

General Assembly of North Carolina

Environmental Review Commission State Legislative Building Raleigh, North Carolina

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SENATOR DANIEL G. CLODFELTER

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REPRESENTATIVE EDITH D. WARREN
REPRESENTATIVE LARRY W. WOMBLE



AGENDA

10:00 a.m. Thursday 18 December 2008
Room 1228 Legislative Building
Raleigh, North Carolina

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JENNIFER R. F. MUNDT
COMMISSION ANALYST

MARIAH B. MATHESON
COMMISSION ASSISTANT

JESSICA BENNETT
COMMISSION CLERK

1. Call to order
Senator Charles W. Albertson, Presiding
2. Introductory remarks by Cochairs (*5 minutes*).
Senator Charles W. Albertson
Senator Daniel G. Clodfelter
Representative Lucy T. Allen
Representative Pryor A. Gibson
3. Report to the Commission and explanation of agenda items (*15 minutes*)
George F. Givens, Commission Counsel

Approval of the minutes for the 9 October 2008 and 25 November 2008 meetings of the Commission.

4. Annual report on development and implementation of a plan to reduce vehicle miles traveled by State and private sector employees and vehicle emissions resulting from job-related travel, including commuting to and from work (G.S. 143-215.107C(d) and (e)) (*10 minutes*)

Tamra H. Shaw, Mobility Development Specialist
Public Transportation Division
Department of Transportation

5. Discussion of Draft 2008 Report of the Water Allocation Study (S.L. 2007-518, Sec. 1.(a) as amended by S.L. 2008-10) and issues related to increasing water supply and reservoir construction (S.L. 2008-143, Sec. 6) *(15 minutes)*

William E. Holman, Principal Investigator
Visiting Senior Fellow
Nicholas Institute for Environmental Policy Solutions
Duke University

6. Annual report on the 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 (S.L. 2006-136, Sec. 3) *(20 minutes)*

Terry L. Pierce, Director
Division of Environmental Health
Department of Environment and Natural Resources (DENR)

7. Discussion of alternative methods of disposing of treated wastewater *(35 minutes)*

Francis A. Sanders, Jr., P.E., Director of Operations
Onslow Water and Sewer Authority

Colleen H. Sullins, Director
Division of Water Quality (DWQ)
DENR

8. Annual report on the Wastewater Discharge Elimination Program (S.L. 2001-452, Sec. 2.9) *(15 minutes)*

Walter "Walt" T. Haven, Head
Private Water Supply Branch, On-site Water Protection Section,
Division of Environmental Health, DENR

9. Annual report on the implementation of stormwater rules and programs (G.S. 143-214.7(e)) *(30 minutes)*

T. Bradley Bennett, Stormwater Permitting Unit Supervisor
DWQ, DENR

10. Annual report on implementation of the Sedimentation Pollution Control Act of 1973 (G.S. 113A-67) *(10 minutes)*

Jim D. Simons, State Geologist and Director
Division of Land Resources, DENR

11. Annual report on fish kills in the previous year (G.S. 143B-279.7 (c)) (*10 minutes*)

Mark T. Hale, Senior Environmental Specialist
Environmental Sciences Section
DWQ, DENR

12. Discussion of the protection of conservation land from eminent domain (S.L. 2008-181, Sec. 6.8) (*30 minutes*)

W. Edward Poe, Jr.
Board Member, Catawba Lands Conservancy
On Behalf of the NC Land Trust Council

Kimberly S. Hibbard, Associate General Counsel
North Carolina League of Municipalities

Jeffrey T. O'Briant, Manager
Siting & Acquisition
Progress Energy Carolinas, Inc.

John M. Monaghan, Jr., Community Relations Manager
North Carolina East Region
Piedmont Natural Gas Company

13. Commission discussion and announcements

14. Adjourn

SCHEDULE OF FUTURE MEETINGS:

Below is a schedule of meetings of the Environmental Review Commission for the balance of the current interim. 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:

<u>Commission Meeting</u>	<u>Location</u>	<u>Staff Planning Meeting</u>	<u>Location</u>
Thursday 15 January 2009	643 LOB	Tuesday 6 January 2009	605 LOB
Thursday 22 January 2009	544 LOB	Tuesday 6 January 2009	605 LOB

WATER ALLOCATION STUDY: PUBLIC MEETINGS, WRITTEN COMMENT

The Commission Counsel of the Environmental Review Commission (ERC) will hold public meetings from 2:00 p.m. to 4:00 p.m. and from 5:00 p.m. to 7:00 p.m. on Thursday 18 December in Room 1228 of the Legislative Building in Raleigh, North Carolina. The purpose of the meetings is to receive comment on the study of the allocation of water resources in the State, including the draft report received by the ERC on 25 November 2008. At the 2:00 p.m. meeting, the Commission Counsel will receive comment from invited representatives of various interested parties. At the 5:00 p.m. meeting, the Commission Counsel will receive comment from members of the public at large.

The draft report is available at both

<http://www.ncleg.net/documentsites/committees/ERC/Water%20Allocation%20Study/Draft%20Interim%20Report/Draft%202008%20Report%20of%20the%20Water%20Allocation%20Study.pdf>
and http://sogweb.sog.unc.edu/Water/index.php/Main_Page

Public comment received at the meetings will be considered by the Principal Investigators in their preparation of the final version of the 2008 Report of the Water Allocation Study Team (Draft Interim Report), in any recommendations that the ERC may make to the General Assembly based on the 2008 Report, and in decisions about further study to be conducted by the Principal Investigators or other matters to be considered by the ERC in its ongoing study of water allocation issues.

In addition to comment received at the public meetings, written comment submitted to the Principal Investigators by 5:00 p.m., Friday, 9 January 2009, will be considered for the purposes set out above. Written comment should be sent to both the Principal Investigators and the Clerk of the ERC as set out in the Notice of Public Meetings. That notice is available at <http://www.ncleg.net/gascripts/DocumentSites/browseDocSite.asp?nID=12&sFolderName=\Water%20Allocation%20Study\Notices>

ADDITIONAL INFORMATION:

Persons having questions about the Commission meeting or other matters related to the Commission may contact Commission Counsel or other Commission staff at (919) 733-2578 or may visit the Commission's website at

<http://www.ncleg.net/gascripts/DocumentSites/browseDocSite.asp?nID=12>