

General Assembly of North Carolina

Environmental Review Commission State Legislative Building Raleigh, North Carolina

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31 January 2008

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TO: Members of the Environmental Review Commission
Interested Parties

FROM: George F. Givens, Commission Counsel
Jessica Bennett, 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. Thursday 14 February 2008 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 14 February meeting of the Commission will be developed at the staff planning meeting discussed below. Commission Counsel may publish a revised notice/draft agenda following the staff planning meeting if circumstances permit.

STUDIES

- 1) Issues related to the franchise of solid waste management facilities by units of local government. (S.L. 2007-550, Sec. 18)
- 2) Issues related to the transportation of solid waste by rail or barge, including the extent to which regulation of the transportation of solid waste by rail or barge may be preempted by federal law. (S.L. 2007-550, Sec. 18)
- 3) Issues related to the use of pervious surfaces for vehicle parking areas, including associated costs, impact to the environment of stormwater runoff, and practices of other states with regard to stormwater best management practices. (S.L. 2007-323, Sec. 6.22.(b))
- 4) Allocation of surface water resources and their availability and maintenance in the State, including issues related to the transfer of water from one river basin to another, the withdrawal of

water for consumptive use, and the accuracy and tolerance of equipment used to measure the flow of water transferred from one river basin to another river basin. (S.L. 2007-518, Sec. 1.(a))

- 5) Preparation of a revised map entitled "Major River Basins and Sub-basins in North Carolina" as a recommended replacement for the map referenced in G.S. 143-215.22G. The revised map shall define the extent to which any river basin that encompasses any river that flows from another state into North Carolina or that flows from North Carolina into another state extends into an adjacent state. (S.L. 2007-518, Sec. 1.(b))
- 6) Other studies undertaken by the Commission.

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

General/Miscellaneous:

- 7) Report on the Department of Administration plan to implement an energy conservation measures program and development or revisions of architectural or engineering standards consistent with an energy conservation measures program. (S.L. 2007-546, Sec. 2.1(c)) *(1 February 2008)*
- 8) Annual report by the Soil and Water Conservation Commission on the Community Conservation Assistance Program, including a summary of projects that received State funding pursuant to the Program, the results of the evaluation conducted, and a summary of the effectiveness of the Program. (G.S. 143-215.74M(e)) *(31 January 2007)*

Hazardous Waste Management:

- 9) 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)*
- 10) Department of Environment and Natural Resources study of the need for further regulation of hazardous waste transfer facilities, including whether to require the facilities to obtain a permit, pay permit fees, provide contingency plans, and demonstrate financial responsibility. (S.L. 2007-107) *(1 February 2008)*

Parks and Recreation / Land Conservation:

** Note: All reports under this heading are being held for presentation at the 18 March 2008 meeting of the Commission.*

Water Quality:

- 11) Annual report on the Dry-Cleaning Solvent Cleanup Program. (G.S. 143-215.104U) *(1 October)*
- 12) 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)*
- 13) Implementation of the Clean Water Management Trust Fund; projects and awarded grants. (G.S. 113-145.6A(a) and S.L. 2002-148, Sec. 3) *(1 December) *Held for presentation at the 18 March 2008 meeting of the Commission.*
- 14) Annual report on the effectiveness of projects funded under the Agriculture Cost-Share Program for Nonpoint Source Pollution Control. (G.S. 143-215.74(e)) *(31 January)*
- 15) North Carolina Water Quality Workgroup (Rivernet) annual report on the previous year's activities, findings, and recommendations (G.S. 143-215.8D) *(30 January)*

OTHER MATTERS

- 16) Update on the current drought.
- 17) Discussion of issues related to administration of the Bernard Allen Memorial Emergency Drinking Water Fund.
- 18) Discussion of issues related to the use of flame retardants that contain polybrominated diphenylethers (PBDE).

PLANNING MEETING:

To facilitate development of the agenda for the 14 February 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 Tuesday 5 February 2008 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 March 2008 through May 2008. **This schedule is tentative and subject to adjustment.** For planning purposes, however, please reserve these dates. This schedule may be modified to allow for out-of-town business meetings or site visits and in the event that it becomes necessary to cancel a scheduled meeting due to hazardous weather conditions. Please note the following:

1. Meetings of the Commission normally begin at 9:30 a.m., often 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. Meetings of the Commission are open to the public.
2. Staff planning meetings normally begin at 10:00 a.m. and adjourn by noon. Staff planning meetings are informal and are open to the public. Commission members are not expected to attend these meetings.
3. The March meeting is anticipated to focus on parks and recreation issues. This meeting may take place over two days at a location outside Raleigh.
4. The 2008 Regular Session is scheduled to begin at 12:00 noon on Tuesday 13 May 2008. The Commission may meet shortly after the beginning of the session to complete ongoing work and to consider any legislative proposals and recommendations and may meet at other times during the legislative session.

Commission Meeting
Tuesday 18 March 2008
Thursday 10 April 2008
Friday 9 May 2008
Wednesday 14 May 2008

Location
TBD
544 LOB
544 LOB
544 LOB

Staff Planning Meeting
Friday 7 March 2008
Friday 28 March 2008
Tuesday 29 April 2008

Location
605 LOB
605 LOB
605 LOB

MEETINGS OF INTERESTED PARTIES (605 WORKING GROUPS):

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

Underground Storage Tank Working Group

2:00 p.m. Monday 18 February 2008 – 605 Legislative Office Building

Public meeting on the study of issues related to construction on artificial slopes

TBD – in Northwestern North Carolina

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.