoned manufactured (mobile) homes with regard to impacts on public health and safety, the environment, and the State's scenic resources (S.L. 2006-248, Sec. 8.3)
- 4) The merger of the organization and functions of the Ecosystem Enhancement Program and the Clean Water Management Trust Fund with the Joint Legislative Transportation Oversight Committee (S.L. 2006-248, Sec. 16)

- 5) 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 (S.L. 2006-248, Sec. 8.2)
- 6) Establishment of a consistent and uniform risk-based approach to the assessment, prioritization, and remediation of environmental contamination
- 7) 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

REPORTS *(Report due dates are indicated in parentheses)*

General/Miscellaneous:

- 8) Quarterly report on the activities of the Environmental Management Commission (G.S. 143B-282(b)) *(15 July, 15 October)*
- 9) Annual report on the mercury minimization plan prepared by DENR (G.S. 130A-310.57) *(1 November)*
- 10) Implementation of the Ecosystem Enhancement Program and use of funds in the Ecosystem Restoration Fund (G.S. 143-214.13) *(1 November)*
- 11) 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)) *(1 November)*
- 12) Annual report on the implementation of Pay for Performance Program (S.L. 2001-442) *(1 September)*
- 13) Annual report on the evaluation and adjustment of the boundaries of the area served by each Metropolitan Planning Organization (G.S. 136-202(d)) *(1 November)*

Air Quality:

- 14) Annual report on the cost of the Title V Program (G.S. 143-215.3A(c)) *(1 November)*
- 15) Annual report on implementation of S.L. 2002-4 (Clean Smokestacks Act) (S.L. 2002-4, Sec. 14) *(1 June)*
- 16) 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) *(1 September)*
- 17) 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)) *(1 October)*
- 18) 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)) *(1 October)*

Coastal Management:

- 19) Annual report on the progress in developing and implementing the Coastal Habitat Protection Plans and reports on the completion or substantial revision of each draft Coastal Habitat Protection Plan (G.S. 143B-279.8(e) and G.S. 143B-279.8(f)) *(1 September)*

- 20) Annual report by the Coastal Resources Commission evaluating the impacts on water quality and other environmental impacts from new urban waterfront area development (S.L. 2004-117, Sec. 4) *(1 October)*

Hazardous Waste Management:

- 21) Annual report on the Inactive Hazardous Sites Program (G.S. 130A-310.10) *(1 October)*
- 22) Annual report on implementation of the Resident Inspectors Program at commercial hazardous waste facilities (G.S. 130A-295.02(m)) *(1 October)*
- 23) Report of Superfund cost share fund expenditures for cleanup of sites on the National Priorities List (S.L. 1999-237(15.6)(b)) *(Floating, within 30 days of expenditure)*
- 24) Annual report on the North Carolina Hazardous Waste Management Plan (G.S. 130A-294(i)) *(1 October)*
- 25) Annual report on the Effectiveness of the Brownfields Property Reuse Act (G.S. 130A-310.40) *(1 October)*

Land Resources:

- 26) Annual report on the cost of implementing the Mining Act of 1971 (G.S. 74-54.1(c)) *(1 September)*
- 27) Annual report on implementation of the Sedimentation Pollution Control Act of 1973 (G.S. 113A-67) *(1 October)*

Parks and Recreation / Land Conservation:

- 28) Parks and Recreation Trust Fund Annual Report, Fiscal Year 2003-2004 (G.S. 113-44.15(c)) *(1 October)*
- 29) North Carolina Natural Heritage Trust Fund Award Report, Fiscal Year 2003-2004 (G.S. 113-77.9(e)) *(1 October)*
- 30) 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)) *(1 October)*
- 31) Annual report on implementation of the Conservation Easements Program and inventory of all conservation easements held by DENR (G.S. 113A-235(c)) *(1 October)*
- 32) Report on the master plan for farmland preservation in North Carolina (S.L. 2004-124, Sec. 6.31(b)) *(March 2005)*

Solid Waste Management:

- 33) Annual report on the recycling efforts of the public schools in the State including information provided by local school administrative units on the number of public schools that have recycling programs and the types of recyclable materials that are collected (S.L. 2001-512, Sec. 11) *(15 December)*

Water Quality:

- 34) Report on the evaluation of the training and qualification requirements for approval as an animal waste management systems technical specialist (S.L. 2006-38, Sec. 2) *(15 November 2006)*

- 35) Annual report on permitting and inspecting animal waste management systems/Animal Waste Compliance Report (G.S. 143-215.10M) *(1 October)*
- 36) Semiannual report on the pilot program for inspection of animal waste management systems including a comparison of the costs of conducting operations reviews and inspections under the pilot program with the costs of conducting operations and inspections under G.S. 143-215.10D and G.S. 143-215.10F *(15 October)*
- 37) Annual report on the compliance/enforcement of water quality laws for facilities that discharge into surface waters (G.S. 143-215.9A) *(1 October)*
- 38) Annual report on the Wastewater Discharge Elimination Program (S.L. 2001-452, Sec. 2.9) *(15 October)*
- 39) 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) *(15 October)*
- 40) Annual report on Basinwide Water Quality Management Plans (G.S. 143-215.8B) *(1 October)*
- 41) Final report on the Neuse River Monitoring and Modeling Project (S.L. 2005-386, Sec. 2.3) *(1 November 2005)*
- 42) Annual report on the Dry-Cleaning Solvent Cleanup Program (G.S. 143-215.104U) *(1 October)*
- 43) 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) *(1 September)*
- 44) Annual report by the Roanoke River Basin Bi-State Commission (G.S. 77-98)
- 45) Annual report on implementation of the Clean Water Management Trust Fund (G.S. 113-145.6A(a)) *(1 December)*
- 46) Annual report on the implementation of stormwater rules and programs (G.S. 143-214.7(e)) *(1 October)*
- 47) Annual report by the Catawba/Wateree River Basin Advisory Commission and the Yadkin/Pee Dee River Basin Advisory Commission (G.S. 77-117) *(1 October)*
- 48) Annual report and analysis of how the implementation of the Sedimentation Pollution Control Act is affecting activities that contribute to the sedimentation of the State's waters and review of the effectiveness of local erosion and sedimentation control programs (G.S. 113A-67) *(1 October)*

Water Quantity:

- 49) Annual report on the progress of water supply planning (G.S. 143-355(n)) *(1 September)*
- 50) 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)) *(1 October)*
- 51) Annual report by the State Water Infrastructure Commission on its activities and findings, includes any recommendations of the Commission that require action by the General Assembly to implement (G.S. 159G-67) *(1 November)*

PLANNING MEETING:

To facilitate development of the agenda for the 9 October 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 **10:00 a.m. on Thursday 21 September 2006 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 October 2006 through January 2007. This schedule is tentative and subject to adjustment. For planning purposes, however, please reserve these dates. Please note the following:

1. 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. The Commission will meet in the Legislative Building (LB) or the Legislative Office Building (LOB) as indicated.
2. 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. Unless otherwise announced, public staff planning meetings will be held at 10:00 a.m. in Room 605 LOB.
3. The 2007 Regular Session is scheduled to begin at 12:00 noon on Wednesday 24 January 2007. The Commission may meet shortly after the beginning of the session to complete work and to consider any legislative proposals and recommendations.

<u>Commission Meeting</u>	<u>Location</u>	<u>Staff Planning Meeting (605 LOB)</u>
Monday 9 October 2006	643 LOB	Thursday 21 September 2006
Wednesday 25 October 2006	544 LOB	Friday 13 October 2006
Wednesday 15 November 2006	1228 LB	Friday 3 November 2006
Wednesday 13 December 2006	1228 LB	Friday 1 December 2006
Wednesday 17 January 2007	544 LOB	Monday 8 January 2007
Tuesday 23 January 2007	1228 LB	Monday 8 January 2007

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.