

General Assembly of North Carolina

Environmental Review Commission State Legislative Building Raleigh, North Carolina

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30 November 2007

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COMMISSION CLERK

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. Wednesday 19 December 2007 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 19 December meeting of the Commission will be developed at the staff planning meeting discussed below. Commission Staff 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) Annual report on the One-Stop Permit Assistance Program on the number of environmental permits that took more than 90 days to issue or deny, types of permits, reasons for extended processing time, and how the time used to issue or deny the permits compared with projected time provided to the applicant by DENR. (143B-279.12(e)) *(1 October)*
- 8) Annual report on the findings and recommendations on the success of the express permit and certification review program. (G.S. 143B-279.13(c)) *(1 March)*
- 9) Annual report on litter enforcement, prevention, and removal efforts. (G.S. 147-12(b)) *(1 March)*
- 10) 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:

- 11) Annual report on the cost of the Title V program. (G.S. 143-215.3A(c)) *(1 November)*

Coastal Management:

- 12) 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)*
- 13) 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:

- 14) 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)*
- 15) Annual report on the Inactive Hazardous Sites Program (G.S. 130A-310.10) *(1 October)*
- 16) Annual report on implementation of the Resident Inspectors Program at commercial hazardous waste facilities (G.S. 130A-295.02(m)) *(1 October)*
- 17) Annual report on the North Carolina Hazardous Waste Management Plan (G.S. 130A-294(i)) *(1 October)*
- 18) Annual report on the Effectiveness of the Brownfields Property Reuse Act (G.S. 130A-310.40) *(1 October)*

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.*

Solid Waste:

** Note: All reports under this heading are being held for presentation at the 23 January 2008 meeting of the Commission.*

Water Quality:

- 19) Annual report on fish kills in the previous year. (G.S. 143B-297.7(c)) *(1 December)*
- 20) Interim report on the pilot program to streamline the process for the issuance of an improvement permit or an authorization to construct for an on-site subsurface wastewater system in certain counties by authorizing local health departments, authorized agents of DENR, and licensed soil scientists to complete soil and site evaluations in participating counties. (S.L. 2006-136, Sec. 3) *(1 October)*
- 21) Annual report on the Wastewater Discharge Elimination Program. (S.L. 2001-452, Sec. 2.9) *(15 October)*
- 22) Annual report on Basinwide Water Quality Management Plans. (G.S. 143-215.8B) *(1 October)*
- 23) Annual report on the Dry-Cleaning Solvent Cleanup Program. (G.S. 143-215.104U) *(1 October)*
- 24) 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)*
- 25) 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)*

OTHER MATTERS

- 26) Discussion of issues related to drought.

PLANNING MEETING:

To facilitate development of the agenda for the 19 December 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 Wednesday 5 December 2007 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 January 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.

<u>Commission Meeting</u>	<u>Location</u>	<u>Staff Planning Meeting</u>	<u>Location</u>
Wednesday 23 January 2008	544 LOB	Friday 11 January 2008	605 LOB
Thursday 14 February 2008	544 LOB	Tuesday 5 February 2008	605 LOB
Tuesday 18 March 2008	TBD	Friday 7 March 2008	605 LOB
Thursday 10 April 2008	544 LOB	Friday 28 March 2008	605 LOB
Friday 9 May 2008	544 LOB	Tuesday 29 April 2008	605 LOB
Wednesday 14 May 2008	544 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 17 December 2007 – 605 Legislative Office Building

Public meetings on the scope and direction of the study of allocation of water resources

4:00 p.m. to 7:00 p.m. Thursday 20 December 2007 – Charlotte

4:00 p.m. to 7:00 p.m. Friday 4 January 2008 – Greenville

4:00 p.m. to 7:00 p.m. Wednesday 9 January 2008 – Asheville

4:00 p.m. to 7:00 p.m. Wednesday 23 January 2008 – Raleigh

4:00 p.m. to 7:00 p.m. Thursday 24 January 2008 – Wilmington

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

4:00 p.m. to 7:00 p.m. Thursday 10 January 2008 – Asheville

**Note: Specific locations for all meetings are TBD*

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.