

# General Assembly of North Carolina

## Environmental Review Commission State Legislative Building Raleigh, North Carolina

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7 January 2008

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### JESSICA BENNETT

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 (NOTE CHANGE OF DATE)**  
**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 23 January 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 23 January 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 litter enforcement, prevention, and removal efforts. (G.S. 147-12(b)) (1 March)
- 8) Quarterly report on the activities of the Environmental Management Commission (G.S. 143B-282(b)) (15 January)

##### Coastal Management:

- 9) 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:

- 10) 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)*

##### 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:

- 11) Solid Waste Management Annual Report (G.S. 130A-309.12(c), G.S. 130A-309.06(c)(6), G.S. 130A-309.06(c)(8), G.S. 130A-309.06(c)(9), G.S. 130A-309.06(c)(10), G.S. 130A-309.06(c)(11), G.S. 130A-309.06(c)(12), G.S. 130A-309.06(c)(13), G.S. 130A-309.63(e), G.S. 130A-309.85, G.S. 136-28.8(g), G.S. 143-58.2(f)) (15 January)
- 12) 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:

- 13) Annual report on Basinwide Water Quality Management Plans. (G.S. 143-215.8B) (1 October)
- 14) Annual report on the Dry-Cleaning Solvent Cleanup Program. (G.S. 143-215.104U) (1 October)

- 15) 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*)
- 16) 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

- 17) Discussion of issues related to drought.
- 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 23 January 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 Monday 14 January 2008 in Room 605 of the Legislative Office Building. PLEASE NOTE THIS CHANGE OF DATE.** 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 February 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.

<b><u>Commission Meeting</u></b>	<b><u>Location</u></b>	<b><u>Staff Planning Meeting</u></b>	<b><u>Location</u></b>
Thursday 14 February 2008	544 LOB	Tuesday 5 February 2008	605 LOB
<b><i>Tuesday 18 March 2008</i></b>	<b><i>TBD</i></b>	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 4 February 2008 – 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. Wednesday 9 January 2008 – Asheville (Asheville-Buncombe Tech)

4:00 p.m. to 7:00 p.m. Wednesday 23 January 2008 – Raleigh (544 Legislative Office Building)

4:00 p.m. to 7:00 p.m. Thursday 24 January 2008 – Wilmington (New Hanover County Library)

### **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 (Asheville-Buncombe Tech)

## **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.