

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 131
PROPOSED COMMITTEE SUBSTITUTE S131-PCS15050-TA-1

Short Title: Regulatory Reform Act of 2016.

(Public)

Sponsors:

Referred to:

February 27, 2017

A BILL TO BE ENTITLED

AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND
OTHER LAWS.

The General Assembly of North Carolina enacts:

PART I. STATE AND LOCAL GOVERNMENT REGULATION

COPIES OF CERTAIN PUBLIC RECORDS

SECTION 1.1.(a) G.S. 132-6.2 reads as rewritten:

"§ 132-6.2. **Provisions for copies of public records; fees.**

(a) Persons requesting copies of public records may elect to obtain them in any and all media in which the public agency is capable of providing them. No request for copies of public records in a particular medium shall be denied on the grounds that the custodian has made or prefers to make the public records available in another medium. The public agency may assess different fees for different media as prescribed by law.

(a1) Notwithstanding subsection (a) of this section, a public agency may satisfy the requirement to provide access to public records and computer databases under G.S. 132-6 by making those public records or computer databases available online in a format that allows a person to download the public record or computer database to obtain a copy. A public agency that provides access to public records or computer databases under this subsection is not required to provide copies through any other method or medium. If a public agency, as a service to the requester, voluntarily elects to provide copies by another method or medium, the public agency may negotiate a reasonable charge for the service with the requester. A public agency satisfying its requirement to provide access to public records and computer databases under G.S. 132-6 by making those public records or computer databases available online in a format that allows a person to obtain a copy by download shall also allow for inspection of any public records also held in a nondigital medium.

...

(f) For purposes of this section, the following definitions shall apply:

(1) Computer database. – As defined in G.S. 132-6.1(d)(1).

(2) Media or medium. – A particular form or means of storing information."

SECTION 1.1.(b) The State Chief Information Officer, in consultation with the State Controller, the Office of State Budget and Management, the Local Government Commission, The University of North Carolina, The North Carolina Community College System, The School of Government at the University of North Carolina at Chapel Hill, the North Carolina League of Municipalities, the North Carolina School Boards Association, and the North Carolina County



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1 Commissioners Association, shall report, including any recommendations, to the 2018 Regular
2 Session of the 2017 General Assembly on or before February 1, 2018, regarding the development
3 and use of computer databases by State and local agencies and the need for public access to those
4 public records.

5 **SECTION 1.1.(c)** This section becomes effective July 1, 2017.

6
7 **CLARIFY PRIVATE DRINKING WATER WELL PERMITTING REQUIREMENTS**

8 **SECTION 1.2.(a)** G.S. 87-97(b1) reads as rewritten:

9 **"§ 87-97. Permitting, inspection, and testing of private drinking water wells.**

10 ...

11 (b1) Permit to Include Authorization for Piping and Electrical. – When a permit is issued
12 under this section, the local health department shall be responsible for notifying the appropriate
13 building inspector of the issuance of the well permit. A permit issued under this section shall also
14 be deemed to include authorization for all of the following:

- 15 (1) The installation, construction, maintenance, or repair of electrical wiring,
16 devices, appliances, or equipment by a person certified as a well contractor
17 under Article 7A of this Chapter when running electrical wires from the well
18 pump to the pressure switch.
- 19 (2) The installation, construction, maintenance, or repair of water pipes by a person
20 certified as a well contractor under Article 7A of this Chapter when running
21 water pipes from the well to the water tank.
- 22 (3) The installation of both water pipes and electrical wiring in a single ditch by a
23 person certified as a well contractor under Article 7A of this Chapter when
24 running electrical wires from the well pump to the pressure switch and water
25 pipes from the well to the water tank. The ditch shall be as deep as the
26 minimum cover requirements for either electrical wiring or water pipes,
27 whichever is greater.
- 28 (4) The local health department is the exclusive authority for the permitting and
29 inspection of the well system. No person certified as a well contractor under
30 Article 7 of this Chapter shall be required to have a permit under G.S. 143-138
31 for either (i) the connection or disconnection of a well system to the plumbing
32 served by the well system or (ii) the connection or disconnection of the
33 electrical wiring to the pump or pressure switch of a well system to the
34 electrical service that serves the well system. For purposes of this subdivision, a
35 well system includes the well, the pressure tank, the pressure switch, and all
36 plumbing and electrical equipment in the well and between the well, pressure
37 tank, and pressure switch.

38 This subsection shall not be interpreted to prohibit any person licensed by an independent
39 occupational licensing board from performing any authorized services within the scope of practice
40 of the person's license."

41 **SECTION 1.2.(b)** G.S. 143-138 is amended by adding a new subsection to read:

42 **"§ 143-138. North Carolina State Building Code.**

43 ...

44 (b17) Exclusion for Private Drinking Water Well Installation, Construction, Maintenance,
45 and Repair. – No permit shall be required under the Code or any local variant approved under
46 subsection (e) of this section for the electrical and plumbing activities associated with the
47 installation, construction, maintenance, or repair of a private drinking water well when all of the
48 following apply:

- 49 (1) The work is performed by a contractor certified under Article 7A of Chapter 87
50 of the General Statutes under the terms of a permit issued by the local health
51 department pursuant to G.S. 87-97.

- 1 (2) The scope of work includes only the well system as defined in
2 G.S. 89-97(b1)(4) and the connection or disconnection of the well system to
3 either the plumbing served by the well system or the electrical service that
4 serves the well system."
5

6 **PART II. AGRICULTURE, ENERGY, ENVIRONMENTAL, AND NATURAL**
7 **RESOURCES REGULATION**

8
9 **ELIMINATE OUTDATED PROVISION OF THE COASTAL AREA MANAGEMENT**
10 **ACT**

11 **SECTION 2.1.** G.S. 113A-109 is repealed.

12
13 **EXEMPT LANDSCAPING MATERIAL FROM STORMWATER MANAGEMENT**
14 **REQUIREMENTS**

15 **SECTION 2.2.** G.S. 143-214.7(b2) reads as rewritten:

16 "(b2) For purposes of implementing stormwater programs, "built-upon area" means
17 impervious surface and partially impervious surface to the extent that the partially impervious
18 surface does not allow water to infiltrate through the surface and into the subsoil. "Built-upon
19 area" does not include a slatted deck; the water area of a swimming pool; a surface of number 57
20 stone, as designated by the American Society for Testing and Materials, laid at least four inches
21 thick over a geotextile fabric; ~~or~~ a trail as defined in G.S. 113A-85 that is either unpaved or paved
22 as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per
23 second (1.41 inches per ~~hour~~-hour); or landscaping material, including, but not limited to, gravel,
24 mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on
25 portions of driveways and parking areas that will not receive the full weight of vehicular traffic.
26 The owner or developer of a property may opt out of any of the exemptions from "built-upon area"
27 set out in this subsection. For State stormwater programs and local stormwater programs approved
28 pursuant to subsection (d) of this section, all of the following shall apply:

- 29 (1) The volume, velocity, and discharge rates of water associated with the one-year,
30 24-hour storm and the difference in stormwater runoff from the predevelopment
31 and postdevelopment conditions for the one-year, 24-hour storm shall be
32 calculated using any acceptable engineering hydrologic and hydraulic methods.
- 33 (2) Development may occur within the area that would otherwise be required to be
34 placed within a vegetative buffer required by the Commission pursuant to
35 G.S. 143-214.1 and G.S. 143-214.7 to protect classified shellfish waters,
36 outstanding resource waters, and high-quality waters provided the stormwater
37 runoff from the development is collected and treated from the entire impervious
38 area and discharged so that it passes through the vegetative buffer and is
39 managed so that it otherwise complies with all applicable State and federal
40 stormwater management requirements.
- 41 (3) The requirements that apply to development activities within one-half mile of
42 and draining to Class SA waters or within one-half mile of Class SA waters and
43 draining to unnamed freshwater tributaries shall not apply to development
44 activities and associated stormwater discharges that do not occur within
45 one-half mile of and draining to Class SA waters or are not within one-half mile
46 of Class SA waters and draining to unnamed freshwater tributaries."
47

48 **PROHIBIT CERTAIN STORMWATER CONTROL MEASURES**

49 **SECTION 2.3.(a)** Until the effective date of the revised permanent rule that the
50 Environmental Management Commission is required to adopt pursuant to subsection (c) of this

1 section, the Commission and the Department of Environmental Quality shall implement 15A
2 NCAC 02H .0506 (Review of Applications) as provided in subsection (b) of this section.

3 **SECTION 2.3.(b)** Notwithstanding 15A NCAC 02H .0506(b)(5) and 15A NCAC
4 02H .0506(c)(5), the Director of the Division of Water Resources shall not require the use of
5 on-site stormwater control measures to protect downstream water quality standards, except as
6 required by State or federal law.

7 **SECTION 2.3.(c)** The Environmental Management Commission shall adopt rules to
8 amend 15A NCAC 02H .0506 (Review of Applications) consistent with subsection (b) of this
9 section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this
10 section shall be substantively identical to the provisions of subsection (b) of this section. Rules
11 adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the
12 General Statutes. Rules adopted pursuant to this section shall become effective as provided in
13 G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided by
14 G.S. 150B-21.3(b2).

15 **SECTION 2.3.(d)** This section is effective when it becomes law. Subsection (b) of
16 this section expires on the date that rules adopted pursuant to subsection (c) of this section become
17 effective.

18 19 **AMEND STREAM MITIGATION REQUIREMENTS**

20 **SECTION 2.4.(a)** G.S. 143-214.7C reads as rewritten:

21 "**§ 143-214.7C. Prohibit the requirement of mitigation for impacts to intermittent**
22 **streams-streams; establish threshold for mitigation of impacts to streams.**

23 (a) Except as required by federal law, the Department of Environmental Quality shall not
24 require mitigation for impacts to an intermittent stream. For purposes of this section, "intermittent
25 stream" means a well-defined channel that has all of the following characteristics:

- 26 (1) It contains water for only part of the year, typically during winter and spring
27 when the aquatic bed is below the water table.
- 28 (2) The flow of water in the intermittent stream may be heavily supplemented by
29 stormwater runoff.
- 30 (3) It often lacks the biological and hydrological characteristics commonly
31 associated with the conveyance of water.

32 (b) Except as required by federal law, the Department of Environmental Quality shall not
33 require mitigation for losses of 300 linear feet or less of stream bed.

34 (c) Except as required by federal law, for losses of more than 300 linear feet of stream bed,
35 the Department of Environmental Quality shall not require mitigation for 300 linear feet of the
36 losses."

37 **SECTION 2.4.(b)** The Environmental Management Commission shall amend its rules
38 consistent with subsection (a) of this section.

39 **SECTION 2.4.(c)** The cochairs of the Environmental Review Commission shall
40 examine the mitigation thresholds for losses of stream bed under the Regional Conditions adopted
41 by the Norfolk, Charleston, and Savannah Districts of the United States Army Corps of Engineers
42 and shall submit written comments to the Washington, D.C., Headquarters, the Wilmington
43 District Office of the United States Army Corps of Engineers, and the North Carolina
44 congressional delegation to encourage the Wilmington District to adopt Regional Conditions on
45 the thresholds for losses of stream bed that are consistent with the Regional Conditions adopted by
46 the Norfolk, Charleston, and Savannah Districts of the United States Army Corps of Engineers.

47 48 **COASTAL RESOURCES COMMISSION RULES ON TEMPORARY EROSION** 49 **CONTROL STRUCTURES**

50 **SECTION 2.5.(a)** Sections 14.6(p) and 14.6(q) of S.L. 2015-241 are repealed.

1 **SECTION 2.5.(b)** Notwithstanding G.S. 150B-21.1A(a), the Coastal Resources
2 Commission may adopt an emergency rule for the use of temporary erosion control structures
3 consistent with the amendments to the temporary erosion control structure rules adopted by the
4 Commission as agenda item CRC-16-23 on May 11, 2016, with any further modifications in the
5 Commission's discretion. The Commission shall also adopt temporary and permanent rules to
6 implement this section.

7
8 **DIRECT THE COASTAL RESOURCES COMMISSION TO AMEND THE SEDIMENT**
9 **CRITERIA RULE TO EXEMPT SEDIMENT FROM CAPE SHOAL SYSTEMS**

10 **SECTION 2.6.(a)** Definitions. – "Sediment Criteria Rule" means 15A NCAC 07H
11 .0312 (Technical Standards for Beach Fill Projects) for purposes of this section and its
12 implementation.

13 **SECTION 2.6.(b)** Sediment Criteria Rule. – Until the effective date of the revised
14 permanent rule that the Coastal Resources Commission is required to adopt pursuant to subsection
15 (d) of this section, the Commission and the Department of Environmental Quality shall implement
16 the Sediment Criteria Rule, as provided in subsection (c) of this section.

17 **SECTION 2.6.(c)** Implementation. – The Commission shall exempt from the
18 permitting requirements of the Sediment Criteria Rule any sediment in the cape shoal systems
19 used as a borrow site and any portion of an oceanfront beach that receives sediment from the cape
20 shoal systems. For purposes of this section, "cape shoal systems" includes the Frying Pan Shoals
21 at Cape Fear, Lookout Shoals at Cape Lookout, and Diamond Shoals at Cape Hatteras.

22 **SECTION 2.6.(d)** Additional Rule-Making Authority. – The Commission shall adopt
23 a rule to amend the Sediment Criteria Rule consistent with subsection (c) of this section.
24 Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission, pursuant to this section,
25 shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted
26 pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General
27 Statutes. Rules adopted pursuant to this section shall become effective as provided in
28 G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided by
29 G.S. 150B-21.3(b2).

30 **SECTION 2.6.(e)** Sunset. – This section expires when permanent rules adopted as
31 required by subsection (d) of this section become effective.

32
33 **DIVISION OF COASTAL MANAGEMENT TO STUDY CURRENT LONG-TERM**
34 **EROSION RATES ADJACENT TO TERMINAL GROINS**

35 **SECTION 2.7.** The Division of Coastal Management of the Department of
36 Environmental Quality, in consultation with the Coastal Resources Commission, shall study the
37 change in erosion rates directly adjacent to existing and newly constructed terminal groins to
38 determine whether long-term erosion rates, currently in effect in accordance with 15A NCAC 07H
39 .0304 (AECS Within Ocean Hazard Areas), should be adjusted to reflect any mitigation of
40 shoreline erosion resulting from the installation of the terminal groins. The Division shall report
41 on the results of the study to the Environmental Review Commission on or before March 1, 2018.

42
43 **WILDLIFE RESOURCES COMMISSION, DIVISION OF MARINE FISHERIES, AND**
44 **UTILITIES COMMISSION PRIVATE IDENTIFYING INFORMATION**

45 **SECTION 2.8.(a)** G.S. 143-254.5 reads as rewritten:

46 **"§ 143-254.5. Disclosure of personal identifying information.**

47 Social security numbers and identifying information obtained by the Commission shall be
48 treated as provided in G.S. 132-1.10. For purposes of this section, "identifying information" also
49 includes a person's mailing address, residence address, e-mail address, Commission-issued
50 customer identification number, date of birth, and telephone number."

51 **SECTION 2.8.(b)** G.S. 143B-289.52(h) reads as rewritten:

1 **"§ 143B-289.52. Marine Fisheries Commission – powers and duties.**

2 ...

3 (h) Social security numbers and identifying information obtained by the Commission or
4 the Division of Marine Fisheries shall be treated as provided in G.S. 132-1.10. For purposes of this
5 subsection, "identifying information" also includes a person's mailing address, residence address,
6 e-mail address, Commission-issued customer identification number, date of birth, and telephone
7 number."

8 **SECTION 2.8.(c)** Chapter 132 of the General Statutes is amended by adding a new
9 section to read:

10 **"§ 132-1.14. Personally identifiable information of public utility customers.**

11 (a) Except as otherwise provided in this section, a public record, as defined by G.S. 132-1,
12 does not include personally identifiable information obtained by the Public Staff of the Utilities
13 Commission from customers requesting assistance from the Public Staff regarding rate or service
14 disputes with a public utility, as defined by G.S. 62-3(23).

15 (b) The Public Staff may disclose personally identifiable information of a customer to the
16 public utility involved in the matter for the purpose of investigating such disputes.

17 (c) Such personally identifiable information is a public record to the extent disclosed by
18 the customer in a complaint filed with the Commission pursuant to G.S. 62-73.

19 (d) For purposes of this section, "personally identifiable information" means the customer's
20 name, physical address, e-mail address, telephone number, and public utility account number."

21 **SECTION 2.8.(d)** This section becomes effective October 1, 2017.

22
23 **REGULATION AND DISPOSITION OF CERTAIN REPTILES**

24 **SECTION 2.9.(a)** G.S. 14-419 reads as rewritten:

25 **"§ 14-419. Investigation of suspected violations; seizure and examination of reptiles;**
26 **disposition of reptiles.**

27 (a) In any case in which any law-enforcement officer or animal control officer has
28 probable cause to believe that any of the provisions of this Article have been or are about to be
29 violated, it shall be the duty of the officer and the officer is authorized, empowered, and directed
30 to immediately investigate the violation or impending violation and to consult with representatives
31 of the North Carolina Museum of Natural Sciences or the North Carolina Zoological Park or a
32 designated representative of either the Museum or Zoological Park to identify appropriate and safe
33 methods to seize the reptile or reptiles involved, to seize the reptile or reptiles involved, and the
34 officer is authorized and directed to deliver: (i) a reptile believed to be venomous to the North
35 Carolina State Museum of Natural Sciences or to its designated representative for examination for
36 the purpose of ascertaining whether the reptile is regulated under this Article; and, (ii) a reptile
37 believed to be a large constricting snake or crocodylian to the North Carolina Zoological Park or to
38 its designated representative for the purpose of ascertaining whether the reptile is regulated under
39 this Article. In any case in which a law enforcement officer or animal control officer determines
40 that there is an immediate risk to public safety, the officer shall not be required to consult with
41 representatives of the North Carolina Museum of Natural Sciences or the North Carolina
42 Zoological Park as provided by this ~~subsection~~-subsection and may kill the reptile.

43 (b) If the Museum or the Zoological Park or their designated representatives find that a
44 seized reptile is a venomous reptile, large constricting snake, or crocodylian regulated under this
45 Article, the Museum or the Zoological Park or their designated representative shall determine
46 ~~final~~ an interim disposition of the reptile in a manner consistent with the safety of the public, ~~which~~
47 ~~is~~ until a final disposition is determined by a court of competent jurisdiction. In the case of a
48 venomous reptile for which antivenin approved by the United States Food and Drug
49 Administration is not readily available, ~~shall the reptile may~~ be euthanized unless the species is
50 protected under the federal Endangered Species Act of 1973. Where the Museum or the
51 Zoological Park or their designated representative determines euthanasia to be the appropriate

1 interim disposition, or where a reptile seized pursuant to this Article dies of natural or unintended
2 causes, the Museum, the Zoological Park, or their designated representatives shall not be liable to
3 the reptile's owner.

4 (b1) Upon conviction of any offense contained in this Article, the court shall order a final
5 disposition of the confiscated venomous reptiles, large constricting snakes, or crocodylians, which
6 may include the transfer of title to the State of North Carolina and reimbursement for the
7 necessary expenses incurred in the seizure, delivery, and storage thereof.

8 (c) If the Museum or the Zoological Park or their designated representatives find that the
9 reptile is not a venomous reptile, large constricting snake, or crocodylian regulated under this
10 Article, and either no criminal warrants or indictments are initiated in connection with the reptile
11 within 10 days of initial seizure, or a court of law determines that the reptile is not being owned,
12 possessed, used, transported, or trafficked in violation of this Article, then it shall be the duty of
13 the law enforcement officer to return the reptile or reptiles to the person from whom they were
14 seized within 15 days."

15 **SECTION 2.9.(b)** The North Carolina Department of Natural and Cultural Resources
16 and the North Carolina Wildlife Resources Commission shall jointly study and develop a list of
17 potential designated representatives for the storage and safekeeping of venomous reptiles, large
18 constricting snakes, or crocodylians.

19 **SECTION 2.9.(c)** The North Carolina Department of Natural and Cultural Resources
20 and the North Carolina Wildlife Resources Commission shall jointly study and develop
21 recommendations for potential procedural and policy changes to improve the regulation of certain
22 reptiles pursuant to Article 55 of Chapter 14 of the General Statutes. The Department and the
23 Commission shall consider public health and safety risks, permitting requirements, exemptions,
24 notification of escape, investigation of suspected violations, seizure and examination of reptiles,
25 disposition of seized reptiles, and any other issues determined relevant to the regulation of certain
26 reptiles. The Department and the Commission shall submit a report, including any legislative
27 recommendations, to the Environmental Review Commission no later than December 31, 2017.

28 29 **PROVIDE FOR LOW-FLOW DESIGN ALTERNATIVES FOR PUBLIC WATER** 30 **SUPPLY SYSTEMS**

31 **SECTION 2.10.(a)** 15A NCAC 18C .0409(b)(1) (Daily Flow Requirements). – Until
32 the effective date of the revised permanent rule that the Commission for Public Health is required
33 to adopt pursuant to subsection (c) of this section, the Commission, the Department of
34 Environmental Quality, and any other political subdivision of the State shall implement 15A
35 NCAC 18C .0409(b)(1) (Daily Flow Requirements), as provided in subsection (b) of this section.

36 **SECTION 2.10.(b)** Implementation. – Notwithstanding the Daily Flow Requirements
37 rates listed in Table No. 1 of 15A NCAC 18C .0409(b)(1) (Daily Flow Requirements), a public
38 water supply system shall be exempt from the Daily Flow Requirements, and any other design
39 flow standards established by the Department or the Commission, provided the flow rates that are
40 less than those required in Table No. 1 of 15A NCAC 18C .0409(b)(1) (Daily Flow Requirements)
41 are (i) achieved through an engineering design that utilizes low-flow fixtures and low-flow
42 reduction technologies and the design is prepared, sealed, and signed by a professional engineer
43 licensed pursuant to Chapter 89C of the General Statutes and (ii) provide for a flow that is
44 sufficient to sustain the water usage required in the engineering design.

45 **SECTION 2.10.(c)** Additional Rule-Making Authority. – The Commission shall adopt
46 a rule to amend 15A NCAC 18C .0409(b)(1) (Daily Flow Requirements), consistent with
47 subsection (b) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the
48 Commission pursuant to this section shall be substantively identical to the provisions of subsection
49 (b) of this section. Rules adopted pursuant to this section are not subject to G.S. 150B-21.8
50 through G.S. 150B-21.14. Rules adopted pursuant to this section shall become effective as

1 provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as
2 provided by G.S. 150B-21.3(b2).

3 **SECTION 2.10.(d)** Sunset. – Subsection (b) of this section expires on the date that
4 rules adopted pursuant to subsection (c) of this section become effective.

5
6 **REPEAL PASTURE POINTS PROVISION**

7 **SECTION 2.11.** Section 4 of S.L. 2001-355 is repealed.

8
9 **ESTABLISH NORTH CAROLINA SENTINEL LANDSCAPES COMMITTEE**

10 **SECTION 2.12.(a)** Committee Established. – There is established the North Carolina
11 Sentinel Landscape Committee (Committee).

12 **SECTION 2.12.(b)** Findings and Purpose. – The General Assembly finds that sentinel
13 landscapes are places where preserving the working and rural character of the State's private lands
14 is important for both national defense and conservation priorities. It is the intent of the General
15 Assembly to direct the Committee to coordinate the overlapping priority areas in the vicinity of
16 and where testing and training occur near or adjacent to major military installations, as that term is
17 defined in G.S. 143-215.115, or other areas of strategic benefit to national defense. Further, the
18 Committee shall assist landowners in improving their land to benefit their operations and enhance
19 wildlife habitats while furthering the State's vested economic interest in preserving, maintaining,
20 and sustaining land uses that are compatible with military activities at major military installations
21 and National Guard facilities. In its work, the Committee shall develop and implement programs
22 and strategies that (i) protect working lands in the vicinity of and where testing and training occur
23 near or adjacent to major military installations or other areas of strategic benefit to national
24 defense, (ii) address restrictions that inhibit military testing and training, and (iii) forestall
25 incompatible development in the vicinity of and where testing and training occur near or adjacent
26 to military installations or other areas of strategic benefit to national defense.

27 **SECTION 2.12.(c)** Powers and Duties. – The Committee shall:

- 28 (1) Recognize all lands in the State as Sentinel Landscapes areas that are so
29 designated by the United States Department of Defense.
- 30 (2) Identify and designate certain additional lands to be contained in the Sentinel
31 Landscapes of this State that are of particular import to the nation's defense and
32 in the vicinity of and where testing and training occur on, near, or adjacent to
33 major military installations or are of other strategic benefit to the nation's
34 defense. In this work, the Committee may seek advice and recommendations
35 from stakeholders who have experience in this sort of identification and
36 designation.
- 37 (3) In designating sentinel lands as directed by subdivision (1) of this subsection,
38 the Committee shall evaluate all working or natural lands that the Committee
39 identifies as contributing to the long-term sustainability of the military missions
40 conducted in this State. In its evaluation of which lands to designate as sentinel
41 lands, the Committee shall consult with and seek input from:
- 42 a. The United States Department of Defense.
43 b. The North Carolina Commander's Council.
44 c. The United States Department of Agriculture.
45 d. The United States Department of the Interior.
46 e. Elected officials from units of local government located in the vicinity
47 of and where testing and training occur on the proposed sentinel lands.
48 f. Any other stakeholders that the Committee deems appropriate.
- 49 (4) Develop recommendations to encourage landowners located within the sentinel
50 landscape designated pursuant to subdivision (1) of this subsection to

1 voluntarily participate in and begin or continue land uses compatible with the
2 United States Department of Defense operations in this State.

- 3 (5) Provide technical support services and assistance to landowners who
4 voluntarily participate in the sentinel landscape program.

5 **SECTION 2.12.(d) Membership.** – The Committee shall consist of at least the five
6 following members:

- 7 (1) The Commissioner of Agriculture, or the Commissioner's designee.
8 (2) The Secretary of the Department of Military and Veterans Affairs, or the
9 Secretary's designee.
10 (3) The Secretary of Natural and Cultural Resources, or the Secretary's designee.
11 (4) The Executive Director of the Wildlife Resources Commission, or the
12 Executive Director's designee.
13 (5) The Dean of the College of Natural Resources at North Carolina State
14 University, or the Dean's designee.

15 The Commissioner of Agriculture or the Commissioner's designee shall serve as
16 Committee chair for an initial two-year term. Thereafter, the Committee chair shall be one of the
17 five listed members above. The Committee chair may appoint members representing other State
18 agencies, local government officials, and nongovernmental organizations that are experienced in
19 land management activities within sentinel lands.

20 **SECTION 2.12.(e) Transaction of Business.** – The Committee shall meet, at a
21 minimum, at least once during each calendar quarter and at other times at the call of the chair. A
22 majority of members of the Committee shall constitute a quorum. The first Committee meeting
23 shall take place within 30 days of the effective date of this act.

24 **SECTION 2.12.(f) Reports.** – The Committee shall report on its activities conducted
25 to implement this section, including any findings, recommendations, and legislative proposals, to
26 the North Carolina Military Affairs Commission and the Agriculture and Forestry Awareness
27 Study Commission beginning September 1, 2017, and annually thereafter, until such time as the
28 Committee completes its work.

29 **SECTION 2.12.(g) Administrative Assistance.** – All clerical and other services
30 required by the Committee shall be supplied by the membership and shall be provided with funds
31 available.

32
33 **PART III. ELIMINATE, CONSOLIDATE, AND AMEND REPORTS TO THE**
34 **ENVIRONMENTAL REVIEW COMMISSION**

35
36 **ELIMINATE ANNUAL REPORT ON MINING ACCOUNT PURSUANT TO THE**
37 **MINING ACT OF 1971 BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

38 **SECTION 3.1.** G.S. 74-54.1(c) is repealed.

39
40 **ELIMINATE ANNUAL REPORT ON THE IMPLEMENTATION OF THE**
41 **SUSTAINABLE ENERGY EFFICIENT BUILDINGS PROGRAM BY THE**
42 **DEPARTMENT OF ADMINISTRATION**

43 **SECTION 3.2.(a)** G.S. 143-135.39(f) and (g) are repealed.

44 **SECTION 3.2.(b)** G.S. 143-135.40(b) is repealed.

45
46 **ELIMINATE QUARTERLY REPORT ON SYSTEMWIDE MUNICIPAL AND**
47 **DOMESTIC WASTEWATER COLLECTION SYSTEM PERMIT PROGRAM BY THE**
48 **ENVIRONMENTAL MANAGEMENT COMMISSION**

49 **SECTION 3.3.** G.S. 143-215.9B reads as rewritten:

50 **"§ 143-215.9B. Systemwide municipal and domestic wastewater collection system permit**
51 **program report.**

1 The Environmental Management Commission shall develop and implement a permit program
2 for municipal and domestic wastewater collection systems on a systemwide basis. The collection
3 system permit program shall provide for performance standards, minimum design and
4 construction requirements, a capital improvement plan, operation and maintenance requirements,
5 and minimum reporting requirements. In order to ensure an orderly and cost-effective phase-in of
6 the collection system permit program, the Commission shall implement the permit program over a
7 five-year period beginning 1 July 2000. The Commission shall issue permits for approximately
8 twenty percent (20%) of municipal and domestic wastewater collection systems that are in
9 operation on 1 July 2000 during each of the five calendar years beginning 1 July 2000 and shall
10 give priority to those collection systems serving the largest populations, those under a moratorium
11 imposed by the Commission under G.S. 143-215.67, and those for which the Department of
12 Environmental Quality has issued a notice of violation for the discharge of untreated wastewater.
13 ~~The Commission shall report on its progress in developing and implementing the collection~~
14 ~~system permit program required by this section as a part of each quarterly report the~~
15 ~~Environmental Management Commission makes to the Environmental Review Commission~~
16 ~~pursuant to G.S. 143B-282(b)."~~
17

18 **ELIMINATE ANNUAL REPORTS ON REDUCING VEHICLE EMISSIONS FROM**
19 **STATE EMPLOYEE AND PRIVATE SECTOR VEHICLES BY THE DEPARTMENT OF**
20 **TRANSPORTATION**

21 SECTION 3.4. G.S. 143-215.107C(d) and (e) are repealed.
22

23 **ELIMINATE ANNUAL REPORT ON PURCHASE OF NEW MOTOR VEHICLES AND**
24 **FUEL SAVINGS BY THE DEPARTMENT OF ADMINISTRATION**

25 SECTION 3.5. G.S. 143-341(8)i.2b. reads as rewritten:

26 "2b. As used in this sub-sub-subdivision, "fuel economy" and "class
27 of comparable automobiles" have the same meaning as in Part
28 600 of Title 40 of the Code of Federal Regulations (July 1, 2008
29 Edition). As used in this sub-sub-subdivision, "passenger motor
30 vehicle" has the same meaning as "private passenger vehicle" as
31 defined in G.S. 20-4.01. Notwithstanding the requirements of
32 sub-sub-subdivision 2a. of this sub-subdivision, every request
33 for proposals for new passenger motor vehicles to be purchased
34 by the Department shall state a preference for vehicles that have
35 a fuel economy for the new vehicle's model year that is in the top
36 fifteen percent (15%) of its class of comparable automobiles.
37 The award for every new passenger motor vehicle that is
38 purchased by the Department shall be based on the Department's
39 evaluation of the best value for the State, taking into account
40 fuel economy ratings and life cycle cost that reasonably consider
41 both projected fuel costs and acquisition costs. This
42 sub-sub-subdivision does not apply to vehicles used in law
43 enforcement, emergency medical response, and firefighting.
44 ~~The Department shall report the number of new passenger motor~~
45 ~~vehicles that are purchased as required by this~~
46 ~~sub-sub-subdivision, the savings or costs for the purchase of~~
47 ~~vehicles to comply with this sub-sub-subdivision, and the~~
48 ~~quantity and cost of fuel saved for the previous fiscal year on or~~
49 ~~before October 1 of each year to the Joint Legislative~~
50 ~~Commission on Governmental Operations and the~~
51 ~~Environmental Review Commission."~~

1
2 **ELIMINATE BIENNIAL STATE OF THE ENVIRONMENT REPORT BY THE**
3 **DEPARTMENT OF ENVIRONMENTAL QUALITY**

4 **SECTION 3.6.** G.S. 143B-279.5 is repealed.
5

6 **ELIMINATE ANNUAL REPORT ON FISH KILL ACTIVITY BY THE DEPARTMENT**
7 **OF ENVIRONMENTAL QUALITY**

8 **SECTION 3.7.** G.S. 143B-279.7(c) is repealed.
9

10 **ELIMINATE THE ENVIRONMENTAL MANAGEMENT COMMISSION QUARTERLY**
11 **REPORT ON DEVELOPING ENGINEERING STANDARDS GOVERNING MUNICIPAL**
12 **AND DOMESTIC SYSTEMS TO ALLOW REGIONAL INTERCONNECTION**

13 **SECTION 3.8.** Section 11.1 of S.L. 1999-329 reads as rewritten:

14 "Section 11.1. The Environmental Management Commission shall develop engineering
15 standards governing municipal and domestic wastewater collection systems that will allow
16 interconnection of these systems on a regional basis. ~~The Commission shall report on its progress~~
17 ~~in developing the engineering standards required by this section as a part of each quarterly report~~
18 ~~the Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b)."~~
19

20 **ELIMINATE BIENNIAL REPORT ON IMPLEMENTATION OF THE NORTH**
21 **CAROLINA BEACH AND INLET MANAGEMENT PLAN BY THE DEPARTMENT OF**
22 **ENVIRONMENTAL QUALITY**

23 **SECTION 3.9.** Section 13.9(d) of S.L. 2000-67 reads as rewritten:

24 "Section 13.9.(d) Each plan shall be as complete as resources and available information allow.
25 ~~The Department of Environment and Natural Resources shall revise the plan every two years and~~
26 ~~shall submit the revised plan to the General Assembly no later than March 1 of each odd-~~
27 ~~numbered year. The Department may issue a supplement to the plan in even-numbered years if~~
28 ~~significant new information becomes available."~~
29

30 **ELIMINATE ANNUAL REPORT ON INFORMAL REVIEW PROCESS FOR AGENCY**
31 **REVIEW OF ENGINEERING WORK**

32 **SECTION 3.10.** Sections 29(j) and 29(k) of S.L. 2014-120 are repealed.
33

34 **CONSOLIDATE REPORTS ON THE COASTAL HABITAT PROTECTION PLAN**

35 **SECTION 3.11.(a)** G.S. 143B-279.8(e) reads as rewritten:

36 "(e) The Coastal Resources Commission, the Environmental Management Commission,
37 and the Marine Fisheries Commission shall report to the Joint Legislative Commission on
38 Governmental Operations and the Environmental Review Commission on progress in developing
39 and implementing the Coastal Habitat Protection Plans, including the extent to which the actions
40 of the three commissions are consistent with the Plans, on or before ~~4 September~~September 1
41 ~~each year~~year in which any significant revisions to the Plans are made."

42 **SECTION 3.11.(b)** G.S. 143B-279.8(f) is repealed.
43

44 **CONSOLIDATE AND REDUCE FREQUENCY OF REPORTS ON COST AND**
45 **IMPLEMENTATION OF ENVIRONMENTAL PERMITTING PROGRAMS**

46 **SECTION 3.12.(a)** G.S. 143-215.3A(c) reads as rewritten:

47 "(c) The Department shall report to the Environmental Review Commission and the Fiscal
48 Research Division on the cost of the State's environmental permitting programs contained within
49 the Department on or before ~~4 November~~January 1 of each odd-numbered year. The report shall
50 include, but is not limited to, fees set and established under this Article, fees collected under this
51 Article, revenues received from other sources for environmental permitting and compliance

1 programs, changes made in the fee schedule since the last report, anticipated revenues from all
2 other sources, interest earned and any other information requested by the General Assembly. The
3 Department shall submit this report with the report required by G.S. 143B-279.17 as a single
4 report."

5 **SECTION 3.12.(b)** G.S. 143B-279.17 reads as rewritten:

6 "**§ 143B-279.17. Tracking and report on permit processing times.**

7 The Department of Environmental Quality shall track the time required to process all permit
8 applications in the One-Stop for Certain Environmental Permits Programs established by
9 G.S. 143B-279.12 and the Express Permit and Certification Reviews established by
10 G.S. 143B-279.13 that are received by the Department. The processing time tracked shall include
11 (i) the total processing time from when an initial permit application is received to issuance or
12 denial of the permit and (ii) the processing time from when a complete permit application is
13 received to issuance or denial of the permit. No later than ~~March 1~~January 1 of each
14 odd-numbered year, the Department shall report to the Fiscal Research Division of the General
15 Assembly and the Environmental Review Commission on the permit processing times required to
16 be tracked pursuant to this section. The Department shall submit this report with the report
17 required by G.S. 143-215.3A(c) as a single report."

18 **SECTION 3.12.(c)** The first combined report required by subsections (a) and (b) of
19 this section shall be submitted to the Environmental Review Commission and the Fiscal Research
20 Division no later than January 1, 2019.

21 22 **CONSOLIDATE AND REDUCE FREQUENCY OF REPORTS BY THE** 23 **ENVIRONMENTAL MANAGEMENT COMMISSION**

24 **SECTION 3.13.(a)** G.S. 143B-282(b) reads as rewritten:

25 "(b) The Environmental Management Commission shall submit ~~quarterly~~-written reports as
26 to its operation, activities, programs, and progress to the Environmental Review
27 ~~Commission.~~Commission by January 1 of each year. The Environmental Management
28 Commission shall supplement the written reports required by this subsection with additional
29 written and oral reports as may be requested by the Environmental Review Commission. ~~The~~
30 ~~Environmental Management Commission shall submit the written reports required by this~~
31 ~~subsection whether or not the General Assembly is in session at the time the report is due."~~

32 **SECTION 3.13.(b)** G.S. 143-215.1(h) reads as rewritten:

33 "(h) Each applicant for a new permit or the modification of an existing permit issued under
34 subsection (c) of this section shall include with the application: (i) the extent to which the new or
35 modified facility is constructed in whole or in part with funds provided or administered by the
36 State or a unit of local government, (ii) the impact of the facility on water quality, and (iii) whether
37 there are cost-effective alternative technologies that will achieve greater protection of water
38 quality. The Commission shall prepare ~~a quarterly~~an annual summary and analysis of the
39 information provided by applicants pursuant to this subsection. The Commission shall submit the
40 summary and analysis required by this subsection to the Environmental Review Commission
41 (ERC) as a part of each ~~quarterly~~annual report that the Commission is required to make to the
42 ERC under G.S. 143B-282(b)."

43 **SECTION 3.13.(c)** The first combined report required by subsections (a) and (b) of
44 this section shall be submitted to the Environmental Review Commission no later than January 1,
45 2018.

46 47 **CONSOLIDATE WASTE MANAGEMENT REPORTS BY THE DEPARTMENT OF** 48 **ENVIRONMENTAL QUALITY**

49 **SECTION 3.14.(a)** G.S. 130A-309.06(c) reads as rewritten:

1 "(c) The Department shall report to the Environmental Review Commission and the Fiscal
2 Research Division on or before ~~15 January~~ January 15 of each year on the status of solid waste
3 management efforts in the State. The report shall include:

- 4 (1) A comprehensive analysis, to be updated in each report, of solid waste
5 generation and disposal in the State projected for the 20-year period beginning
6 on ~~1 July~~ July 1, 1991.
- 7 (2) The total amounts of solid waste recycled and disposed of and the methods of
8 solid waste recycling and disposal used during the calendar year prior to the
9 year in which the report is published.
- 10 (3) An evaluation of the development and implementation of local solid waste
11 management programs and county and municipal recycling programs.
- 12 (4) An evaluation of the success of each county or group of counties in meeting the
13 municipal solid waste reduction goal established in G.S. 130A-309.04.
- 14 (5) Recommendations concerning existing and potential programs for solid waste
15 reduction and recycling that would be appropriate for units of local government
16 and State agencies to implement to meet the requirements of this Part.
- 17 (6) An evaluation of the recycling industry, the markets for recycled materials, the
18 recycling of polystyrene, and the success of State, local, and private industry
19 efforts to enhance the markets for these materials.
- 20 (7) Recommendations to the Governor and the Environmental Review Commission
21 to improve the management and recycling of solid waste in the State, including
22 any proposed legislation to implement the recommendations.
- 23 (8) A description of the condition of the Solid Waste Management Trust Fund and
24 the use of all funds allocated from the Solid Waste Management Trust Fund, as
25 required by G.S. 130A-309.12(c).
- 26 (9) A description of the review and revision of bid procedures and the purchase and
27 use of reusable, refillable, repairable, more durable, and less toxic supplies and
28 products by both the Department of Administration and the Department of
29 Transportation, as required by G.S. 130A-309.14(a1)(3).
- 30 (10) A description of the implementation of the North Carolina Scrap Tire Disposal
31 Act that includes the amount of revenue used for grants and to clean up
32 nuisance tire collection under the provisions of G.S. 130A-309.64.
- 33 (11) A description of the management of white goods in the State, as required by
34 G.S. 130A-309.85.
- 35 (12) A summary of the report by the Department of Transportation on the amounts
36 and types of recycled materials that were specified or used in contracts that
37 were entered into by the Department of Transportation during the previous
38 fiscal year, as required by G.S. 136-28.8(g).
- 39 (13) Repealed by Session Laws 2010-142, s. 1, effective July 22, 2010.
- 40 (14) (Expiring October 1, 2023) A description of the activities related to the
41 management of abandoned manufactured homes in the State in accordance with
42 G.S. 130A-117, the beginning and ending balances in the Solid Waste
43 Management Trust Fund for the reporting period and the amount of funds used,
44 itemized by county, for grants made under Part 2F of Article 9 of Chapter 130A
45 of the General Statutes.
- 46 (15) A report on the recycling of discarded computer equipment and televisions in
47 the State pursuant to G.S. 130A-309.140(a).
- 48 (16) An evaluation of the Brownfields Property Reuse Act pursuant to
49 G.S. 130A-310.40.
- 50 (17) A report on the Inactive Hazardous Waste Response Act of 1987 pursuant to
51 G.S. 130A-310.10(a).

1 (18) A report on the Dry-Cleaning Solvent Cleanup Act of 1997 pursuant to
2 G.S. 143-215.104U(a) until such time as the act expires pursuant to Part 6 of
3 Article 21A of Chapter 143 of the General Statutes.

4 (19) A report on the implementation and cost of the hazardous waste management
5 program pursuant to G.S. 130A-294(i)."

6 **SECTION 3.14.(b)** G.S. 130A-309.140(a) reads as rewritten:

7 "(a) ~~No later than January 15 of each year, the Department shall submit a report on~~ The
8 Department shall include in the status of solid waste management report required to be submitted
9 on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on the recycling of
10 discarded computer equipment and televisions in the State under this Part to the Environmental
11 Review Commission. ~~Part.~~ The report must include an evaluation of the recycling rates in the State
12 for discarded computer equipment and televisions, a discussion of compliance and enforcement
13 related to the requirements of this Part, and any recommendations for any changes to the system of
14 collection and recycling of discarded computer equipment, televisions, or other electronic
15 devices."

16 **SECTION 3.14.(c)** G.S. 130A-310.40 reads as rewritten:

17 "**§ 130A-310.40. Legislative reports.**

18 The Department shall ~~prepare and submit to the Environmental Review Commission,~~
19 ~~concurrently with the report on the Inactive Hazardous Sites Response Act of 1987 required under~~
20 ~~G.S. 130A-310.10,~~ include in the status of solid waste management report required to be
21 submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) an evaluation of
22 the effectiveness of this Part in facilitating the remediation and reuse of existing industrial and
23 commercial properties. This evaluation shall include any recommendations for additional
24 incentives or changes, if needed, to improve the effectiveness of this Part in addressing such
25 properties. This evaluation shall also include a report on receipts by and expenditures from the
26 Brownfields Property Reuse Act Implementation Account."

27 **SECTION 3.14.(d)** G.S. 130A-310.10(a) reads as rewritten:

28 "(a) The Secretary shall include in the status of solid waste management report required to
29 be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on
30 inactive hazardous sites to the Joint Legislative Commission on Governmental Operations, the
31 ~~Environmental Review Commission, and the Fiscal Research Division on or before October 1 of~~
32 each year. The report shall include that includes at least the following:

- 33 (1) The Inactive Hazardous Waste Sites Priority List.
- 34 (2) A list of remedial action plans requiring State funding through the Inactive
35 Hazardous Sites Cleanup Fund.
- 36 (3) A comprehensive budget to implement these remedial action plans and the
37 adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the cost of said
38 plans.
- 39 (4) A prioritized list of sites that are eligible for remedial action under
40 CERCLA/SARA together with recommended remedial action plans and a
41 comprehensive budget to implement such plans. The budget for implementing a
42 remedial action plan under CERCLA/SARA shall include a statement as to any
43 appropriation that may be necessary to pay the State's share of such plan.
- 44 (5) A list of sites and remedial action plans undergoing voluntary cleanup with
45 Departmental approval.
- 46 (6) A list of sites and remedial action plans that may require State funding, a
47 comprehensive budget if implementation of these possible remedial action
48 plans is required, and the adequacy of the Inactive Hazardous Sites Cleanup
49 Fund to fund the possible costs of said plans.
- 50 (7) A list of sites that pose an imminent hazard.

1 (8) A comprehensive budget to develop and implement remedial action plans for
2 sites that pose imminent hazards and that may require State funding, and the
3 adequacy of the Inactive Hazardous Sites Cleanup Fund.

4 (8a) Repealed by Session Laws 2015-286, s. 4.7(f), effective October 22, 2015.

5 (9) Any other information requested by the General Assembly or the
6 Environmental Review Commission."

7 **SECTION 3.14.(e)** G.S. 143-215.104U reads as rewritten:

8 "**§ 143-215.104U. Reporting requirements.**

9 (a) The Secretary shall ~~present an annual report to the Environmental Review Commission~~
10 ~~that shall include~~ include in the status of solid waste management report required to be submitted
11 on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on at least the
12 following:

- 13 (1) A list of all dry-cleaning solvent contamination reported to the Department.
- 14 (2) A list of all facilities and abandoned sites certified by the Commission and the
15 status of contamination associated with each facility or abandoned site.
- 16 (3) An estimate of the cost of assessment and remediation required in connection
17 with facilities or abandoned sites certified by the Commission and an estimate
18 of assessment and remediation costs expected to be paid from the Fund.
- 19 (4) A statement of receipts and disbursements for the Fund.
- 20 (5) A statement of all claims against the Fund, including claims paid, claims
21 denied, pending claims, anticipated claims, and any other obligations.
- 22 (6) The adequacy of the Fund to carry out the purposes of this Part together with
23 any recommendations as to measures that may be necessary to assure the
24 continued solvency of the Fund.

25 (b) ~~The Secretary shall make the annual report required by this section on or before 1~~
26 ~~October of each year."~~

27 **SECTION 3.14.(f)** G.S. 130A-294(i) reads as rewritten:

28 "(i) The Department shall ~~report to Fiscal Research Division of the General Assembly, the~~
29 ~~Senate Appropriations Subcommittee on Natural and Economic Resources, the House~~
30 ~~Appropriations Subcommittee on Natural and Economic Resources, and the Environmental~~
31 ~~Review Commission on or before January 1 of each year~~ include in the status of solid waste
32 management report required to be submitted on or before January 15 of each year pursuant to
33 G.S. 130A-309.06(c) a report on the implementation and cost of the hazardous waste management
34 program. The report shall include an evaluation of how well the State and private parties are
35 managing and cleaning up hazardous waste. The report shall also include recommendations to the
36 Governor, State agencies, and the General Assembly on ways to: improve waste management;
37 reduce the amount of waste generated; maximize resource recovery, reuse, and conservation; and
38 minimize the amount of hazardous waste which must be disposed of. The report shall include
39 beginning and ending balances in the Hazardous Waste Management Account for the reporting
40 period, total fees collected pursuant to G.S. 130A-294.1, anticipated revenue from all sources,
41 total expenditures by activities and categories for the hazardous waste management program, any
42 recommended adjustments in annual and tonnage fees which may be necessary to assure the
43 continued availability of funds sufficient to pay the State's share of the cost of the hazardous waste
44 management program, and any other information requested by the General Assembly. In
45 recommending adjustments in annual and tonnage fees, the Department may propose fees for
46 hazardous waste generators, and for hazardous waste treatment facilities that treat waste generated
47 on site, which are designed to encourage reductions in the volume or quantity and toxicity of
48 hazardous waste. The report shall also include a description of activities undertaken to implement
49 the resident inspectors program established under G.S. 130A-295.02. In addition, the report shall
50 include an annual update on the mercury switch removal program that shall include, at a
51 minimum, all of the following:

- 1 (1) A detailed description of the mercury recovery performance ratio achieved by
2 the mercury switch removal program.
- 3 (2) A detailed description of the mercury switch collection system developed and
4 implemented by vehicle manufacturers in accordance with the NVMSRP.
- 5 (3) In the event that a mercury recovery performance ratio of at least 0.90 of the
6 national mercury recovery performance ratio as reported by the NVMSRP is
7 not achieved, a description of additional or alternative actions that may be
8 implemented to improve the mercury switch removal program.
- 9 (4) The number of mercury switches collected and a description of how the
10 mercury switches were managed.
- 11 (5) A statement that details the costs required to implement the mercury switch
12 removal program, including a summary of receipts and disbursements from the
13 Mercury Switch Removal Account."

14 **SECTION 3.14.(g)** The first combined report required by subsections (a) through (f)
15 of this section shall be submitted to the Environmental Review Commission and the Fiscal
16 Research Division no later than January 15, 2018.

17
18 **CONSOLIDATE SEDIMENTATION POLLUTION CONTROL ACT AND**
19 **STORMWATER REPORTS**

20 **SECTION 3.15.(a)** G.S. 113A-67 reads as rewritten:

21 "**§ 113A-67. Annual Report.**

22 The Department shall report to the Environmental Review Commission on the implementation
23 of this Article on or before ~~1 October~~October 1 of each year. The Department shall include in the
24 report an analysis of how the implementation of the Sedimentation Pollution Control Act of 1973
25 is affecting activities that contribute to the sedimentation of streams, rivers, lakes, and other waters
26 of the State. The report shall also include a review of the effectiveness of local erosion and
27 sedimentation control programs. The report shall be submitted to the Environmental Review
28 Commission with the report required by G.S. 143-214.7(e) as a single report."

29 **SECTION 3.15.(b)** G.S. 143-214.7(e) reads as rewritten:

30 "(e) On or before October 1 of each year, the ~~Commission~~Department shall report to the
31 Environmental Review Commission on the implementation of this section, including the status of
32 any stormwater control programs administered by State agencies and units of local government.
33 The status report shall include information on any integration of stormwater capture and reuse into
34 stormwater control programs administered by State agencies and units of local government. The
35 report shall be submitted to the Environmental Review Commission with the report required by
36 G.S. 113A-67 as a single report."

37 **SECTION 3.15.(c)** The first combined report required by subsections (a) and (b) of
38 this section shall be submitted to the Environmental Review Commission no later than October 1,
39 2017.

40
41 **CONSOLIDATE VARIOUS WATER RESOURCES AND WATER QUALITY REPORTS**
42 **BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

43 **SECTION 3.16.(a)** G.S. 143-355(n) is repealed.

44 **SECTION 3.16.(b)** G.S. 143-355(o)(9) is repealed.

45 **SECTION 3.16.(c)** G.S. 143-355 is amended by adding a new subsection to read:

46 "(p) Report. – The Department of Environmental Quality shall report to the Environmental
47 Review Commission on the implementation of this section, including the development of the State
48 water supply plan and the development of basinwide hydrologic models, no later than November 1
49 of each year. The Department shall submit the report required by this subsection with the report on
50 basinwide water quality management plans required by G.S. 143-215.8B(d) as a single report."

51 **SECTION 3.16.(d)** G.S. 143-215.8B(d) reads as rewritten:

1 "(d) ~~The~~ As a part of the report required pursuant to G.S. 143-355(p), the Commission and
2 the Department shall each report on or before ~~4 October~~November 1 of each year on an annual
3 basis to the Environmental Review Commission on the progress in developing and implementing
4 basinwide water quality management plans and on increasing public involvement and public
5 education in connection with basinwide water quality management planning. The report to the
6 Environmental Review Commission by the Department shall include a written statement as to all
7 concentrations of heavy metals and other pollutants in the surface waters of the State that are
8 identified in the course of preparing or revising the basinwide water quality management plans."

9 **SECTION 3.16.(e)** The first combined report required by subsections (c) and (d) of
10 this section shall be submitted to the Environmental Review Commission no later than November
11 1, 2017.

12 13 **CONSOLIDATE REPORTS BY THE DIVISION OF WATER INFRASTRUCTURE OF** 14 **THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE STATE WATER** 15 **INFRASTRUCTURE AUTHORITY**

16 **SECTION 3.17.(a)** G.S. 159G-26(a) reads as rewritten:

17 "(a) Requirement. – The Department ~~must~~shall publish a report each year on the accounts
18 in the Water Infrastructure Fund that are administered by the Division of Water Infrastructure. The
19 report ~~must~~shall be published by ~~4~~November 1 of each year and cover the preceding fiscal year.
20 The Department ~~must~~shall make the report available to the public and ~~must~~shall give a copy of
21 the report to the Environmental Review ~~Commission and the~~Commission, the Joint Legislative
22 Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal
23 Research Division of the Legislative Services Commission.~~Division with the report required by~~
24 G.S. 159G-72 as a single report."

25 **SECTION 3.17.(b)** G.S. 159G-72 reads as rewritten:

26 **"§ 159G-72. State Water Infrastructure Authority; reports.**

27 No later than November 1 of each year, the Authority shall submit a report of its activity and
28 findings, including any recommendations or legislative proposals, to the ~~Senate Appropriations~~
29 ~~Committee on Natural and Economic Resources, the House of Representatives Appropriations~~
30 ~~Subcommittee on Natural and Economic Resources, and the Fiscal Research Division of the~~
31 ~~Legislative Services Commission.~~Environmental Review Commission, the Joint Legislative
32 Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal
33 Research Division with the report required by G.S. 159G-26(a) as a single report."

34 **SECTION 3.17.(c)** The first combined report required by subsections (a) and (b) of
35 this section shall be submitted to the Environmental Review Commission, the Joint Legislative
36 Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal
37 Research Division no later than November 1, 2017.

38 39 **CONSOLIDATE REPORTS BY SOIL AND WATER CONSERVATION COMMISSION** 40 **AND THE DIVISION OF SOIL AND WATER CONSERVATION OF THE** 41 **DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

42 **SECTION 3.18.(a)** G.S. 106-850(e) reads as rewritten:

43 "(e) The Soil and Water Conservation Commission shall report on or before ~~31~~January 31
44 of each year to the Environmental Review Commission, the Department of Agriculture and
45 Consumer Services, and the Fiscal Research Division. This report shall include a list of projects
46 that received State funding pursuant to the program, the results of the evaluations conducted
47 pursuant to subdivision (7) of subsection (b) of this section, findings regarding the effectiveness of
48 each of these projects to accomplish its primary purpose, and any recommendations to assure that
49 State funding is used in the most cost-effective manner and accomplishes the greatest
50 improvement in water quality. This report shall be submitted to the Environmental Review

1 Commission and the Fiscal Research Division with the reports required by G.S. 106-860(e) and
2 G.S. 139-60(d) as a single report."

3 **SECTION 3.18.(b)** G.S. 106-860(e) reads as rewritten:

4 "(e) Report. – The Soil and Water Conservation Commission shall report no later than ~~31~~
5 January 31 of each year to the Environmental Review Commission, the Department of Agriculture
6 and Consumer Services, and the Fiscal Research Division. The report shall include a summary of
7 projects that received State funding pursuant to the Program, the results of the evaluation
8 conducted pursuant to subdivision (5) of subsection (b) of this section, findings regarding the
9 effectiveness of each project to accomplish its primary purpose, and any recommendations to
10 assure that State funding is used in the most cost-effective manner and accomplishes the greatest
11 improvement in water quality. This report shall be submitted to the Environmental Review
12 Commission and the Fiscal Research Division as a part of the report required by G.S. 106-850(e)."

13 **SECTION 3.18.(c)** G.S. 139-60(d) reads as rewritten:

14 "(d) Report. – No later than January 31 of each year, the Division of Soil and Water
15 Conservation of the Department of Agriculture and Consumer Services shall prepare a
16 comprehensive report on the implementation of subsections (a) through (c) of this section. The
17 report shall be submitted to the Environmental Review Commission and the Fiscal Research
18 Division as a part of the report required by G.S. 106-850(e)."

19 **SECTION 3.18.(d)** The first combined report required by subsections (a) through (c)
20 of this section shall be submitted to the Environmental Review Commission and the Fiscal
21 Research Division no later than January 31, 2018.

22 23 **DECREASE REPORTING FREQUENCY ON TERMINAL GROINS PILOT PROJECT** 24 **BY THE COASTAL RESOURCES COMMISSION**

25 **SECTION 3.19.** G.S. 113A-115.1(i) reads as rewritten:

26 "(i) No later than ~~September 1 of each year,~~ January 1, 2019, and every five years
27 thereafter, the Coastal Resources Commission shall report to the Environmental Review
28 Commission on the implementation of this section. The report shall provide a detailed description
29 of each proposed and permitted terminal groin and its accompanying beach fill project, including
30 the information required to be submitted pursuant to subsection (e) of this section. For each
31 permitted terminal groin and its accompanying beach fill project, the report shall also provide all
32 of the following:

- 33 (1) The findings of the Commission required pursuant to subsection (f) of this
34 section.
- 35 (2) The status of construction and maintenance of the terminal groin and its
36 accompanying beach fill project, including the status of the implementation of
37 the plan for construction and maintenance and the inlet management plan.
- 38 (3) A description and assessment of the benefits of the terminal groin and its
39 accompanying beach fill project, if any.
- 40 (4) A description and assessment of the adverse impacts of the terminal groin and
41 its accompanying beach fill project, if any, including a description and
42 assessment of any mitigation measures implemented to address adverse
43 impacts."
- 44

45 **DECREASE REPORTING FREQUENCY ON PARKS SYSTEM PLAN BY THE** 46 **DEPARTMENT OF NATURAL AND CULTURAL RESOURCES**

47 **SECTION 3.20.** G.S. 143B-135.48(d) reads as rewritten:

48 "(d) No later than ~~October 1 of each year,~~ October 1, 2018, and every five years thereafter,
49 the Department shall submit electronically the State Parks System Plan to the Environmental
50 Review Commission, ~~the Senate and the House of Representatives appropriations committees with~~
51 ~~jurisdiction over natural and cultural resources,~~ the Joint Legislative Oversight Committee on

1 Agriculture and Natural and Economic Resources, and the Fiscal Research Division. Concurrently,
2 the Department shall submit a summary of each change to the Plan that was made during the
3 previous ~~fiscal year~~ five fiscal years."

4
5 **REDIRECT INTERAGENCY REPORT ON SUPERFUND COST SHARE TO THE ANER**
6 **OVERSIGHT COMMITTEE**

7 **SECTION 3.21.** Section 15.6 of S.L. 1999-237 reads as rewritten:

8 "Section 15.6.(a) The Department of ~~Environment and Natural Resources~~ Environmental
9 Quality may use available funds, with the approval of the Office of State Budget and
10 Management, to provide the ten percent (10%) cost share required for Superfund cleanups on the
11 National Priority List sites, to pay the operating and maintenance costs associated with these
12 Superfund cleanups, and for the cleanup of priority inactive hazardous substance or waste disposal
13 sites under Part 3 of Article 9 of Chapter 130A of the General Statutes. These funds may be in
14 addition to those appropriated for this purpose.

15 "Section 15.6.(b) The Department of ~~Environment and Natural Resources~~ Environmental
16 Quality and the Office of State Budget and Management shall report to the ~~Environmental Review~~
17 ~~Commission and the Joint Legislative Commission on Governmental Operations~~ Joint Legislative
18 Oversight Committee on Agriculture and Natural and Economic Resources the amount and the
19 source of the funds used pursuant to subsection (a) of this section within 30 days of the
20 expenditure of these funds."

21
22 **REDIRECT REPORT ON EXPENDITURES FROM BERNARD ALLEN EMERGENCY**
23 **DRINKING WATER FUND TO ANER OVERSIGHT COMMITTEE**

24 **SECTION 3.22.** G.S. 87-98(e) reads as rewritten:

25 "(e) The Department, in consultation with the Commission for Public Health and local
26 health departments, shall report no later than October 1 of each year to the ~~Environmental Review~~
27 ~~Commission, the House of Representatives and Senate Appropriations Subcommittees on Natural~~
28 ~~Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources~~ and
29 the Fiscal Research Division of the General Assembly on the implementation of this section. The
30 report shall include the purpose and amount of all expenditures from the Fund during the prior
31 fiscal year, a discussion of the benefits and deficiencies realized as a result of the section, and may
32 also include recommendations for any legislative action."

33
34 **REDIRECT REPORT ON PARKS AND RECREATION TRUST FUND TO THE ANER**
35 **OVERSIGHT COMMITTEE**

36 **SECTION 3.23.** G.S. 143B-135.56(f) reads as rewritten:

37 "(f) Reports. – The North Carolina Parks and Recreation Authority shall report no later
38 than October 1 of each year to the Joint Legislative ~~Commission on Governmental Operations, the~~
39 ~~House and Senate Appropriations Subcommittees on Natural and Economic Resources, Oversight~~
40 ~~Committee on Agriculture and Natural and Economic Resources~~, the Fiscal Research Division,
41 and the Environmental Review Commission on allocations from the Trust Fund from the prior
42 fiscal year. For funds allocated from the Trust Fund under subsection (c) of this section, this report
43 shall include the operating expenses determined under subdivisions (1) and (2) of subsection (e) of
44 this section."

45
46 **PART IV. SEVERABILITY CLAUSE AND EFFECTIVE DATE**

47 **SECTION 4.1.** If any section or provision of this act is declared unconstitutional or
48 invalid by the courts, it does not affect the validity of this act as a whole or any part other than the
49 part declared to be unconstitutional or invalid.

50 **SECTION 4.2.** Except as otherwise provided, this act is effective when it becomes
51 law.