

**Orange County  
Commission for the Environment**

**Meeting Summary**

**November 9, 2015**

**Orange County Solid Waste Administration Building, Chapel Hill**

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PRESENT: Jan Sassaman (Chair), Sheila Thomas-Ambat, May Becker, Peter Cada, Tom Eisenhart, Loren Hintz, David Neal, Bill Newby, Jeanette O'Connor, Rebecca Ray, Gary Saunders, Lydia Wegman

ABSENT: Lynne Gronback, David Welch

STAFF: Rich Shaw, Tom Davis, Brennan Bouma

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- I. **Call to Order** – Sassaman called the meeting to order at 7:31 pm.
- II. **Additions or Changes to Agenda** – Shaw asked to present the draft memo on the County's use of herbicides and pesticides at the beginning of the Updates and Information part of the agenda. Sassaman agreed. There were no other changes.
- III. **Minutes** – Sassaman asked if there were any comments about the meeting summary for October 12 meeting. Wegman noted O'Connor's name was misspelled on page 2. Eisenhart motioned approval as amended; seconded by Cada. Approved unanimously.
- IV. **Green Building Incentives** – The CFE continued its discussion of potential incentives for energy-efficient construction. Neal introduced a draft CFE resolution asking the BOCC to develop a green building incentives program that would rebate permitting fees for new commercial and residential construction, modeled after the program adopted by the Town of Chapel Hill for the Ephesus-Fordham planning district.

Neal said he would like to add a "Whereas statement" that recognizes Orange County's efforts to reduce energy usage at its County buildings and facilities. He offered to work on draft language with help from Bouma. Wegman suggested minor edits to the 5<sup>th</sup> Whereas statement and the final "Resolved statement."

Hintz asked if the CFE would include with the resolution the Ephesus-Fordham district FAQs that was included in the CFE materials. Neal said he would like to include only a summary paragraph that describes the Town of Chapel Hill's pilot project.

Bouma and Neal presented two alternatives for an additional "Whereas statement." CFE members chose the first alternative: "WHEREAS, Orange County is committed to reducing the energy usage of its own buildings and has invested in several successful energy efficiency projects to lower long-term costs and reduce environmental impacts;"

Hintz motioned to approve the resolution as amended and send to the BOCC for consideration and further action; seconded by Eisenhart. Approved unanimously.

Sassaman thanked Neal for drafting the resolution and moving this issue forward.

- V. **Falls Lake Rules** – Davis reported on the Upper Neuse River Basin Association’s (UNRBA) ongoing efforts to improve the Falls Lake Nutrient Management Strategy (Falls Lake Rules). He showed a preview of a presentation he planned to make to the BOCC at an upcoming work session.

Davis said stage two of the Falls Lake Rules require local governments, the NCDOT, the agricultural community, and other regulated parties located in the Falls Lake watershed to reduce nitrogen and phosphorus nutrient loading to Falls Lake by 40% and 77%, respectively. He said the UNRBA is working on several projects to address serious technical and financial impediments to meeting these nutrient reduction goals.

Davis provided an overview of the following projects by the UNRBA:

1. Lake and Watershed Water Quality Monitoring
2. BMP Nutrient Credit Development
3. Development of Nutrient Credit Calculation Tool
4. Falls Lake Rules Review

CFE members asked several questions about the projects and the overall objectives of improving the water quality in Falls Lake, which provides drinking water for Raleigh.

- Hintz asked why the nutrient reduction goals were chosen if they are unattainable. Davis said Division of Water Resources staff was rushed to come up with goals, but data was lacking and model assumptions were inappropriate.
- Becker asked if the UNRBA would use a difference model than the one used by the State. Davis said they will use same model, but with more and better data.
- Sassaman asked whether there had been stream sampling performed in advance of enacting the current rules. Davis said DWR relied on whatever data existed previously and on sampling from five gages in western end of Falls Lake.
- Shaw asked if DWR is receptive to getting these data from UNRBA. Davis said they are because they know their initial model was flawed.
- Hintz asked if the CFE inform landowners of the importance of minimizing their use of fertilizers is that helpful to Falls Lake? Davis said it would be helpful to the lake, but local governments would not likely receive credits.
- Davis noted atmospheric deposition is a significant source of nutrients that was not factored into the model or the rules. He said up to 50 percent of the nitrogen entering Chesapeake Bay is from the atmosphere.

Sassaman thanked Davis for sharing this information. There no action required.

- VI. **Annual Report and Work Plan (2015-16)** – Sassaman reminded CFE members that each year the BOCC asks its advisory boards to prepare a report of their activities, accomplishments, new issues, and concerns. He asked Shaw to present the draft report and work plan for 2015-16.

Shaw reviewed the draft report, highlighting the changes from the previous report. He identified several additions to the important accomplishments section and the activities the CFE expects to carry out in 2016. Shaw asked for comments from the members.

- O’Connor suggested adding the CFE’s recommendation of developing incentives for energy-efficient construction to the list of accomplishments.
- Hintz suggested adding language to link the news articles to the SOE report

- Becker suggested deleting the reference to the January 2012 memo about the CFE's interest in developing incentives for energy-efficient construction
- Neal suggested adding language that says the CFE will continue to learn more about environmental justice matters and incorporate relevant information and considerations in the CFE's activities in addition to the SOE report.

Wegman motioned to approve the 2015-16 report and work plan as amended; seconded by O'Connor. The motion was approved unanimously.

- VII. **Election of Officers** – Sassaman advised CFE members would elect a new Chair and Vice-Chair for the upcoming year in accordance with the CFE policies and procedures.

Sassaman nominated Wegman for Chair. There were no other nominations. Hintz motioned to close the nominations; second by Saunders. Motion approved unanimously.

Sassaman nominated Gronback for Vice Chair. There were no other nominations. Saunders motioned to close nominations; second by Wegman. Approved unanimously.

- VIII. **Updates and Information Items** –

**Herbicides & Pesticides Used at County Facilities** – Shaw reminded members the BOCC asked the CFE to consider a list of herbicides and pesticides used by County staff at County buildings/facilities, and for the CFE to provide feedback or recommendations.

Shaw referred CFE members to the draft memo prepared by staff based on the discussion at the October meeting. Hintz noted there was a typo in 3<sup>rd</sup> paragraph.

Wegman motioned to approve the memo as amended and to send on to the BOCC. Saunders seconded the motion; the motion was approved unanimously.

**Collaborative Energy Conservation/Management Projects** – Saunders and Bouma reported on the October 28 meeting of the interagency committee working to collaborate on energy conservation and management projects of mutual interest. They reminded CFE members that the group had previously identified five projects of mutual interest. At the recent meeting the group decided to seek specific vendor proposals for two of the five projects: 1) Fleet management opportunities, and 2) Technical evaluation of solar PV opportunities at public facilities/land tracts. Once proposals are complete, each organization can seek approvals from their respective decision makers. The Biogas to energy project at the OWASA wastewater treatment plant is also slated to move forward with OWASA and UNC as the primary collaborators. The purpose and focus of the street lighting coordination project and the joint energy and carbon tracking and reporting project both require further elaboration before proposals can be made.

Information on the following subjects was provided in the meeting package; selected items were discussed: a) Nov 4 public mtg. on food waste diversion, b) BOCC decision on Nov 2016 bond referendum, c) HB 765 rules reform bill, d) Former DENR Secretary comments on legislative changes, e) OWASA biosolids management, f) environmental justice panel discussion (Nov 12), and g) industrial hemp becomes new legal crop in NC

- IX. **Adjournment** – Sassaman adjourned the meeting at 9:07 pm.