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

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

CLARIFY PRIVATE DRINKING WATER WELL PERMITTING REQUIREMENTS

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

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

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

(1) The installation, construction, maintenance, or repair of electrical wiring, devices, appliances, or equipment by a person certified as a well contractor under Article 7A of this Chapter when running electrical wires from the well pump to the pressure switch.

(2) The installation, construction, maintenance, or repair of water pipes by a person certified as a well contractor under Article 7A of this Chapter when running water pipes from the well to the water tank.

(3) The installation of both water pipes and electrical wiring in a single ditch by a person certified as a well contractor under Article 7A of this Chapter when running electrical wires from the well pump to the pressure switch and water pipes from the well to the water tank. The ditch shall be as deep as the minimum cover requirements for either electrical wiring or water pipes, whichever is greater.

(4) The local health department is the exclusive authority for the permitting and inspection of the well system. No permit under G.S. 143-138 shall be required for the connection or disconnection of a well system to the plumbing of the structure served by the well by a person certified as a well contractor under Article 7A of this Chapter. For purposes of this subdivision, a well system includes the well, the pressure tank, and all plumbing and electrical equipment in the well and between the well and the pressure tank.

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

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


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

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

(2) The scope of work includes only the well, associated pumps and storage tanks, the electrical wiring from the well pump to the pressure switch, and the
plumbing connection from the storage tank to the plumbing of the structure
served by the well.

(3) The appropriate building inspector is notified as set forth in G.S. 87-97(b1)."

PART II. AGRICULTURE, ENERGY, ENVIRONMENTAL, AND NATURAL
RESOURCES REGULATION

ELIMINATE OUTDATED PROVISION OF THE COASTAL AREA MANAGEMENT
ACT

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

EXEMPT LANDSCAPING MATERIAL FROM STORMWATER MANAGEMENT
REQUIREMENTS

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

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

(1) The volume, velocity, and discharge rates of water associated with the one-year,
24-hour storm and the difference in stormwater runoff from the predevelopment
and postdevelopment conditions for the one-year, 24-hour storm shall be
calculated using any acceptable engineering hydrologic and hydraulic methods.

(2) Development may occur within the area that would otherwise be required to be
placed within a vegetative buffer required by the Commission pursuant to
G.S. 143-214.1 and G.S. 143-214.7 to protect classified shellfish waters,
outstanding resource waters, and high-quality waters provided the stormwater
runoff from the development is collected and treated from the entire impervious
area and discharged so that it passes through the vegetative buffer and is
managed so that it otherwise complies with all applicable State and federal
stormwater management requirements.

(3) The requirements that apply to development activities within one-half mile of
and draining to Class SA waters or within one-half mile of Class SA waters and
draining to unnamed freshwater tributaries shall not apply to development
activities and associated stormwater discharges that do not occur within
one-half mile of and draining to Class SA waters or are not within one-half mile
of Class SA waters and draining to unnamed freshwater tributaries."

STORMWATER CONTROL SYSTEM DESIGN REGULATION

SECTION 2.3.(a) G.S. 143-214.7B reads as rewritten:

"§ 143-214.7B. Fast-track permitting for stormwater management systems.
The Commission shall adopt rules to establish a fast-track permitting process that allows for
the issuance of stormwater management system permits without a technical review when the
permit applicant (i) complies with the Minimum Design Criteria for stormwater management
developed by the Department and (ii) submits a permit application prepared by a qualified
professional. In developing the rules, the Commission shall consult with a technical working
group that consists of industry experts, engineers, environmental consultants, relevant faculty from
The University of North Carolina, and other interested stakeholders. The rules shall, at a
minimum, provide for all of the following:

(1) A process for permit application, review, and determination.
(2) The types of professionals that are qualified to prepare a permit application
submitted pursuant to this section and the types of qualifications such
professionals must have. The Commission shall include the following
professionals who meet the North Carolina licensing requirements applicable to
the type of stormwater management system proposed:
   a. Landscape architects licensed pursuant to Chapter 89A of the General
      Statutes.
   b. Engineers licensed pursuant to Chapter 89C of the General Statutes.
   c. Geologists licensed pursuant to Chapter 89E of the General Statutes.
   d. Soil scientists licensed pursuant to Chapter 89F of the General Statutes.
   e. Any other licensed profession that the Commission deems appropriate.
(3) A process for ensuring compliance with the Minimum Design Criteria.
(4) That permits issued pursuant to the fast-track permitting process comply with
State water quality standards adopted pursuant to G.S. 143-214.1, 143-214.7,
and 143-215.3(a)(1).
(5) A process for establishing the liability of a qualified professional who prepares
a permit application for a stormwater management system that fails to comply
with the Minimum Design Criteria."

SECTION 2.3.(b) The Environmental Management Commission shall amend its rules
to implement subsection (a) of this section no later than July 1, 2017.

AMEND STREAM MITIGATION REQUIREMENTS

SECTION 2.4.(a) The Environmental Management Commission shall amend its rules
so that mitigation is not required for losses of 300 linear feet or less of stream bed; for losses of
more than 300 linear feet of stream bed, mitigation shall not be required for 300 linear feet of
those losses; and a lower mitigation threshold may be applied in the case of a legally binding
federal policy. The Commission shall adopt temporary rules as soon as practicable to implement
this section.

SECTION 2.4.(b) The Department of Environmental Quality shall submit written
comments to the Washington, D.C., Headquarters and the Wilmington District Office of the
United States Army Corps of Engineers on behalf of the State in support of the Wilmington
District adopting Regional Conditions that will increase the threshold for the requirement of
mitigation for loss of stream bed of perennial or ephemeral/intermittent streams from 150 linear
feet to 300 linear feet. The written comments shall include a history of why the current threshold
of 150 linear feet exists in North Carolina, shall outline the thresholds that exist in other
jurisdictions, and shall note that the State has established a 300-linear-foot mitigation threshold.

COASTAL RESOURCES COMMISSION RULES ON TEMPORARY EROSION
CONTROL STRUCTURES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

..."

(h) Social security numbers and identifying information obtained by the Commission or the Division of Marine Fisheries shall be treated as provided in G.S. 132-1.10. For purposes of this
SECTION 2.8.(c) Chapter 132 of the General Statutes is amended by adding a new section to read:


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

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

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

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

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

REGULATION AND DISPOSITION OF CERTAIN REPTILES

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

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

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

(b) If the Museum or the Zoological Park or their designated representatives find that a seized reptile is a venomous reptile, large constricting snake, or crocodilian regulated under this Article, the Museum or the Zoological Park or their designated representative shall determine final interim disposition of the reptile in a manner consistent with the safety of the public, which interim final disposition is determined by a court of competent jurisdiction. In the case of a venomous reptile for which antivenin approved by the United States Food and Drug Administration is not readily available, the reptile may be euthanized unless the species is protected under the federal Endangered Species Act of 1973. Where the Museum or the Zoological Park or their designated representative determines euthanasia to be the appropriate interim disposition, or where a reptile seized pursuant to this Article dies of natural or unintended causes, the Museum, the Zoological Park, or their designated representatives shall not be liable to the reptile's owner.
(b1) Upon conviction of any offense contained in this Article, the court shall order a final disposition of the confiscated venomous reptiles, large constricting snakes, or crocodilians, which may include the transfer of title to the State of North Carolina and reimbursement for the necessary expenses incurred in the seizure, delivery, and storage thereof.

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

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

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

PROVIDE FOR LOW-FLOW DESIGN ALTERNATIVES FOR PUBLIC WATER SUPPLY SYSTEMS

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

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

SECTION 2.10.(c) Additional Rule-Making Authority. – The Commission shall adopt a rule to amend 15A NCAC 18C .0409(b)(1) (Daily Flow Requirements), consistent with subsection (b) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section shall be substantively identical to the provisions of subsection (b) of this section. Rules adopted pursuant to this section are not subject to G.S. 150B-21.8 through G.S. 150B-21.14. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided by G.S. 150B-21.3(b2).

SECTION 2.10.(d) Sunset. – Subsection (b) of this section expires on the date that rules adopted pursuant to subsection (c) of this section become effective.
REPEAL PASTURE POINTS PROVISION

SECTION 2.11. Section 4(c) of S.L. 2001-355 is repealed.

PART III. ELIMINATE, CONSOLIDATE, AND AMEND REPORTS TO THE ENVIRONMENTAL REVIEW COMMISSION

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

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

ELIMINATE ANNUAL REPORT ON THE IMPLEMENTATION OF THE SUSTAINABLE ENERGY EFFICIENT BUILDINGS PROGRAM BY THE DEPARTMENT OF ADMINISTRATION

SECTION 3.2.(a) G.S. 143-135.39(f) and (g) are repealed.
SECTION 3.2.(b) G.S. 143-135.40(b) is repealed.

ELIMINATE QUARTERLY REPORT ON SYSTEMWIDE MUNICIPAL AND DOMESTIC WASTEWATER COLLECTION SYSTEM PERMIT PROGRAM BY THE ENVIRONMENTAL MANAGEMENT COMMISSION

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

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

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

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

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

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

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

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

ELIMINATE BIENNIAL STATE OF THE ENVIRONMENT REPORT BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 3.6. G.S. 143B-279.5 is repealed.

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

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

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

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

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

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

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

"Section 13.9.(d) Each plan shall be as complete as resources and available information allow. The Department of Environment and Natural Resources shall revise the plan every two years and shall submit the revised plan to the General Assembly no later than March 1 of each odd-numbered year. The Department may issue a supplement to the plan in even-numbered years if significant new information becomes available."
ELIMINATE ANNUAL REPORT ON INFORMAL REVIEW PROCESS FOR AGENCY REVIEW OF ENGINEERING WORK

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

CONSOLIDATE REPORTS ON THE COASTAL HABITAT PROTECTION PLAN

SECTION 3.11.(a) G.S. 143B-279.8(e) reads as rewritten:
"(e) The Coastal Resources Commission, the Environmental Management Commission, and the Marine Fisheries Commission shall report to the Joint Legislative Commission on Governmental Operations and the Environmental Review Commission on progress in developing and implementing the Coastal Habitat Protection Plans, including the extent to which the actions of the three commissions are consistent with the Plans, on or before September 1 of each year in which any significant revisions to the Plans are made."

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

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

SECTION 3.12.(a) G.S. 143-215.3A(c) reads as rewritten:
"(c) The Department shall report to the Environmental Review Commission and the Fiscal Research Division on the cost of the State's environmental permitting programs contained within the Department on or before January 1 of each odd-numbered year. The report shall include, but is not limited to, fees set and established under this Article, fees collected under this Article, revenues received from other sources for environmental permitting and compliance programs, changes made in the fee schedule since the last report, anticipated revenues from all other sources, interest earned and any other information requested by the General Assembly. The Department shall submit this report with the report required by G.S. 143B-279.17 as a single report."

SECTION 3.12.(b) G.S. 143B-279.17 reads as rewritten:
"§ 143B-279.17. Tracking and report on permit processing times.

The Department of Environmental Quality shall track the time required to process all permit applications in the One-Stop for Certain Environmental Permits Programs established by G.S. 143B-279.12 and the Express Permit and Certification Reviews established by G.S. 143B-279.13 that are received by the Department. The processing time tracked shall include (i) the total processing time from when an initial permit application is received to issuance or denial of the permit and (ii) the processing time from when a complete permit application is received to issuance or denial of the permit. No later than March 1 of each odd-numbered year, the Department shall report to the Fiscal Research Division of the General Assembly and the Environmental Review Commission on the permit processing times required to be tracked pursuant to this section. The Department shall submit this report with the report required by G.S. 143B-279.17 as a single report."

SECTION 3.12.(c) The first combined report required by subsections (a) and (b) of this section shall be submitted to the Environmental Review Commission and the Fiscal Research Division no later than January 1, 2018.

CONSOLIDATE AND REDUCE FREQUENCY OF REPORTS BY THE ENVIRONMENTAL MANAGEMENT COMMISSION

SECTION 3.13.(a) G.S. 143B-282(b) reads as rewritten:
"(b) The Environmental Management Commission shall submit quarterly written reports as to its operation, activities, programs, and progress to the Environmental Review Commission by January 1 of each year. The Environmental Management Commission shall supplement the written reports required by this subsection with additional
written and oral reports as may be requested by the Environmental Review Commission. The Environmental Management Commission shall submit the written reports required by this subsection whether or not the General Assembly is in session at the time the report is due."

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

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

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

CONSOLIDATE WASTE MANAGEMENT REPORTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

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

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

(1) A comprehensive analysis, to be updated in each report, of solid waste generation and disposal in the State projected for the 20-year period beginning on July 1, 1991.

(2) The total amounts of solid waste recycled and disposed of and the methods of solid waste recycling and disposal used during the calendar year prior to the year in which the report is published.

(3) An evaluation of the development and implementation of local solid waste management programs and county and municipal recycling programs.

(4) An evaluation of the success of each county or group of counties in meeting the municipal solid waste reduction goal established in G.S. 130A-309.04.

(5) Recommendations concerning existing and potential programs for solid waste reduction and recycling that would be appropriate for units of local government and State agencies to implement to meet the requirements of this Part.

(6) An evaluation of the recycling industry, the markets for recycled materials, the recycling of polystyrene, and the success of State, local, and private industry efforts to enhance the markets for these materials.

(7) Recommendations to the Governor and the Environmental Review Commission to improve the management and recycling of solid waste in the State, including any proposed legislation to implement the recommendations.

(8) A description of the condition of the Solid Waste Management Trust Fund and the use of all funds allocated from the Solid Waste Management Trust Fund, as required by G.S. 130A-309.12(c).

(9) A description of the review and revision of bid procedures and the purchase and use of reusable, refillable, repairable, more durable, and less toxic supplies and products by both the Department of Administration and the Department of Transportation, as required by G.S. 130A-309.14(a1)(3).
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(10) A description of the implementation of the North Carolina Scrap Tire Disposal Act that includes the amount of revenue used for grants and to clean up nuisance tire collection under the provisions of G.S 130A-309.64.

(11) A description of the management of white goods in the State, as required by G.S. 130A-309.85.

(12) A summary of the report by the Department of Transportation on the amounts and types of recycled materials that were specified or used in contracts that were entered into by the Department of Transportation during the previous fiscal year, as required by G.S. 136-28.8(g).

(13) Repealed by Session Laws 2010-142, s. 1, effective July 22, 2010.

(14) (Expiring October 1, 2023) A description of the activities related to the management of abandoned manufactured homes in the State in accordance with G.S. 130A-117, the beginning and ending balances in the Solid Waste Management Trust Fund for the reporting period and the amount of funds used, itemized by county, for grants made under Part 2F of Article 9 of Chapter 130A of the General Statutes.

(15) A report on the recycling of discarded computer equipment and televisions in the State pursuant to G.S. 130A-309.140(a).


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

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

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

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

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

"§ 130A-310.40. Legislative reports.  
The Department shall prepare and submit to the Environmental Review Commission, concurrently with the report on the Inactive Hazardous Waste Response Act of 1987 required under G.S. 130A-310.10, include in the status of solid waste management report required to be submitted on or before January 15 of each year pursuant to G.S. 130A-309.06(c) an evaluation of the effectiveness of this Part in facilitating the remediation and reuse of existing industrial and commercial properties. This evaluation shall include any recommendations for additional incentives or changes, if needed, to improve the effectiveness of this Part in addressing such properties. This evaluation shall also include a report on receipts by and expenditures from the Brownfields Property Reuse Act Implementation Account."

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

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

(1) The Inactive Hazardous Waste Sites Priority List.

(2) A list of remedial action plans requiring State funding through the Inactive Hazardous Sites Cleanup Fund.

(3) A comprehensive budget to implement these remedial action plans and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the cost of said plans.

(4) A prioritized list of sites that are eligible for remedial action under CERCLA/SARA together with recommended remedial action plans and a comprehensive budget to implement such plans. The budget for implementing a remedial action plan under CERCLA/SARA shall include a statement as to any appropriation that may be necessary to pay the State's share of such plan.

(5) A list of sites and remedial action plans undergoing voluntary cleanup with Departmental approval.

(6) A list of sites and remedial action plans that may require State funding, a comprehensive budget if implementation of these possible remedial action plans is required, and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the possible costs of said plans.

(7) A list of sites that pose an imminent hazard.

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

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

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

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

"§ 143-215.104U. Reporting requirements.

(a) The Secretary shall present an annual report to the Environmental Review Commission that shall include at least the following:

(1) A list of all dry-cleaning solvent contamination reported to the Department.

(2) A list of all facilities and abandoned sites certified by the Commission and the status of contamination associated with each facility or abandoned site.

(3) An estimate of the cost of assessment and remediation required in connection with facilities or abandoned sites certified by the Commission and an estimate of assessment and remediation costs expected to be paid from the Fund.

(4) A statement of receipts and disbursements for the Fund.

(5) A statement of all claims against the Fund, including claims paid, claims denied, pending claims, anticipated claims, and any other obligations.

(6) The adequacy of the Fund to carry out the purposes of this Part together with any recommendations as to measures that may be necessary to assure the continued solvency of the Fund.

(b) The Secretary shall make the annual report required by this section on or before January 15 of each year pursuant to G.S. 130A-309.06(c) a report on at least the following:

(1) A list of all dry-cleaning solvent contamination reported to the Department.

(2) A list of all facilities and abandoned sites certified by the Commission and the status of contamination associated with each facility or abandoned site.

(3) An estimate of the cost of assessment and remediation required in connection with facilities or abandoned sites certified by the Commission and an estimate of assessment and remediation costs expected to be paid from the Fund.

(4) A statement of receipts and disbursements for the Fund.

(5) A statement of all claims against the Fund, including claims paid, claims denied, pending claims, anticipated claims, and any other obligations.

(6) The adequacy of the Fund to carry out the purposes of this Part together with any recommendations as to measures that may be necessary to assure the continued solvency of the Fund.

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

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

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

(1) A detailed description of the mercury recovery performance ratio achieved by
the mercury switch removal program.

(2) A detailed description of the mercury switch collection system developed and
implemented by vehicle manufacturers in accordance with the NVMSRP.

(3) In the event that a mercury recovery performance ratio of at least 0.90 of the
national mercury recovery performance ratio as reported by the NVMSRP is
not achieved, a description of additional or alternative actions that may be
implemented to improve the mercury switch removal program.

(4) The number of mercury switches collected and a description of how the
mercury switches were managed.

(5) A statement that details the costs required to implement the mercury switch
removal program, including a summary of receipts and disbursements from the
Mercury Switch Removal Account.

SECTION 3.14.(g) The first combined report required by subsections (a) through (f)
of this section shall be submitted to the Environmental Review Commission and the Fiscal

CONSOLIDATE SEDIMENTATION POLLUTION CONTROL ACT AND
STORMWATER REPORTS

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


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

SECTION 3.15.(b) G.S. 143-214.7(e) reads as rewritten:
"(e) On or before October 1 of each year, the Commission shall report to the Environmental Review Commission on the implementation of this section, including the status of any stormwater control programs administered by State agencies and units of local government. The status report shall include information on any integration of stormwater capture and reuse into stormwater control programs administered by State agencies and units of local government. The report shall be submitted to the Environmental Review Commission with the report required by G.S. 113A-67 as a single report."

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

CONSOLIDATE VARIOUS WATER RESOURCES AND WATER QUALITY REPORTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY

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

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

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

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

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

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

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

CONSOLIDATE REPORTS BY THE DIVISION OF WATER INFRASTRUCTURE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE STATE WATER INFRASTRUCTURE AUTHORITY

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

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

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

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

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

"(a) On or before October 1 of each year, the Department shall report to the Environmental Review Commission on the implementation of this section, including the status of any stormwater control programs administered by State agencies and units of local government. The status report shall include information on any integration of stormwater capture and reuse into stormwater control programs administered by State agencies and units of local government. The report shall be submitted to the Environmental Review Commission with the report required by G.S. 113A-67 as a single report."
Subcommittee on Natural and Economic Resources, and the Fiscal Research Division of the Legislative Services Commission, Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division with the report required by G.S. 159G-26(a) as a single report."

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

CONSOLIDATE REPORTS BY SOIL AND WATER CONSERVATION COMMISSION AND THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

SECTION 3.18.(a) G.S. 106-850(e) reads as rewritten:
"(e) The Soil and Water Conservation Commission shall report on or before January 31 of each year to the Environmental Review Commission, the Department of Agriculture and Consumer Services, and the Fiscal Research Division. This report shall include a list of projects that received State funding pursuant to the Program, the results of the evaluations conducted pursuant to subdivision (7) of subsection (b) of this section, findings regarding the effectiveness of each of these projects to accomplish its primary purpose, and any recommendations to assure that State funding is used in the most cost-effective manner and accomplishes the greatest improvement in water quality. This report shall be submitted to the Environmental Review Commission and the Fiscal Research Division with the reports required by G.S. 106-860(e) and G.S. 139-60(d) as a single report."

SECTION 3.18.(b) G.S. 106-860(e) reads as rewritten:
"(e) Report. – The Soil and Water Conservation Commission shall report no later than January 31 of each year to the Environmental Review Commission, the Department of Agriculture and Consumer Services, and the Fiscal Research Division. The report shall include a summary of projects that received State funding pursuant to the Program, the results of the evaluation conducted pursuant to subdivision (5) of subsection (b) of this section, findings regarding the effectiveness of each project to accomplish its primary purpose, and any recommendations to assure that State funding is used in the most cost-effective manner and accomplishes the greatest improvement in water quality. This report shall be submitted to the Environmental Review Commission and the Fiscal Research Division as a part of the report required by G.S. 106-850(e)."

SECTION 3.18.(c) G.S. 139-60(d) reads as rewritten:
"(d) Report. – No later than January 31 of each year, the Division of Soil and Water Conservation of the Department of Agriculture and Consumer Services shall prepare a comprehensive report on the implementation of subsections (a) through (c) of this section. The report shall be submitted to the Environmental Review Commission and the Fiscal Research Division as a part of the report required by G.S. 106-850(e)."

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

DECREASE REPORTING FREQUENCY ON TERMINAL GROINS PILOT PROJECT BY THE COASTAL RESOURCES COMMISSION

SECTION 3.19. G.S. 113A-115.1(i) reads as rewritten:
"(i) No later than September 1 of each year, January 1, 2019, and every five years thereafter, the Coastal Resources Commission shall report to the Environmental Review Commission on the implementation of this section. The report shall provide a detailed description of each proposed and permitted terminal groin and its accompanying beach fill project, including the information required to be submitted pursuant to subsection (e) of this section. For each
permitted terminal groin and its accompanying beach fill project, the report shall also provide all of the following:

1. The findings of the Commission required pursuant to subsection (f) of this section.
2. The status of construction and maintenance of the terminal groin and its accompanying beach fill project, including the status of the implementation of the plan for construction and maintenance and the inlet management plan.
3. A description and assessment of the benefits of the terminal groin and its accompanying beach fill project, if any.
4. A description and assessment of the adverse impacts of the terminal groin and its accompanying beach fill project, if any, including a description and assessment of any mitigation measures implemented to address adverse impacts.

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

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

"(d) No later than October 1 of each year, October 1, 2018, and every five years thereafter, the Department shall submit electronically the State Parks System Plan to the Environmental Review Commission, the Senate and the House of Representatives appropriations committees with jurisdiction over natural and cultural resources, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division. Concurrently, the Department shall submit a summary of each change to the Plan that was made during the previous fiscal year five fiscal years."

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

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

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

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

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

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

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

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

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

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

**ESTABLISH NORTH CAROLINA SENTINEL LANDSCAPES COMMITTEE**

**SECTION 3.24.(a) Committee Established.** – There is established the North Carolina Sentinel Landscape Committee (Committee).

**SECTION 3.24.(b) Findings and Purpose.** – The General Assembly finds that sentinel landscapes are places where preserving the working and rural character of the State's private lands is important for both national defense and conservation priorities. It is the intent of the General Assembly to direct the Committee to coordinate the overlapping priority areas in the vicinity of and where testing and training occur on major military installations, as that term is defined in G.S. 143-215.115. Further, the Committee shall assist landowners in improving their land to benefit their operations and enhance wildlife habitats while furthering the State's vested economic interest in preserving, maintaining, and sustaining land uses that are compatible with military activities at major military installations and National Guard facilities. In its work, the Committee shall develop and implement programs and strategies that (i) protect working lands in the vicinity of and where testing and training occur on major military installations, (ii) address restrictions that inhibit military testing and training, and (iii) forestall incompatible development in the vicinity of and where testing and training occur on military installations.

**SECTION 3.24.(c) Powers and Duties.** – The Committee shall:

1. Identify and designate certain lands to be contained in the sentinel landscape of this State that are of particular import to the nation's defense and in the vicinity of and where testing and training occur on major military installations. In this work, the Committee may seek advice and recommendations from stakeholders who have experience in this sort of identification and designation.
2. In Designating sentinel lands as directed by subdivision (1) of this subsection, the Committee shall evaluate all working or natural lands that the Committee identifies as contributing to the long-term sustainability of the military missions conducted in this State. In its evaluation of which lands to designate as sentinel lands, the Committee shall consult with and seek input from:
   a. The United States Department of Defense.
   b. The North Carolina Commander's Council.
   c. The United States Department of Agriculture.
   d. The United States Department of the Interior.
   e. Elected officials from units of local government located in the vicinity of and where testing and training occur on the proposed sentinel lands.
   f. Any other stakeholders that the Committee deems appropriate.
3. Develop recommendations to encourage landowners located within the sentinel landscape designated pursuant to subdivision (1) of this subsection to
voluntarily participate in and begin or continue land uses compatible with the United States Department of Defense operations in this State.

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

SECTION 3.24.(d) Membership. – The Committee shall consist of at least the five following members:

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

The Committee chair shall be one of the five listed members above and the Committee chair may appoint members representing other State agencies, local government officials, and nongovernmental organizations that are experienced in land management activities within sentinel lands.

SECTION 3.24.(e) Transaction of Business. – The Committee shall meet, at a minimum, at least once during each calendar quarter and at other times at the call of the chair. A majority of members of the Committee shall constitute a quorum. The first Committee meeting shall take place within 30 days of the effective date of this act.

SECTION 3.24.(f) Reports. – The Committee shall report on its activities conducted to implement this section, including any findings, recommendations, and legislative proposals, to the North Carolina Military Affairs Commission and the Agriculture and Forestry Awareness Study Commission beginning September 1, 2017, and annually thereafter, until such time as the Committee completes its work.

SECTION 3.24.(g) Administrative Assistance. – All clerical and other services required by the Committee shall be supplied by the membership and shall be provided with funds available.

PART IV. SEVERABILITY CLAUSE AND EFFECTIVE DATE

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

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