

General Assembly of North Carolina

Environmental Review Commission

State Legislative Building
Raleigh, North Carolina

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9 November 2007

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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. Tuesday 27 November 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 27 November 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))

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

General/Miscellaneous:

- 6) 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)*
- 7) 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)*
- 8) Annual report on litter enforcement, prevention, and removal efforts. (G.S. 147-12(b)) *(1 March)*
- 9) 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)*
- 10) Annual report on the cost of the State's environmental permitting program (G.S. 143-215.3A(c)) *(1 November)*

Air Quality:

- 11) Annual report on the cost of the Title V program. (G.S. 143-215.3A(c)) *(1 November)*
- 12) Annual report on implementation of S.L. 2002-4 (Clean Smokestacks Act). (S.L. 2002-4, Sec. 14) *(1 June)*
- 13) Annual report on the desirability of requiring and feasibility of obtaining reductions in emissions of NOx and SO2 beyond those required by the Clean Smokestacks Act. (S.L. 2002-4, Sec. 11) *(1 September)*

Coastal Management:

- 14) 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)*
- 15) 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:

- 16) Annual report on the Inactive Hazardous Sites Program. (G.S. 130A-310.10) *(1 October)*
- 17) Annual report on implementation of the Resident Inspectors Program at commercial hazardous waste facilities. (G.S. 130A-295.02(m)) *(1 October)*

- 18) 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*)
- 19) Annual report on the North Carolina Hazardous Waste Management Plan. (G.S. 130A-294(i)) (*1 October*)
- 20) Annual report on the Effectiveness of the Brownfields Property Reuse Act. (G.S. 130A-310.40) (*1 October*)

Parks and Recreation / Land Conservation:

- 21) Parks and Recreation Trust Fund Annual Report, Fiscal Year 2003-2004. (G.S. 113-44.15(c)) (*1 October*)
- 22) North Carolina Natural Heritage Trust Fund Award Report, Fiscal Year 2005-2006. (G.S. 113-77.9(e)) (*Semi-annually, within 30 days of each revision*)
- 23) 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*)
- 24) 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*)
- 25) Annual report on the activities of the North Carolina Agricultural Development and Farmland Preservation Trust Fund and Advisory Committee, the agriculture easements purchased, and agricultural projects funded during the previous year. (S.L. 2007-495, Sec. 23 (*May 1*))

Water Quality:

- 26) 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) (*October 1*)
- 27) Annual report on permitting and inspecting animal waste management systems/Animal Waste Compliance Report. (G.S. 143-215.10M) (*1 October*)
- 28) 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*)
- 29) Annual report on the compliance/enforcement of water quality laws for facilities that discharge into surface waters. (G.S. 143-215.9A) (*1 October*)
- 30) Annual report on the Wastewater Discharge Elimination Program. (S.L. 2001-452, Sec. 2.9) (*15 October*)
- 31) Annual report on Basinwide Water Quality Management Plans. (G.S. 143-215.8B) (*1 October*)
- 32) Annual report on the Dry-Cleaning Solvent Cleanup Program. (G.S. 143-215.104U) (*1 October*)
- 33) 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*)
- 34) Annual report by the Roanoke River Basin Bi-State Commission. (G.S. 77-98) (*1 October*)
- 35) Annual report by the Yadkin-Pee Dee River Basin Advisory Commission. (G.S. 77-117) (*1 October*)

- 36) 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)
- 37) Implementation of the Ecosystem Enhancement Program and use of the Ecosystem Enhancement Fund, including inventory of property and easements. (G.S. 143-214.13) (1 November)

Water Quantity:

- 38) 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 27 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 **10:00 a.m. on Thursday 15 November 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 December 2007 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., 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 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 19 December 2007	544 LOB	Wednesday 5 December 2007	605 LOB
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	544 LOB	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

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.