

AGENDA

Commission for the Environment August 12, 2013 7:30 p.m.

Environment and Agricultural Center
306 Revere Road, Hillsborough

-
- | <u>Time</u> | <u>Item</u> | <u>Title</u> |
|--------------------|--------------------|--|
| 7:30 | I. | Call to Order |
| 7:32 | II. | Additions or Changes to Agenda |
| 7:35 | III. | New CFE Member
New CFE member, Susie Enoch, will be introduced. The CFE will consider resolution of appreciation for outgoing CFE member (and former Chair), Bill Kaiser. (Attachments 1-2) |
| 7:40 | IV. | Approval of Minutes – June 10 (Attachment 3) |
| 7:45 | V. | State of the Environment 2014
Staff will present an initial draft State of the Environment (SOE) report and a timetable for completing the project. Malcolm Munkittrick (DEAPR Intern) has incorporated ideas and feedback from CFE members and will be available to answer questions. (Attachments 4)

The draft SOE report will be available for review on line beginning on Friday, Aug. 9 |
| 8:45 | VI. | Updates and Information Items
Staff and/or CFE members will provide updates on the following items: <ul style="list-style-type: none">➤ Legislative Updates (Attachments 5-6)➤ NCDENR to consolidate Water Quality and Water Resources (Attachment 7)➤ Orange County Bus and Rail Investment Plan update (Attachment 8)➤ UNC/Orange County landfill gas project update (Attachment 9)➤ UNC System energy savings plan (Attachment 10)➤ NC's clean energy and energy efficiency programs update (Attachment 11)➤ Regional renewable energy project / Calif. county example (Attachment 12)➤ Potential uranium mining in Chatham, VA (Attachments 13-14)➤ Area quarantine for ash tree materials & hardwood firewood (Attachment 15) |
| 9:00 | VII. | Committee Meetings
The CFE will break out into its standing committees (<i>Air & Energy</i> and <i>Water & Biological</i>) to discuss the priority tasks developed for both reformulated committees (Attachment 16-17) |
| 9:30 | VIII. | Adjournment

<i>Next meeting: Sept. 9 Orange Co. Solid Waste Mgmt. Admin. Building
1207 Eubanks Road, Chapel Hill</i> |

CFE Meeting Ground Rules

1. Keep to agenda topic under discussion
2. Share relevant information
3. One person speaks at a time after recognition by the Chair
4. Everyone is invited to participate in discussions / no one person should dominate discussions
5. Strive to reach consensus first before voting

RESOLUTION of APPRECIATION
for
William R. Kaiser

WHEREAS, William “Bill” Kaiser served as a member of the Orange County Commission for the Environment from November 2005 to May 2013, and

WHEREAS, Bill Kaiser contributed greatly to the many discussions and initiatives of the Commission with his thoughtful and insightful vision, including serving two years as Chair of the Commission, and

WHEREAS, Bill Kaiser’s expertise and advice, particularly in the areas of geology and hydrogeology, was highly important to the Commission’s work and recommendations embodied in the Orange County Comprehensive Plan and the 2009 State of the Environment report, and

WHEREAS, Bill Kaiser’s thoughtful evaluation and guidance were very helpful in furthering Orange County’s Water Resources Initiative, including the hiring of the County’s Water Resources Coordinator, and

WHEREAS, Bill Kaiser provided leadership in the CFE’s preparation of recommendations and materials to BOCC on issues of importance to Orange County’s natural environment, including biosolids land application, UNC’s cogeneration plant, effects of forest management on water supply watersheds; effects of herbicides on roadside native plants; and the potential effects of hydraulic fracturing (“fracking”) in Orange County, and

WHEREAS, Bill Kaiser’s contributions as a member of the Blackwood Farm park master plan committee will benefit the citizens of Orange County who will use and enjoy that future park, and

WHEREAS, Bill Kaiser illustrates and exemplifies the commitment of Orange County citizens toward the protection of our natural resources by his willingness to devote time to the efforts of this commission, in addition to his other work in native plant conservation:

NOW, THEREFORE, BE IT RESOLVED that the Orange County Commission for the Environment thanks Bill Kaiser for his eight years of excellent service on the Commission, and invites him to continue to offer thoughts and insights to the group in the future, and wishes him well in his future endeavors.

This, the 12th day of August, 2013.

David Neal, Chair
Orange County Commission for the Environment

**Orange County
Commission for the Environment**

DRAFT Meeting Summary

June 10, 2013

Southern Human Services Center, Chapel Hill

MEMBERS PRESENT: David Neal (Chair), Jan Sassaman (Vice Chair), May Becker, Loren Hintz, Jeanette O'Connor, Steve Niezgoda, Gary Saunders

ABSENT: Lucy Adams, Terri Buckner, Peter Cada, Tom O'Dwyer, David Welch, Sam Yellen

STAFF: Rich Shaw, Tom Davis, Malcolm Munkittrick (DEAPR Research Associate)

GUESTS: Donna Lee Jones (CFE prospect), Pat Davis (OWASA), Ruth Rouse (OWASA)

- I. **Call to Order** – Neal called the meeting to order at 7:34 pm.
- II. **Additions or Changes to Agenda** – None
- III. **Introduction of New CFE Members** – Neal welcomed three of the four new CFE members appointed by the BOCC on May 21 (Jones, Niezgoda, O'Connor; Enoch was absent). Each member described his or her background, training, and interest in serving on this advisory board. Jones pointed out that she has yet to receive authorization from her employer so she remains a guest and will not yet participate as a voting member.
- IV. **Approval of Minutes** – Neal asked if there were any comments on the draft summary. Becker clarified some of the statements attributed to her in the discussion of food waste collection and composting. Saunders motioned to approve the April 8 meeting summary as amended; seconded by Sassaman. Motion approved unanimously.
- V. **OWASA Forest Management** – Shaw provided a brief overview of the written materials in the meeting packet for this item: summary and photos from the May 2 tour, and a thank you letter to OWASA on behalf of the CFE. He recognized Pat Davis and Ruth Rouse were in attendance to observe and answer any questions from members.

Hintz asked what improvements to wildlife habitat were expected from the forest management activities. Ruth Rouse said OWASA was required to acquire the so-called mitigation tract property to help compensate for the loss of wildlife habitat due to the creation of the Cane Creek Reservoir. She said the Corps of Engineers 404 permit also required there be a forest management plan for the property. OWASA hired David Halley (True North, forestry consultant) to prepare a plan in consultation with the NC Wildlife Resources Commission, the NC Forest Service, and others. She noted there was no expertise on the OWASA staff so they relied on the guidance of experts.

Sassaman said Tom O'Dwyer could not attend tonight's meeting, but he had contacted CFE members in advance to suggest the CFE express its satisfaction with the forest management plan for the Cane Creek Mitigation Tract and to ask OWASA for a land stewardship plan or policy for its other properties, such as those lands that surround the Cane Creek Reservoir. Pat Davis said OWASA has no management plan or stewardship policy for its other properties. He said a draft plan was prepared and

circulated for comments in November 2010, but OWASA staff has not yet received direction from its board of directors to revise the plan. Davis said OWASA staff intends to respond to the comments received from the CFE and several others, but won't do so until authorized by the OWASA board.

Becker said she is concerned with active forest management on land in water supply watersheds, and asked why water quality experts were not used to development the forest management plan. Davis explained OWASA consulted natural resource agencies with staff having expertise in water resources. He noted the planned buffer widths far exceed those recommended by the State of North Carolina. Becker said she is also concerned by the planned use of herbicides and the potential for chemicals entering ground water. Davis said herbicides will be applied by licensed people that will target certain unwanted species using backpack sprayers. Spraying will occur infrequently.

Niezgoda asked for clarification on insect infestation and invasive species removal. Davis explained what types of unwanted species can and do occur on these sites.

Sassaman asked Davis and Rouse what the CFE could do for OWASA, if anything, to support its desire to manage its forestlands responsibly. They said had already received comments from the CFE and intend to respond to those comments and consider them in revising the forest management plan for the other OWASA-owned properties. Davis said he would welcome any further statement from the CFE that would identify specific concerns and what safeguards the CFE would like to see before it could support a plan.

Neal and Sassaman recommended continuing this discussion and considering the OWASA staff's request at the August meeting. They noted O'Dwyer and Buckner were absent and would likely want to participate in any CFE decision to take further action.

[At this point Neal excused himself, noting that he needed to leave this meeting for another appointment. Sassaman took over as chair of the meeting.]

VI. **State of the Environment 2014** – Shaw provided a brief overview of the written materials in the meeting packet for this item: memo with 2014 SOE report draft timeframe and initial ideas for changes from the 2009 report, and 209 table of contents. Shaw introduced Malcolm Munkittrick, a UNC graduate student and DEAPR research associate who will work on the State of the Environment report over the summer.

Munkittrick explained what he has worked on thus far, including a review of the 2009 environmental indicators, updating the data through 2013, and identifying potential improvements to the graphics and layout. He reviewed some of the potential changes to the document outlined in the memo—among them his interest in including references to relevant goals and objectives in the Orange County Comprehensive Plan.

Munkittrick asked CFE members for initial feedback and guidance on what they would like to see in the 2014 report. The following were among the suggestions provided:

- Include an executive summary at front of the report [Sassaman]
- Include specific recommendations in the “What You Can Do” section; not just links to other websites (e.g., list of native plants) [O'Connor]
- Include “What You Can Do” information as part of the executive summary (rather than waiting until end of report) [J. O'Connor]
- Consider including trend data on local bird, amphibian, and mammal populations, rather than including just the rare plants and animals; See ebird website [Hintz]

- Recognize County's landfill methane gas capture and reuse at UNC [Sassaman]
- Speak to Blair Pollock about environmental indicators for solid waste; see also recycling data contained County's solid waste plan, available on line [Sassaman]
- Acknowledge the recommendations at front of the 2009 SOE; indicate whether there was any progress for each [Niezgoda]
- Include potential effects of fracking on Orange County [Sassaman, others]
- Consider including info./restrictions about owning exotic animals [Niezgoda]
- Consider including a summary scorecard of some kind in the execute summary

CFE members discussed their role as the steering committee for developing this report, and asked how they could help prior to the August CFE meeting, given Munkittrick's internship ends in late August. Munkittrick said he has already gathered a lot of the data for updating the 2009 report and is now ready to add new information and improve the report format and contents.

CFE members asked Munkittrick if he could prepare a draft 2014 SOE report outline by mid-July. Munkittrick said he would do his best, and in the meantime he will solicit further guidance and feedback from CFE members via email.

VII. **CFE Liaison to the OUTBoard** – Shaw reported the CFE has been asked for a representative to serve as a liaison to the Orange Unified Transportation Board, also known as the OUTBoard. He described the charge of this group and noted that new CFE member, Susie Enoch, was also a member of the OUTBoard. Saunders noted his long-term interest in this subject and offered to serve on this board. Hintz motioned to recommend Saunders be considered for appointment to the OUTBoard as the CFE representative; seconded by Niezgoda. The motion was approved unanimously.

VIII. **Updates and Information Items** – Information on the following subjects was in the meeting materials and acknowledged: a) a film about industrial hemp production, b) community solid waste forum, c) "The Nature of Orange" photography contest, d) revised Orange Co. energy, water & fuel conservation policies, e) the County's energy, water & fuel performance report for 2012, and f) recent UNC Sustainability newsletter.

Sassaman provided a brief summary of the May 30 community solid waste forum, which was co-sponsored by the CFE and the Chapel Hill Sustainability Committee.

Shaw called attention to information provided by O'Dwyer and his request that the CFE consider co-sponsoring a screening of a film promoting the benefits of growing industrial hemp. Shaw said O'Dwyer would like the CFE to collaborate with other advisory boards, such as the Agricultural Preservation Board and the Economic Development Commission to show this film and invite the board of county commissioners. CFE members recommended waiting for more information from O'Dwyer in August.

Finally, Shaw reported on the results of this year's photography contest ("The Nature of Orange"), which was co-sponsored by the CFE. He said there were 71 entries, which was up 40 percent from last year. Shaw said the contest winners will be announced the following week and he will send the winning photos to the CFE by email.

IX. **Adjournment** – Sassaman adjourned the meeting at 9:34 pm.

ORANGE COUNTY



Department of Environment,
Agriculture, Parks & Recreation

MEMORANDUM

To: Commission for the Environment
From: Rich Shaw and Malcolm Munkittrick
Date: August 6, 2013
Subject: State of the Environment 2014

In June the CFE discussed a proposed timeframe for completing the 2014 edition of the Orange County State of the Environment (SOE) and met Malcolm Munkittrick, DEAPR's research associate (and UNC graduate student) who has a lead role in developing the report.

Malcolm presented his initial ideas for changes from the 2009 SOE report, including proposed improvements to the layout and graphics. He received feedback from the CFE on a list of potential new environmental indicators (e.g., solid waste data, agricultural assets) and the removal of some other, less meaningful indicators. Malcolm also identified some new emerging issues to include, such as "fracking" and plug-in electric vehicles.

CFE members provided additional ideas and requested that Malcolm prepare a draft 2014 SOE report outline by mid-July. A draft table of contents was sent out July 15 and since then Malcolm has worked to incorporate all of the comments received thus far. The result is an initial draft of the Orange County State of the Environment report.

The draft SOE report will be available for the CFE to review on line by Friday, August 9. You will be provided a link via email. Please note that this draft is nearly complete; however, clearly marked placeholders have been inserted into sections for which DEAPR staff members are still developing graphics and maps for presentation.

As members of the steering committee for this report, we ask that you read through the draft document and provide critical feedback on its format and content. We are especially interested in your input for the "*What is the Trend in Orange County?*" and "*How Can Orange County Improve?*" sections for each indicator. Text from the 2009 report that is largely unchanged is shown in italics so as to provide a base for updating, and so that we don't need to start again from scratch. Some of the environmental indicators don't provide any significant change to the trends that were apparent in the 2009 report; so much of the text can remain the same, whereas other indicators are new or may have a different trend. For those indicators we request CFE ideas (and text) on what the data means for the residents of Orange County. Additionally, please begin to identify what you believe are the key issues and recommendations of the report as whole, which will be summarized in the introductory pages.

Thank you for your assistance. We look forward to discussing this at your August 12 meeting.

Environment, Agriculture, Parks and Recreation
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The following is a revised schedule for completing the project.

Revised Schedule – State of the Environment 2013

May 2013	DEAPR hires graduate Research Associate (M. Munkittrick)
May-June 2013	Munkittrick verifies data sources, investigates new potential data sources, discusses with staff and CFE members
June-July 2013	Munkittrick collects data, reports to staff & CFE committees. CFE comments on proposed new style/format and new/deleted environmental indicators and emerging issues
August 2013	Munkittrick and DEAPR Staff present initial draft SOE report to CFE. Identify needs for further input/text from CFE and outside entities.
Sept-October 2013	Staff completes the data entries for remaining indicators. CFE provides further input/text for each indicator. CFE identifies those indicators it would like to highlight in the report overview and executive summary.
November 2013	Staff creates revised draft (proposed final) SOE report. CFE reviews draft, makes final edits/changes. Staff incorporates changes into final report.
December 2013	Document is made “camera-ready.” SOE report prepared for on-line viewing. A limited number of reports are printed for libraries and other entities.
Jan/February 2014	CFE hosts Environmental Summit, SOE report presented

**Bills awaiting Governor's signature as of August 2, 2013
with staff analysis from NC League of Municipalities**

HB 74:

Periodic Review and Expiration of Rules - would mandate that all rules expire within 10 years of their effective dates, unless readopted. The bill also would subject current rules to a schedule for expiration; most environment rules would expire December 31, 2017, unless readopted.

Bill sponsors presented this proposal as a starting point for discussion, saying they intended to implement a rigorous agency review of all the rules currently in the N.C. Administrative Code. They asked for input on the proposal and received an immediate suggestion for a contrasting rule review process from N.C. Dept. of Environment and Natural Resources (DENR). The DENR proposal would extend statewide a program currently in place for water quality rule reviews.

Currently, rule repeals must follow the same rulemaking procedures as when an agency proposes a new rule. The League included easing repeal of rules as one of its top regulatory priorities.

Update (7/31/13)

Ratified on the last day of session, this omnibus regulatory reform bill was passed in place of SB 112. Of particular concern to municipalities, cities and towns may not enact ordinances to regulate the field or rules of an environmental agency unless unanimously approved by present voting members of a city council. Though this places a *de facto* moratorium on this type of ordinance, previous versions flatly prohibited enactment of ordinances more stringent than federal or state statute or rule for any field. The League worked extensively with legislators to transform the bill to lessen the impact on cities, limiting the effect to environmental ordinances only. The ratified version also forms an Environmental Review Commission to study the circumstances under which municipalities should be authorized to do so.

HB 74 also contains language that will allow owners of all permitted billboards to rebuild their signs forever, irrespective of their non-conforming status. Other parts of the bill of potential interest to cities and towns include redefining "built-upon area" as not including gravel in impervious surface calculations, a study of engineer review of technical designs, and language related to brownfields redevelopment.

SB 515:

SB 515 continues the current Jordan Lake water quality measures, including the protection of existing riparian buffers rule, but delays additional measures that were to be implemented July 1, 2013 or later, for three years. The law also modifies existing Protection of Existing Riparian Buffers Rule to allow some exempt uses, including the permitted piping of streams by the U.S. Army Corps of Engineers and an expanded definition of "airport facilities." These changes are required to be adopted by the Environmental Management Commission in an amended rule. The delayed measures include the Jordan Lake Rules, as well as the Jordan Lake Session Laws.

The original bill would have implemented a rule to replace the Jordan Lake Rules and would have allowed the state's water and sewer authorities some flexibility to set rates; a Senate substitute would have created a study committee to consider alternate clean-up approaches.

(This bill does not change the timeline for enacting the Jordan Lake Rules for State and Federal entities, for example UNC-CH, since the original Jordan Lake Rules deadline for these groups was July 1, 2013.)

Also, Session Law 2013-360 - the state budget - Section 14.3 concerns the Jordan Lake Water Quality Improvement Act- requiring the use of CWMTF monies for DENR to install and study the in-lake treatment system in lieu of the Jordan Lake Rules requirements for upstream communities to enact stormwater controls. Also mandates significant changes to the EMC.

Legislative Wrap-up I: A summary of legislative action on water quality July 30, 2013

By Robin Smith – SmithEnvironmental Blog @ <http://www.smithenvironment.com/home/>

Budget - The final budget directs the Department of Environment and Natural Resources (DENR) to combine programs in the Division of Water Quality (DWQ) and the Division of Water Resources DWR and reduces the budget for the reorganized programs by \$2 million. The \$2 million cut amounts to a 12.4% reduction to the combined programs. The budget also makes two specific program cuts that reduce appropriations for water resource and water quality programs by another \$735,257. Total reductions may go even higher than \$2.7 million if water resource/water quality programs also share in the 2% department-wide reduction required by the final budget. Although both the Division of Water Resources and the Division of Water Quality deal with water, the two have very different responsibilities and little overlap in functions; it will be difficult for the reorganized programs to absorb another 12.4 % cut without hurting program delivery.

Division of Water Quality (DWQ) has responsibility for preventing and reducing water pollution in the state's rivers, lake, streams and groundwater supplies. By delegation of authority from the U.S. Environmental Protection Agency, DWQ issues federal Clean Water Act permits to wastewater and stormwater dischargers. DWQ also issues state water quality permits for animal waste management systems, injection wells, and for land application of waste.

Division of Water Resources monitors water supply – the amount of water in rivers, lakes, streams and aquifers rather than its quality. DWR has responsibility for state and local water supply planning; drought monitoring and drought response; and approval of water transfers from one river basin to another (for example, taking water from an intake on the Neuse River to provide drinking water to a city in the Cape Fear River basin). The Public Water Supply section in DWR enforces the federal Safe Drinking Water Act, which regulates drinking water systems to ensure that the water coming out of the tap is safe to drink.

Both divisions have river basin planning programs – DWR water supply plans use data on water use to model for future water supply and DWQ water quality plans track data on pollutant levels, identify sources of pollution and provide a foundation for addressing water quality problems. The two types of planning complement each other, but neither can take the place of the other. It will be important to continue to have strong water quality and water supply planning programs if the state is to have a scientific and technical basis for good water policy decisions.

The budget will test DENR's ability to continue to deliver good science, timely permit reviews, compliance assistance, and enforcement with fewer resources. The department will also have to keep an eye on the effect of reduced state appropriations on federal grants supporting programs in the two divisions. The state receives a significant amount of federal grant money to support activities required under the delegated Clean Water Act and Safe Drinking Water Act programs. Those grants require a certain level of state "match" money — which is often provided in the form of state-funded positions in those programs.

Jordan Lake - Legislation delays further implementation of the Jordan Lake Nutrient Strategy for three years (Senate Bill 515). The General Assembly had already delayed the original Jordan Lake compliance

dates for reducing the amount of nitrogen and phosphorus in wastewater discharges (until 2016) and for implementing new development stormwater programs (until 2014). The practical effect of the bill will be to push those dates out three more years. A number of local governments in the Jordan Lake watershed have already started implementing local stormwater ordinances and can continue with those programs. The purpose of the delay is to allow the state to “[explore] other measures and technologies to improve the water quality of the Lake”. A related budget provision earmarks \$1.35 million from the 2013-2014 appropriation for the Clean Water Management Trust Fund for a pilot project to test the use of technology to improve water quality in Jordan Lake. The budget provision describes the technology to be tested very specifically in three pages of bill text and seems to direct funds to a particular product. Both in committee and on the floor of the House, legislators identified the technology as SolarBee— a technology used to aerate water tanks and raw water reservoirs. The bill exempts the pilot project from normal state contract procedures, which means DENR will not be required to advertise for bids.

Prospects for the success of the pilot project are already in doubt. A prominent North Carolina scientist, Professor Emeritus Kenneth H. Reckhow of Duke University, has said that aeration technologies are not effective in large water bodies like Jordan Lake. Even if the technology can improve in-lake conditions, the U.S. Environmental Protection Agency has put the state on notice that in-lake treatment cannot substitute for pollution reductions required under the Clean Water Act (7_10_2013 Letter to Rick Glazier re B Everett Jordan Reservoir TMDL-1). If EPA holds to that position, the technology will fail its primary purpose — which is to relieve upstream communities in the Jordan Lake watershed of the need to invest in wastewater treatment plant upgrades and stormwater controls on new development.

Groundwater (and possibly coal ash) - Section 46 of House Bill 74 (Regulatory Reform Act) seems to narrow DENR’s ability to address groundwater contamination caused by a permitted waste disposal site. When the state issues a permit for land application of waste or for waste disposal in a landfill, the permit sets a groundwater compliance boundary. Some degree of groundwater contamination will be allowed inside the compliance boundary, but the permit holder cannot cause groundwater standards to be violated outside the compliance boundary. The new language in House Bill 74 continues to allow the Environmental Management Commission (EMC) to set compliance boundaries by rule and by permit, but creates a presumption that the compliance boundary will be the property line. (By comparison, landfill permits have generally set the groundwater compliance boundary at 250 feet from the actual waste disposal area.)

The bill then goes on to limit the circumstances in which DENR can require “cleanup, recovery, containment, or other response” to groundwater contamination inside the compliance boundary. Before requiring any action inside the compliance boundary, DENR would have to show that the groundwater contamination: 1. has already caused a violation of water quality standards in nearby surface waters or can reasonably be predicted to cause a water quality standard violation; 2. presents an imminent threat to the environment or to public health and safety; or 3. causes a violation of groundwater standards in bedrock (which seems to mean contamination of deep groundwater).

The presumption that the property line will be the compliance boundary will likely create pressure on the EMC to allow much larger compliance boundaries than in the past. Expansion of the compliance boundary carries with it the possibility of larger areas of groundwater contamination. The new law also makes it more difficult for DENR to require a permit holder to take action inside the compliance

boundary –even to contain or reduce the flow of contaminated groundwater off site. DENR could only require steps to contain contaminated groundwater by showing that the groundwater contamination had caused –or will cause – a specific water quality violation or an imminent threat to health, safety or the environment. The fact that the contamination has moved beyond the compliance boundary (and perhaps already migrated off the property and toward a river or lake) will not be enough. The clear risk will be that acting only after a problem already exists will create a larger and more expensive problem to remedy in the future.

The provision appears to be linked to an ongoing controversy and threatened litigation over groundwater contamination and seeps from ponds where coal-fired power plants have disposed of coal ash. The Catawba Riverkeeper has filed a notice of intent to sue under the Clean Water Act over contamination from two coal ash disposal sites — a Duke Energy coal ash pond associated with the Riverbend Steam Station and a Progress Energy coal ash pond in Asheville. The Duke Energy coal ash pond is located on the banks of Mountain Island Lake and near a water intake for the City of Charlotte. Monitoring around the coal ash pond has detected contaminants in groundwater that exceed groundwater standards, but the Division of Water Quality has not yet decided whether corrective action will be necessary. The Riverkeeper’s complaint claims that contaminants from the coal ash are reaching the lake in seepage from the impoundment and through a groundwater connection to the lake. The House Bill 74 language means that groundwater violations alone –even beyond the compliance boundary — would not necessarily require steps to contain an ongoing flow of contaminated groundwater to the lake. DENR would first have to show that the groundwater contamination is causing or will cause an actual water quality standard violation in the lake or an imminent threat to health, safety or the environment.

Regulatory Reform – More on regulatory reform in a later post, but HB 74 includes a requirement that agencies review and readopt existing rules of “substantive public interest” every 10 years. The bill defines “substantive public interest” so broadly that it will cover every environmental rule of any real substance. The state’s Rules Review Commission will set the initial schedule for review of rules, but the bill directs the commission to schedule surface water and wetland standards for review in the first round of rule review.

Miscellaneous – House Bill 74 contains a number of other minor changes, including technical amendments to the laws on permitting animal waste management systems and an exemption from riparian buffer requirements for agricultural ponds.

Failed Water Quality Legislation - One major change did not happen. The N.C. Homebuilders Association had pushed legislation to eliminate state water quality permitting requirements for wetlands that do not fall under federal Clean Water Act permitting jurisdiction. An earlier post provides some background on the difference between federal and state wetlands jurisdiction. The language first appeared in a Senate farm bill (Senate Bill 638), but was dropped from the bill once it reached the House. The Senate agreed to the change — possibly because farmers already have broad exemptions from wetland permitting requirements. During the last few days of the legislative session, the exemption language popped up again in a Senate committee substitute for House Bill 938. The House sent the bill to committee and never took it up for a concurrence vote. The bill will still be eligible for consideration next year when the General Assembly reconvenes in May.

By Robin Smith – SmithEnvironmental Blog @ <http://www.smithenvironment.com/home/>

Shale Gas/Hydraulic Fracturing. This is one area where the big news may be the legislative proposals that failed. The Senate adopted two controversial shale gas provisions, but neither passed the House. Legislation adopted in 2012 effectively put a moratorium on hydraulic fracturing by prohibiting issuance of permits until the Mining and Energy Commission adopted rules and the General Assembly acted to specifically allow permitting. The N.C. Senate had always wanted to set a specific date for permitting to begin and tried again this year in Senate Bill 76 (the Domestic Energy Jobs Act). The version of the bill that came out of the Senate repealed the 2012 language and authorized the Department of Environment and Natural Resources to begin issuing permits for hydraulic fracturing on March 1, 2015 without any further legislative action. The House had concerns about the change. After back and forth on alternative language and intensive lobbying in the last days of the legislative session, the final bill kept the permitting moratorium in place.

The other controversial Senate proposal had to do with disclosure of information on chemicals used in hydraulic fracturing fluid. The Senate intervened on behalf of the oil and gas industry when energy giant Halliburton expressed concern about a chemical disclosure rule drafted by the Mining and Energy Commission. The commission's draft rule requires drilling companies to disclose all chemicals used in hydraulic fracturing fluid to the Department of Environment and Natural Resources, but allows DENR to keep any trade secret information confidential. You can find more about the chemical disclosure rule and trade secret protection in this post. In an effort to make the rule more acceptable to the oil and gas industry, the Senate adopted language directing the Mining and Energy Commission to revise the rule to allow drilling operators to withhold information on trade secret chemicals unless DENR needed the information to respond to environmental damage or a specific health problem. In the face of significant opposition, the Senate modified the language to allow state regulators to review information on trade secret chemicals at the same time the drilling company disclosed other chemicals used in the fracturing fluid. The revised language did not allow DENR to actually receive information on trade secret chemicals — the department could only review information that remained in the drilling company's possession. In the final days of the legislative session, the bill containing the Senate language died and the restriction on chemical disclosure died with it. Failure of the legislation allows the Mining and Energy Commission to move ahead with the original draft rule on chemical disclosure.

The final version of Senate Bill 76 signed by the Governor included a number of less controversial changes related to shale gas and hydraulic fracturing:

- Rules adopted by the Mining and Energy Commission are exempted from the requirement for a fiscal analysis. State law generally requires every proposed rule that has an economic impact of \$1 million or more (based on the total impact on everyone affected by the rule) to be accompanied by a fiscal analysis.
- Minor changes in the makeup of the Mining and Energy Commission.
- Three new studies to look at: 1. creation of a coordinated permitting process that will allow issuance of a single environmental permit for all oil and gas exploration and production

activities; 2. the appropriate level of severance tax for oil and gas resources; and 3. implementation of the 2012 registration requirement for people involved in purchase or lease of property for oil and gas exploration and development.

- Technical amendments to an existing law allowing the state to limit the total amount of oil and gas produced in the state (G.S. 113-394).
- New criteria for setting the amount of the reclamation bond required for oil and gas activities and a process for either the drilling company or the property owner to appeal the bond amount.

LEED Certification. House Bill 628 (Protect/Promote Locally Sourced Building Materials) was signed into law after a major rewrite in the Senate. The original House bill would have prohibited state building projects from seeking Leadership in Energy and Environmental Design (LEED) certification under U.S. Green Building Council standards because few North Carolina forestry operations meet standards necessary to earn LEED credit for sustainable wood products. You can find more explanation of the controversy over sustainable forest practices and the LEED standard here. The Senate rewrote the bill to allow construction of state projects under “green” building standards that give credit for use of local building materials — which LEED standards do. The final bill also calls for study of the energy efficiency standards for state buildings that were adopted in 2007.

Renewable Energy. Legislation to repeal the state’s Renewable Energy Portfolio Standard died. With the support of a number of conservative political organizations — including Americans for Prosperity — House Bill 298 and Senate Bill 365 (both titled the Affordable and Reliable Energy Act) proposed to repeal the 2007 state law requiring major electric utilities to generate an increasing percentage of power from renewable energy sources. An earlier post talked about the politics of the renewable energy standard and the practical problem the bill presented for Republican legislators. The tension between the practical (jobs) and the political (conservative opposition to subsidies for renewable energy) played out in both the House and the Senate. In the end, neither bill got all of the committee approvals needed to get to a floor vote.

The General Assembly adopted legislation setting up a permitting program for wind energy projects (House Bill 484). The bill largely responds to concerns about the potential impact of wind turbines on military training activities in the coastal area. Two onshore coastal wind projects already proposed for the coastal area had generated questions about interference with radar and risk to pilots flying low-level military training routes. Aside from establishing environmental criteria for permitting wind turbines, the bill requires DENR to provide notice of the permit application to commanders at nearby military installations and to the Federal Aviation Administration. The bill makes interference with military operations a basis for denying a wind energy permit.

The final budget for 2013-2015 eliminated state funding for the N.C. Biofuels Center. The General Assembly created the Biofuels Center in 2007 to encourage biofuels production in N.C. using non-food crops. The Biofuels Center set a goal of replacing 10% of the state’s imported petroleum with homegrown biofuels. To develop biofuels production, the Biofuels Center made grants to support biofuels research and to develop pilot projects. Late in July, the N.C. Biofuels Center board decided that it would not be practical to continue operations without state funding; the Center will close by the end of October and unused grant money will be returned to the state.

Offshore Energy. Senate Bill 76 also addressed offshore energy production. One section of the bill creates a plan for allocating revenue from offshore energy production off the N.C. coast. The first \$250 million in royalties to the state would go into an Offshore Emergency Fund to be used for emergency response and cleanup in case of an offshore oil or gas spill. Any royalties to the state beyond the first \$250 million would go largely to the General Fund (75%); the remaining 25% would be divided among the Highway Trust fund (5%), the Community College System (5% for programs to train students in fields related to energy development), DENR (5% for coastal projects), the UNC system (5% for energy-related research and development); State Ports Authority (3% for ports infrastructure associated with energy production); and Department of Commerce (2% to recruit energy-related industries to the state).

Note: Offshore oil and gas production would almost certainly occur in federal waters beyond the three-mile limit of state jurisdiction. North Carolina will not receive any royalties from offshore production in federal waters unless Congress specifically authorizes revenue-sharing with the state.

The bill also encourages the Governor to negotiate a regional energy compact with the states of Virginia and South Carolina to develop a regional strategy for offshore energy production in the three-state region. The General Assembly directs Governor McCrory to work with his counterparts in those states to encourage the U.S. Department of Interior to amend the national 2012-2017 Five Year Leasing Plan to include leasing for oil and gas exploration and development in waters of the Atlantic Ocean off the VA-NC-SC coast.

Energy Policy Act. Senate Bill 76 makes significant changes to the state's Energy Policy Act (the Act begins at G.S. 113B-1). The changes generally run in the direction of reducing the emphasis on energy efficiency and renewable energy and increasing the emphasis on job creation. The amended Energy Policy Act has more to say about expanding development of all energy sources – including natural gas and nuclear power — and much less about energy conservation. The bill changes the makeup of the Energy Policy Council (an advisory board created to guide state energy policy) along the same lines:

- The seat on the Council for a person with experience in alternative fuels or biofuels becomes a seat for a representative of an investor-owned natural gas utility.
- The seat designated for a person with experience in energy efficient building design or construction becomes a seat for an energy economist.
- The seat on the Council for a person with experience in renewable energy becomes a seat for an industrial energy consumer.

The General Assembly also consolidated state energy programs in the Department of Environment and Natural Resources. The budget bill moves the State Energy Office (which has largely carried out federally funded energy efficiency programs) from the Department of Commerce to DENR. Senate Bill 76 moves the Energy Policy Council, which had also been under the Department of Commerce, to DENR. The Council will be staffed by the Division of Mineral, Energy and Land Resources.

Water programs to merge; activists worried

By ANNALISE FRANK
afrank@newsobserver.com

Aug 2, 2013

RALEIGH The state Department of Environment and Natural Resources announced Thursday that it will consolidate two divisions that deal with water, a move that environmentalists fear will hurt the state's water quality program.

DENR is merging its divisions of Water Quality and Water Resources into one agency, the Division of Water Resources. The move is part of Gov. Pat McCrory's mission to make state government more responsive, said DENR spokesman Jamie Kritzer. It puts similar programs under the same roof, and allows DENR to trim jobs that overlap.

Environmental groups say the consolidation will mean cutting essential protections for the state's waters.

"It's diagnostic of the continued undermining of water quality and water resource regulation under the current governor and legislature," said Hope Taylor, the executive director of Clean Water for N.C., an environmental advocacy group.

DENR's water quality program regulates water pollution and implements rules required under the federal Clean Water Act. The water resources program, on the other hand, deals with water quantity, developing drinking water supplies and dealing with drought, among other things.

As of Aug. 1, the state water quality program will operate under the Division of Water Resources.

That won't instantly change how they operate, but it does kick off an evaluation of all of DENR's water quality and water resource responsibilities.

Senior staffers will assess the program, aiming to rid DENR of outdated and inefficient practices, Kritzer said. The merger, to be completed in 2014, will include an estimate of the fiscal impact and will most likely result in staff cuts.

DENR also will detach the team that regulates stormwater pollution from the water quality program. The team will move to the Division of Energy, Mineral and Land Resources.

Effectively, that places stormwater regulators with people who use a similar permitting process, instead of with people who regulate water.

Putting the stormwater regulators and other people who hand out similar permits together "will enable us to speed up permitting, which will result in cost savings to the regulated community," Kritzer said.

Derb Carter, the director of the Southern Environmental Law Center's North Carolina office, said the stormwater and water quality employees both enforce water pollution regulation, so they should be housed under the same roof.

But it might be too early to tell if moving stormwater regulation to a new department will adversely affect it, said Bill Hunt, an associate professor of biological and agricultural engineering at N.C. State University.

"The fact that they are being moved en masse ... is good," Hunt said. "They're not splintering" the program.

Frank: 919-829-4870

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: June 18, 2013**

**Action Agenda
Item No. 7-f**

SUBJECT: Orange County Bus and Rail Investment Plan Implementation – Staff Follow-Up

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

INFORMATION CONTACT:

1. OCBRIP Overview
2. Implementation Plan Process
3. Annual Review and Reporting
4. May 21, 2013 BOCC Comments
5. Staff Comments
6. Bus Route Service Options
7. Bus Route Service Implementation
8. Triangle Transit Materials

Frank Clifton, County Manager, 919-245-2300
 Craig Benedict, Planning Director, 919-245-2575

PURPOSE: To compile comments on the materials presented by Triangle Transit at the May 21, 2013 meeting and identify Orange Public Transit (OPT) bus route service options for public outreach and input. More specifically:

1. Transmit formal BOCC comments from May 21, 2013 to Triangle Transit (TT) staff (Attachment 4);
2. Transmit Manager and Planning staff comments to TT staff (Attachment 5);
3. Approve OPT service options for public outreach discussions (Attachment 6, Part A);
4. Approve service options for TT’s Mebane-Efland-Hillsborough-Durham regional express route (Attachment 6, Part B); and
5. Pursue a modified public outreach schedule to implement service in approximately 6 months (i.e., January 2014) vs 9 months (i.e., March 2014) (Attachment 7);

BACKGROUND: The Orange County Bus and Rail Investment Plan (OCBRIP) was approved by the BOCC in June 2012. The half-cent sales tax to implement the Plan was approved by Orange County voters last November and went into effect April 1st of this year.

The financial model used to create the OCBRIP has been updated where possible, replacing assumptions with actual County revenue data and adjusting the dates of revenue implementation. This has caused moderate adjustments in the numbers for the Plan, while keeping the overall project delivery schedule intact. Planning staff will ask TT that these changes be clearly identified and annotated for long-term reference.

MAY 21 BOCC MATERIALS

At the May 21 BOCC meeting, TT staff presented its FY 14 (7/1/2013 – 6/30/2014) proposed budget, implementation plan, and timeline as follows:

Attachment 1 – FY14 Durham/Orange BRIP Overview;
Attachment 2 - Implementation Plan Process for New Transit Service in Hillsborough, Mebane, and Rural Orange County; and
Attachment 3 - Annual Review and Reporting Schedule.

AREAS FOR BOCC INPUT AND DIRECTION

Planning staff is seeking Board input and/or direction in the following areas:

- BOCC and staff comments for formal transmittal to TT;
- Guidance on whether to accelerate outreach and abridge the implementation timeline to initiate new bus service earlier than proposed;
- How much of the available FY 14 funds to use to support existing versus new bus service;
- Interest in strongly encouraging TT to implement a full cross county express route from Mebane-Hillsborough-Durham (with a stop in Efland) via US 70 rather than a partial route, Hillsborough-Durham; and
- Authorization to collect public input on a specific set of available bus route service options.

BOCC COMMENTS AND FOLLOW-UP:

Attachment 4 – Summary of key Board comments conveyed at the May 21 BOCC regular meeting. Link to Granicus web stream of meeting:

http://orange-nc.granicus.com/MediaPlayer.php?view_id=2&clip_id=465

STAFF COMMENTS:

Attachment 5 – Planning staff has compiled comments on Triangle Transit’s proposed “Timeline of Implementation Plan Events”, as well as a list of remaining questions and points of clarification that should be noted.

BUS ROUTE SERVICE OPTIONS:

Attachment 6 – Based on revenues for bus service communicated by TT, Planning and OPT staff have developed several options for consideration. It is suggested that TT and OPT collect public input on these options during proposed outreach events for consideration as the final implementation plan is decided. The BOCC will be the final arbiter of OPT and inter-County regional services.

PUBLIC OUTREACH:

Attachment 7 – Staff is recommending a modified public outreach schedule to implement service in approximately 6 months (i.e., January 2014) vs 9 months (i.e., March 2014).

TRIANGLE TRANSIT (TT) MATERIALS:

Following Chair and Vice-Chair agenda review, staff forwarded the abstract and attachments for this item to TT for review. Materials provided at Attachment 8 were received from TT in response. TT also indicated that it would have additional material to provide to the Board at the meeting.

FINANCIAL IMPACT: Although this item does not have an immediate financial impact, the associated activity begins a process to expend:

- Approximately \$6 Million per year of half-cent transit sales tax revenue;
- \$7 County vehicle registration fees;

- Future \$3 regional/TT vehicle registration fees; and
- Existing regional/TT rental car tax revenues.

The Countywide bus program (i.e. Chapel Hill Transit, TT and OPT) grows from approximately \$850,000 in year one to approximately \$3.7 Million in year five. Other monies are being reserved for an Amtrak station and other park and ride facilities. Additionally, continued development of the Light Rail Transit (LRT) component over the next two years has been estimated by TT as between \$30-\$36 Million. The OCBRIP for LRT relies on the assumptions of 50% Federal and 25% State funding, neither of which have been confirmed.

RECOMMENDATION(S): The Manager recommends the Board:

1. Authorize the Manager to transmit formal BOCC comments from May 21, 2013 to Triangle Transit (TT) staff (Attachment 4);
2. Authorize the Manager to transmit Manager and Planning staff comments to TT staff (Attachment 5);
3. Approve OPT service options for public outreach discussions (Attachment 6, Part A);
4. Approve service options for TT's Mebane-Efland-Hillsborough-Durham regional express route (Attachment 6, Part B); and
5. Authorize staff and TT to pursue a modified public outreach schedule to implement service in approximately 6 months (i.e., January 2014) vs. 9 months (i.e., March 2014) (Attachment 7).



FY14 Durham/Orange Bus and Rail Investment Plan Overview

Total Collections \$31.1M (Orange - \$7.3M; Durham \$23.8M)

Total Expenditures \$16.3M (Orange -\$4.2M; \$12.1M)

Reserve Funds are maintained to fund an operating reserve and support future capital needs

Revenue Available for Bus Services (per County Plans):

Orange \$736K

Durham \$673K

Revenue includes 1/2 Cent Sales Tax, Vehicle Rental Tax and Vehicle Registration Tax, Grants

Expenditures include Administration, Personnel, Consultants, Capital and Transit Services

FY14 Proposed Budget meets criteria in County Plans and Implementation Agreements

FY14 Draft Budget - Durham/Orange Bus and Rail Investment Plan

FY14 Forecast

	Orange	Durham	Total	
Revenue:				
1/2 Cent Sales Tax	6,283,620	21,730,640	28,014,259	(Received July 1, 2013 - June 30, 2014) FY14 Fcst based on FY13 yr end estimate - 4% increase in Orange; 3% in Durham
Rental Tax	456,375	935,343	1,391,719	(Received July 1, 2013 - June 30, 2014); 50% of total collections =\$4.5M Orange- 10.1 %; Durham- 20.7% based on 2012 census data; FY14 assumed at 2% growth over FY13 yr end estimate
\$7 County Registration Tax	577,071	1,139,764	1,716,835	(Received October 1, 2013 - June 30, 2014); FY14 assumed at 2.0% growth in Orange and 2.5% in Durham over FY13 year end estimate
\$3 Regional Registration Tax increase	0	0	0	Pending legislative action
Grants/Other	0	0	0	
Total Collections	7,317,066	23,805,747	31,122,813	Operating and capital reserve (50% of sales tax; 5% of registration and rental tax)
Admin Costs	(75,000)	(75,000)	(150,000)	
Reserve	(3,193,482)	(10,969,075)	(14,162,557)	
Net Revenue Available	4,048,584	12,761,672	16,810,256	
Revenue Available for Bus Svcs	736,250	673,180	1,409,430	Per County plans
Expenses:				
Personnel *	169,266	568,276	737,542	Pro-rated based on hire date includes benefits and employee related expenses
Consultants*	3,206,115	10,763,885	13,970,000	
Communications Outreach (Bus)		20,000	20,000	
Capital	25,000	97,000	122,000	Capital dollars are remaining local costs after grants
Transit Services				
Orange Public Transit (OPT)	88,350		88,350	Per Orange Plan OPT is 12% of Orange revenue available for bus
Chapel Hill Transit (CHT)	471,200		471,200	Per Orange Plan CHT is 64% of Orange revenue for bus
Durham County		33,658	33,658	
Durham Area Transit Authority (DATA)		451,300	451,300	
Triangle Transit Authority (TTA)	176,700	118,620	295,320	Per Orange Plan TTA is 24% of Orange revenue available for bus
Total Bus Svc Expenses:	736,250	603,578	1,339,828	
Bus Revenue Available	736,250	673,180	1,409,430	
Remaining	0	69,602	69,602	
Total Expenses (incl Admin costs)	4,211,631	12,127,739	16,339,370	
Total Revenue	7,317,066	23,805,747	31,122,813	
Balance Remaining	3,105,435	11,678,009	14,783,444	
Remaining (unreserved)	(88,047)	708,933	620,886	
Reserve (Operating and Capital)	3,193,482	10,969,075	14,162,557	
	3,105,435	11,678,009	14,783,444	

* Light Rail expenses split by county:

Durham	77.05%
Orange	22.95%

Attachment 2

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Implementation Plan Process for New Transit Service in Hillsborough, Mebane, and Rural Orange County

The goal of this planning process is to create a more detailed Implementation Plan for new regional and local/county transit services and bus capital facilities that serve Hillsborough, Mebane, and rural Orange County, based on the projects and estimated revenues identified in the Orange County Bus and Rail Investment Plan (OCBRIP). The OCBRIP currently identifies the following projects in this study area:

Regional Services

- A new Mebane-Hillsborough-Durham Express route (\$195,000 per year – \$97,000 of which are allocated in Orange County)
- Route 420 – Hillsborough-Chapel Hill frequency increase (this service was implemented in 2012).

Local Services

- Continued operation of the Hillsborough Circulator (\$116,000 per year)
- Expansion of Hillsborough Circulator to Saturdays (\$29,000 per year)
- Improve capacity of demand response service to rural areas (\$254,000 per year)

Capital Projects

The total amount for bus capital projects (such as Park-and-Ride lots, bus shelters, and accessibility improvements at bus stops) in the OCBRIP is \$6.7M. Local revenue only covers 10% of the capital project costs; the rest would be covered by other sources, including state and federal grants. Specific projects were not identified in the plan. Discussions will need to take place with other stakeholders in Orange County, including Chapel Hill, Carrboro, and UNC, to determine how these capital dollars should be allocated.

It will take approximately five years to roll out all of these new transit services and capital projects in Orange County. For FY14, Triangle Transit is authorized to spend up to \$177,000 in Orange County on regional service. \$110,000 of this is programmed to be spent to improve the frequency of a route between Southpoint and UNC in the NC-54 corridor that is currently experiencing standing room only conditions. \$67,000 of this could be spent to begin a route between Hillsborough and Durham. OPT is authorized to spend up to \$88,350 in FY14.

We believe that the following steps are important to a successful outcome. Coordination with TARPO and KFH Group will need to take place to avoid duplication on similar efforts.

Public Involvement

Robust public involvement for the Implementation Plan will be conducted in four ways in June and July 2013. First, a survey of current Orange Public Transit riders will be conducted through either paper surveys distributed by drivers or by staff ride-a-longs. These surveys will gather input on improvements or additions that can be made to the system regarding service times, destinations, trip purposes and service types.

Attachment 2

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Second, a series of public meetings will be held in five areas of the county: Hillsborough, White Cross/Bingham Township, Mebane, Cedar Grove Township and the Little River/Eno Townships. These meetings will also collect input on the transportation needs of Orange County citizens.

Third, the Orange Unified Transportation Board (OUTBoard) will be given a presentation at one of their regular meetings and asked for their feedback and suggestions.

Finally, meetings with Orange County Commissioners and other key stakeholders will be held to better understand how transit can aid their goals and priorities for the county.

Current Conditions and Needs

Fred Fravel of the KFH Group is currently under contract with NCDOT to prepare a Community Transportation Service Plan and a Consolidation Study for OPT and CHT. The first Technical Memorandum in this study includes detailed analysis of the county and regional demographics, a transit dependence index percentage (TDIP) for the county, and an evaluation of major trip generators. This data will be used to help development specific transit services within Orange County.

Triangle Transit staff will perform a more detailed analysis of the commuter market between northern Orange County and Durham, including an analysis of the commute sheds of various Park-and-Ride lot options. This analysis will help shape recommendations for the regional route proposed between Mebane, Hillsborough, and Durham.

Performance Standards

The Implementation Plan will review existing performance standards for the different types of transit service proposed for the service area (regional fixed-route, local fixed-route, demand response, etc.) and recommend appropriate changes to these standards. The plan will also establish timelines for the evaluation of the transit services proposed, including any minimum operation periods to allow these services to get established before changes or potential elimination is explored.

Recommendations and Implementation

Using the information gathered from current conditions and needs, public involvement, and field work (such as bus timings), specific transit services will be proposed. For both regional and local service, this will include a proposed routing (or service area if demand response), frequency and span of service, associated capital facilities and locations, estimated costs of operations and capital projects, and a timeline for implementing each service.

The first draft of the Implementation Plan will be presented to the Orange County Board of County Commissioners and the Triangle Transit Board of Trustees for feedback and guidance. A memo on the draft will also be sent to the Durham County Commissioners, Hillsborough Town Council, and Mebane City Council. The first draft will also be presented during a second round of public meetings to gather further input on the service proposals to ensure that they meet the needs of the residents of Orange County. When a final draft has been completed, it will be presented for approval to the Orange County BOCC and the TTA Board.

Attachment 2

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Timeline of Implementation Plan Events

Date	Event(s)	Stakeholders Involved
May 2013	Creation of survey tools and public meeting materials, selection of public meeting locations, evaluation of current conditions	Triangle Transit planning staff, OPT staff, OC planning staff, Hillsborough planning staff, Fred Fravel
June-July 2013	Public meetings, customer surveys, OUTBoard presentation, meetings with BOCC and other stakeholders	All three planning staffs, OPT staff, OPT customers, Orange County citizens, OUTBoard, Orange County BOCC
August 2013	Preparation of first draft	All three planning staffs, OPT staff
September-October 2013	First draft of Implementation Plan presented to associated Boards. Second round of public involvement events. Bus capital projects discussion.	Orange County BOCC, Triangle Transit BOT, Orange County Manager, Durham County BOCC, Mebane City Council, Hillsborough Town Council, Chapel Hill, Carrboro, UNC, same stakeholders as 1 st round of public meetings
November 2013	Preparation of final draft	Both planning staffs, OPT staff
December 2013	Presentation of Final Draft to associated boards for approval	Same stakeholders as first draft of Implementation Plan
???	Implementation of first services/bus capital projects	OPT, Triangle Transit

In addition to these events, we'd like to discuss the creation of a project management team consisting of members of Triangle Transit, Orange County Planning, Hillsborough Planning, and OPT that would meet regularly throughout the process.

Memorandum

To: Frank Clifton, County Manager
From: Gayle Wilson, Solid Waste Director
Date: May 21, 2013
Re: UNC/Orange County Landfill Gas Project Summary

In March of 2009 the University of North Carolina entered into an agreement with the County of Orange on a Landfill Gas (LFG) to Energy project. The proposed project was to utilize methane gas generated at the Orange County Landfill (OCL) located on Eubanks Road for use as fuel in a LFG generator which was to be located on University property near the intersection of Martin Luther King Blvd. and Homestead Rd in Chapel Hill. The project was to be completed under two different contracts and also included the phasing of the project located on the OCL to coincide with the closure of the Municipal Solid Waste Landfill located south of Eubanks Road.

Phase 1 – Orange County Landfill

Phases 1 of construction of the landfill gas extraction and collection system involved installing the necessary wells, piping, and flare system package. The fastest part of the construction project was the installation of the wells, and the longest part was the installation of the gas lines.

Construction of the gas transmission lines portion of the project started in November of 2010 and concluded in October 2011. The gas transmission line was installed to connect the wellheads of the completed wells to the flare/gas treatment station that was installed to the east of the south landfill near the existing sediment basin. A major part of the transmission line construction required the boring of Eubanks Road to tie the north landfill into the system.

The transmission line installation also involved placing several condensate sumps along the transmission line to drain the liquids out of the system before reaching the flare station area. Twenty-one isolation valves were also installed in the system to provide a means for shutting down portions of the system while allowing others to still operate.

In January 2011, Shaw Environmental installed 15 gas extraction wells in the south landfill. These wells extend down through the existing waste to within approximately 10 feet of the bottom of the landfill. The wells were constructed using six inch slotted PVC pipe and were backfilled with gravel to within 10 to 15 feet of the surface. The remaining annular space to the surface was sealed off using two different layers of pelletized bentonite that were hydrated with water and had soil placed on either side of the bentonite.

Eighteen existing leachate cleanouts on the south landfill were fitted with remote wellheads that allow for the extraction of the gas while providing a way for condensate to drain back to the leachate piping. This gave the extraction system 33 locations scattered throughout the landfill to draw gas.

The north landfill was also connected to the system; however wells were not required to be drill. Forty-five passive vents had already been installed on the north landfill prior to the start of this project. Those vents were converted to extraction wells by replacing the well head on the casing pipe.

May 20, 2013

The flare and treatment system package were installed starting in October 2011 and commissioning of the system started in December. The flare station included the components necessary to simply collect and flare the gas at the landfill, and also allowed for the eventual connection to an offsite generator. In January 2012 the system was started up and has been online since.

Phase 2 – Transmission Line and Generator

Phase 2 of the project involved the construction of the main transmission line from the flare station located at the Orange County Landfill to a generator located at UNC's Carolina North. The 1,000-kilowatt generator shipped from Austria started turning greenhouse gas into electricity to sell back to the electrical grid, and waste heat will be captured for use by the University to heat some of the initial buildings to be constructed at Carolina North.

Installation of the piping from the landfill to the generator took place during most of calendar year 2012. The gas line takes a route that crosses County owned land, University owned land and other utility right of ways. The installation of the transmission line was not easy as it involved working close to existing utility corridors, and a major boring operation to install the line under a stream located within the first two hundred feet outside of the flare station.

Commissioning of the generator started on January 29, 2013. On April 10, 2013 the entire project was accepted by the State Construction Office. UNC put the generator into commercial production on April 22, 2013.

Phase 3 – Landfill Closure

Within the next couple weeks, construction will start for installing the remaining gas wells and conveyance piping that will capture gas from the center of the south landfill. These wells were not installed previously due to the filling operations of the landfill. However, the landfill is scheduled to close at the end of June which will open the center areas for gas collection. These new wells should increase the gas supply to the system.

The landfill cap will also aid in the collection of the gas. In theory, the cap will eliminate the escape of the gas through the top of the landfill, thus providing a greater percentage of the generated gas to the collection system.

Economic Impacts

During fiscal year 2012-2013 from July through April, the County has received \$33,394.88 in payments from UNC for the gas that has been collected and destroyed. The majority of these payments are based upon the gas being sent to the onsite flare station. Going forward, the majority of the gas should be sent to a generator where it will be destroyed in an economically beneficial manner. Payments to the County will be based upon the agreement made at the onset of the project, and those payments increase for the gas used to generate electricity. The FY 2013/14 Solid Waste Budget estimates \$110,000 in revenue for the upcoming year.

Environmental Impacts

The first project completed at Carolina North is meant to be a model of sustainability. The University will receive carbon credits for reducing pollution. The total emissions reduction as a result of the project is equivalent to the annual greenhouse gas emissions from 8,000 passenger vehicles. The carbon credits will help the University honor the American College and University Presidents Climate Commitment to

May 20, 2013

be climate neutral by 2050. The landfill gas project is only one strategy in the 2009 Climate Action Plan to reduce UNC's carbon footprint to zero by 2050.

McCrorry: Tearing down silos with UNC-wide cooperation making universities more energy-efficient and cost effective by Editor

RALEIGH — On Friday Governor Pat McCrorry applauded action by the UNC Board of Governors on approving groundbreaking lighting and other energy-saving efforts that avoid \$25 million in energy costs through a unique system-wide guaranteed energy savings contract involving 13 UNC campuses, the UNC General Administration and several affiliated organizations. Over the seven-year length of the agreement, the energy-efficiency improvements will result in the installation of more than 100,000 lighting fixtures in classrooms, dormitories and other University facilities.

“This system-wide effort represents the kind of cooperation among different state agencies that means savings for taxpayers, business for North Carolina companies and allows these UNC institutions to focus public dollars on the core mission of educating students and continuing groundbreaking research,” said Governor McCrorry. “This action by President Tom Ross and the Board of Governors shows just how beneficial it is to tear down institutional silos and cooperate for more effective and efficient results.”

These lighting projects will provide more efficient, effective lighting and thus create better and safer work, research, study and living environments. This project will allow reductions in campus utility costs to pay for the project over seven years. At the same time they will save money for taxpayers along with parents and students – about \$25 million over seven years. Johnson Controls Inc. will oversee the program and one of the major subcontractors is CREE – a North Carolina company and one of the nation’s leaders in cost-saving, energy efficient LED lighting.

In implementing the Board of Governors’ sustainability action plans, President Ross has encouraged system-wide approaches for facility energy efficiency. In addition to 13 UNC campuses and the UNC General Administration, this alliance includes UNC TV, the NC Arboretum and the N.C. Department of Commerce’s Energy Office. The four UNC campuses not participating already have similar programs in place. “This lighting initiative is a natural extension of UNC’s ongoing efforts to operate more efficiently and effectively,” said President Ross. “It is another step toward more shared services, more pooled purchasing, and greater collaboration as a way of doing business. We’re making our campuses more energy efficient and sustainable, while creating an environment that’s more conducive to learning and safety.”

Commerce Secretary Sharon Decker recognized the role her department, through the N.C. Energy Office, played in bringing the various state agencies and education institutions together. “The Energy Office’s efforts, particularly through the Utility Saving Initiative, are helping bring state agencies, our universities, community colleges and public schools, together to make our facilities more energy efficient and save taxpayer dollars,” Secretary Decker said. “This is also helping grow jobs and expand North Carolina’s economy – particularly our growing clean energy economy and efficient lighting makers such as CREE.” The projects will address lighting needs in various facilities on the campuses including classrooms, research labs, residence halls, parking facilities and other outdoor lighting using LED technology.

February 15, 2013

The Economic, Utility Portfolio, and Rate Impact of Clean Energy Development in North Carolina

Final Report

Prepared for

North Carolina Sustainable Energy Association

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RTI Project Number 0213597.000

Executive Summary

North Carolina is a leader among Southern states in developing public policies to foster statewide clean energy development. Between 2007 and 2012, clean energy investment increased 13-fold and generated or saved more than 8.2 million MWh of energy through a combination of renewable energy and energy efficiency projects.

Although these energy impacts have been documented in national energy surveys, the impact the expanding clean energy sector has had on the North Carolina economy has yet to be quantified. To fill the knowledge gap, RTI International and La Capra Associates, Inc. conducted an economic, utility, and rate impact analysis of clean energy development for the North Carolina Sustainable Energy Association (NCSEA).¹

The analysis had three broad components:

1. RTI reviewed North Carolina's business and investment climate for clean energy development, including the effects of three key state policies: Renewable Energy and Energy Efficiency Portfolio Standard (REPS), renewable energy tax credit, and Utility Savings Initiative.
2. RTI performed a retrospective economic impact analysis of renewable energy and energy efficiency investment on the state economy between 2007 and 2012.
3. La Capra analyzed the rate impacts of clean energy development to date and expected in the future.

Our research findings are as follows:

- North Carolina's clean energy and energy efficiency programs achieved the following:
 - Spurred \$1.4 billion in project investment statewide between 2007 and 2012. This was supported by the state at an estimated \$72 million.
 - Contributed an estimated \$1.7 billion between 2007 and 2012 to the gross state product, including secondary effects. This estimate includes renewable energy project construction and operation benefits, state costs and incentives, reduced conventional energy generation, utility customer fees, and energy efficiency benefits.
 - Created or retained 21,163 job years from 2007 to 2012.
- There is no appreciable rate impact to residential, commercial, and industrial customer groups through 2026 resulting from state renewable energy and energy efficiency policies. By 2026, this switch to clean energy will lead to \$173 million in cost savings.
- Over the 20-year period since the start of clean energy policies in North Carolina, rates are expected to be lower than they would have been had the state continued to only use existing, conventional generation sources.

¹ NCSEA posed the research questions in the request for proposal and offered guidance in data collection during the research process. RTI and La Capra conducted the analysis in an independent and objective manner to address the research questions that resulted in the findings of this report.



COUNTY OF ALAMEDA

REQUEST FOR INFORMATION, No. 901098

for

Regional Renewable Energy Procurement

Any Request for Proposal (RFP) issued as a result of this Request for Information (RFI) will be issued electronically via e-mail. Please immediately update the County Contact noted below of any e-mail address changes. This RFI and any RFP issued as a result of this RFI will be posted on the General Services Agency Current Contracting Opportunities website located at: http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/contractopportunities.jsp. Please visit the website for further information regarding this project, or contact the person listed below.

Contact Person: Michael Lu, Contract Specialist I

Phone Number: (510) 208-9649

E-mail Address: michael.lu@acgov.org

To vendors registered or certified in the Small Local Emerging Business (SLEB) vendor database: Please maintain correct and accurate e-mail address information to ensure receipt of future RFIs.

RFI RESPONSE DUE

By

2:00 p.m.

on

June 24, 2013



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A. PROJECT DESCRIPTION

The County of Alameda and 18 other agencies in San Mateo, Contra Costa and Santa Clara Counties have come together to launch the Regional Renewable Energy Procurement (R-REP) initiative. The goal of the initiative is to deploy a significant number of renewable energy projects across municipal high-potential sites that are economically beneficial, reduce transaction costs, and yield regional environmental benefits. Through completed independent feasibility studies, the 19 R-REP agencies have identified over 120 facilities with the potential for over 20 MW of rooftop, carport, ground-mounted PV sites, in addition to a few solar thermal and fuel cell installations. These projects range from installations as small as 7 kW to as large as 4 MW. We anticipate five PV bid bundles of the following sizes:

- Small systems (<50 kW): two bundles for a total of 1.3 MW
- Medium Systems (51-420 kW): three bundles for a total of 9.1 MW
- Large Systems (> 420 kW): one bundle of 9.8 MW

The R-REP initiative is being led by the County of Alameda, which anticipates issuance of an RFP this summer and is using a 4-step process to deploy projects by 2014:

1. Perform investment-grade feasibility studies on all high-potential solar installation sites (Completed by Q1 2013 for all participants).
2. Issue this Request for Information (RFI) to seek input from renewable energy providers on their level of interest and gather input for the procurement phase (Q2 2013).
3. Incorporate RFI responses and issue a Request for Proposals (RFP) for groups of renewable energy sites (bundles) (Q3 2013).
4. Award contracts for each participating agency with selected vendors and financial options (Q4 2013).

B. VENDOR RESPONSE INSTRUCTIONS

All responses must be received by June 24, 2013 for consideration; **however, your response to this RFI is NOT required for participation in the RFP.** Please complete and submit the questionnaire online at: <https://www.surveymonkey.com/s/RREP>

Alameda County GSA–Purchasing intends to issue an RFP in order to establish a contract for the above-referenced service in the near future.

All interested parties are encouraged (but not required) to participate in this RFI by clicking on the link provided above under Vendor Response Instructions and completing Section I. Additionally, if you would like to provide input for the final RFP package, please provide your

responses to questions in Section II - IV of the RFI. All responses to Section II – IV will be used for informational purposes only, and will not be released with identifiable information.

Your completion of this questionnaire will enable the County to plan appropriately for the RFP phase of this project and to incorporate solar industry feedback into the documents that will be issued. Though providing your contact information is optional, in order to receive notification of the RFP, please submit contact information through this questionnaire.

In addition, the County encourages any new vendors that are local to Alameda County to register and be added to the County SLEB database. More information on how to register can be found on the County's website at: <http://www.acgov.org/auditor/sleb/newvendor.htm>.

Connect with Alameda County through e-subscribe. Both local and non-local can subscribe to any or all Contracting Opportunities Categories and/or Calendar of Events for automatic updates. Subscribers will receive an e-mail announcing when the latest information has been updated on our website. More information on how to Subscribe can be found on the County's website at: <http://acgov.org/gsa/purchasing/esubscribe.htm>.

Alameda County supports the participation of our Small, Local and Emerging businesses. To find out more about the SLEB program please visit: <http://acgov.org/auditor/sleb/>. Participants for this project are NOT required to be a certified SLEB with Alameda County.

C. ESTIMATED CALENDAR OF EVENTS:

Event	Date
Request for Interest (RFI) Issued	June 10, 2013
RFI Response Due	June 24, 2013
Request for Proposal (RFP) Issued	August 2013

Note: Dates indicated are approximate.



Department of Environment,
Agriculture, Parks & Recreation

Memorandum

To: David Stancil, DEAPR Director
From: Tom Davis, Water Resources Coordinator
Date: August 1, 2013
RE: Coles Hill Uranium Deposit, Chatham, Virginia

In late July 2013 members of the Board of Commissioners requested information regarding potential uranium mining in the vicinity of Chatham, Virginia. This memorandum provides background information on this topic.

The Coles Hill uranium deposit, comprised of the North and South Coles Hill uranium oxide bodies, was discovered in 1978 and is located 6 miles northeast of Chatham, Virginia and approximately 45 miles from the Orange County border (Figure 1). This deposit is reportedly the largest known undeveloped uranium oxide deposit in the United States and the seventh largest known deposit in the world.

Virginia Uranium Incorporated (VUI) owns the land containing the North and South Coles Hill uranium oxide deposits. VUI reports the total Coles Hill deposit to contain approximately 120 million pounds of uranium oxide and estimates the value of the uranium at more than seven billion dollars. Estimates of the size and value of the uranium present vary considerably, depending on the market price of uranium, the standards used to determine the size of the ore body, and other factors. The price of uranium oxide varies, making it difficult to affix a value to the deposit and also affecting the amount of the deposit that would be economical to mine at any particular time. According to the 2012 National Academy of Sciences (NAS) report concerning uranium mining in Virginia:

“The Coles Hill deposit contains significant uranium resources at grades comparable to average grades for uranium deposits worldwide, and the main uranium-bearing minerals are easily leachable in acidic or alkaline solutions.” and “The resources and grades of the Coles Hill deposits

appear comparable to deposits that are being mined elsewhere in the world.”

A moratorium prohibiting uranium mining in Virginia was enacted in 1982 shortly after the Coles Hill deposit was discovered. This moratorium remains in effect although a bill to repeal the moratorium was introduced during the 2013 session of the Virginia General Assembly. The bill was later withdrawn due to a lack of support. Presently, some are concerned that the current Governor of Virginia, Robert McDonnell, as he nears the end of his term, may move to draft rules that would allow uranium mining to take place in Virginia. The next gubernatorial election in Virginia is scheduled for November 5, 2013. The stance of each of the main candidates for governor concerning the uranium mining moratorium is unknown.

As a result of the moratorium on uranium mining, Virginia has not developed regulations governing the mining of radioactive materials. In addition, it is possible that the moratorium on uranium mining in Virginia is at least partially responsible for the lack of additional uranium exploration in Virginia. There are likely other deposits of uranium oxide elsewhere in the State of Virginia within depositional environments similar to those found at the Coles Hill site; these deposits have just not been located yet. Figure 2 illustrates the location of the Coles Hill deposit as well as additional uranium leases in Virginia and downstream water resources in Virginia and North Carolina.

Finally, the conclusion of the 2012 NAS report is included:

“If the Commonwealth of Virginia rescinds the existing moratorium on uranium mining, there are steep hurdles to be surmounted before mining and/or processing could be established within a regulatory environment that is appropriately protective of the health and safety of workers, the public, and the environment. There is only limited experience with modern underground and open-pit uranium mining and processing practices in the wider United States, and no such experience in Virginia. At the same time, there exist internationally accepted best practices, founded on principles of openness, transparency, and public involvement in oversight and decision making, that could provide a starting point for the Commonwealth of Virginia were it to decide that the moratorium should be lifted. After extensive scientific and technical briefings, substantial public input, reviewing numerous documents, and extensive deliberations, the committee is convinced that the adoption and rigorous implementation of such practices would be necessary if uranium mining, processing, and reclamation were to be undertaken in the Commonwealth of Virginia.”

Included below are links to several resolutions supporting the moratorium on uranium mining that were adopted by North Carolina counties and towns in 2011. Please let me know if I can provide further information on this topic.

cc: Rich Shaw

Selected Resolutions Opposing the Lifting of the Uranium Mining Moratorium in Virginia:

Person County, April 18, 2011. <http://www.personcounty.net/modules/showdocument.aspx?documentid=301>

Vance County, April 4, 2011. http://www.vancecounty.org/wp-content/uploads/2012/03/minutes_11-04-04.pdf

Warren County, April 4, 2011. http://www.warrencountync.com/fileuploads/Minutes/249_4-4-11%20Minutes.pdf

Town of Butner, May 5, 2011. <http://butnernc.org/TOB%20minutes/Council/2011-2-3/2011-5-5.pdf>

Town of Creedmoor, April 11, 2011. <http://www.cityofcreedmoor.org/Modules/ShowDocument.aspx?documentid=981>

City of Henderson, March 28, 2011. <http://ci.henderson.nc.us/wp-content/uploads/2010/09/28-Mar-2011-Shor-Reg-Meeting.pdf>

Selected References:

National Academy of Sciences, 2012. *Uranium Mining in Virginia; Scientific, Technical, Environmental, Human Health and Safety, and Regulatory Aspects of Uranium Mining and Processing in Virginia*. Committee on Uranium Mining in Virginia, Committee on Earth Resources, Board on Earth Sciences and Resources, Division on Earth and Life Studies, National Research Council. 345 p.

Burnley, R. G., 2011. *How Will Virginia Regulate Uranium Mining?* in Virginia Lawyer, Environmental Law Section, vol. 60, pp. 41-44.

Slaughter, K.E., 2010. *Will Uranium Get a Glowing Welcome in Virginia?* in Virginia Environmental Law Journal, vol. 28, no.3, pp. 483-532.

Christopher, P. A., 2007. *Technical Report on the Coles Hill Uranium Property; Pittsylvania County, Virginia*. PAC Geological Consulting, Inc., Vancouver, B.C. 49 p.

<http://www.nytimes.com/2011/12/20/us/virginia-warned-of-hurdles-on-uranium-mining.html>

<http://www.nytimes.com/2013/01/20/us/rift-widens-over-mining-uranium-in-virginia.html?pagewanted=all&r=0>

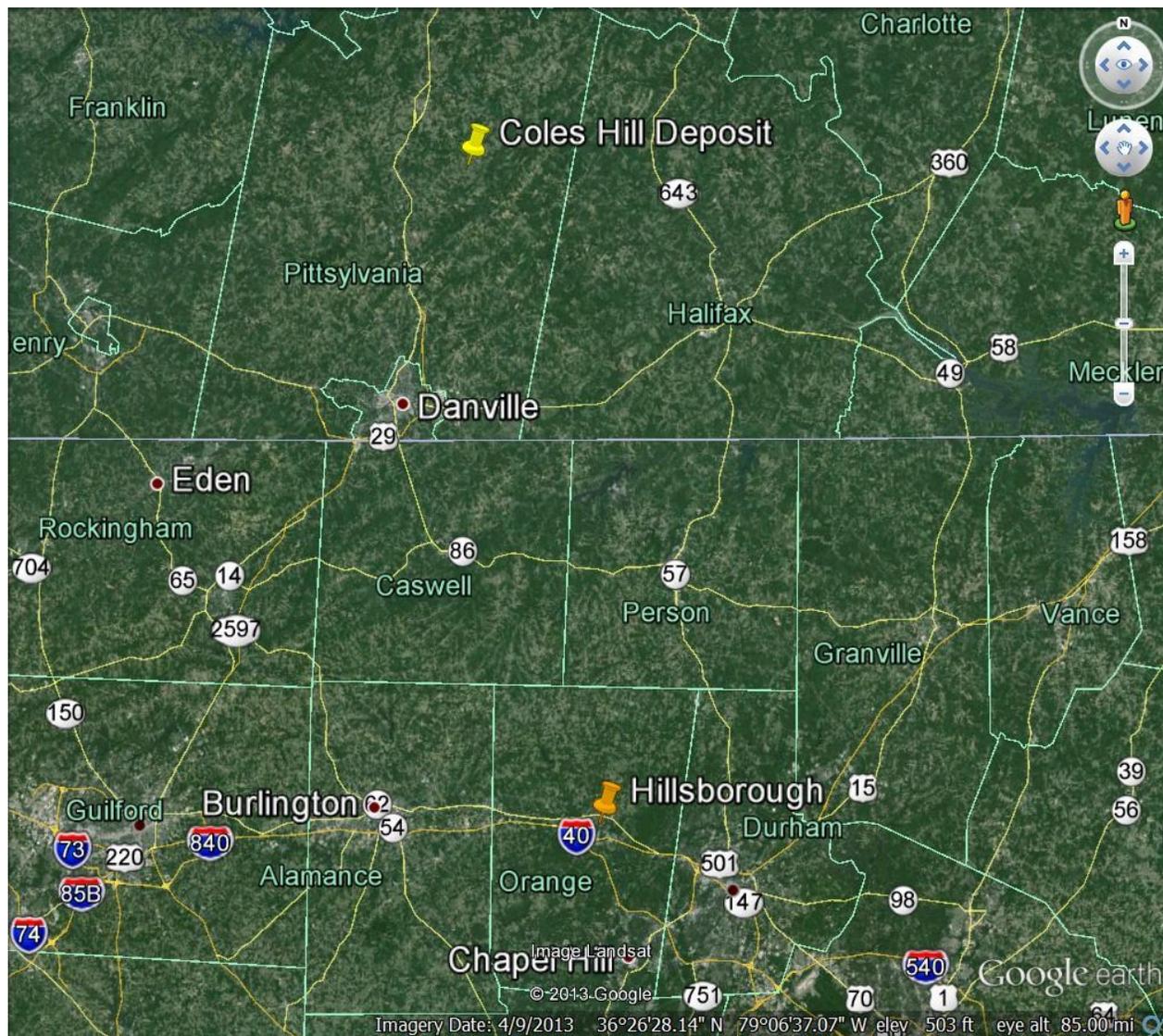
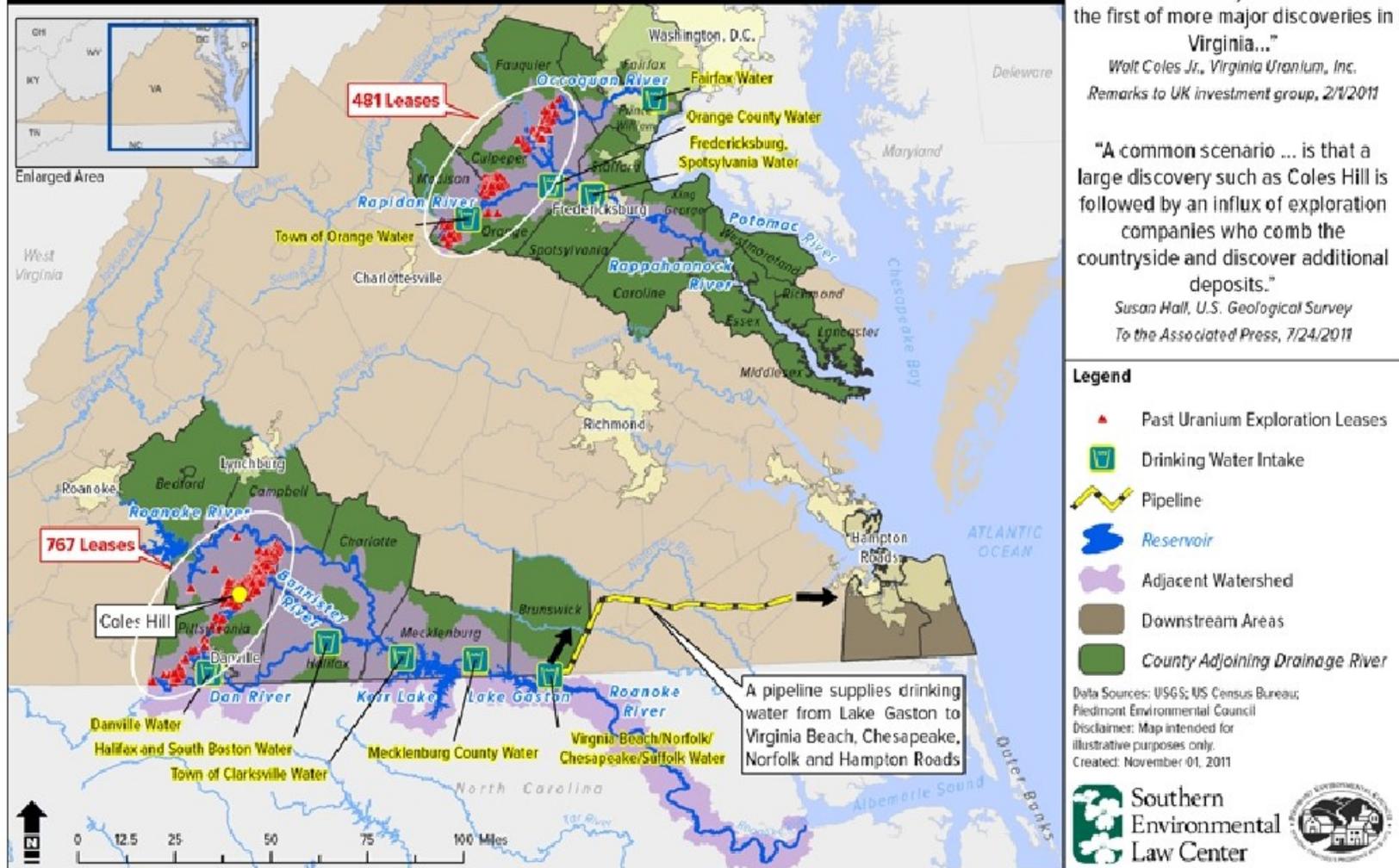


Figure 1. Map showing the Location of the Coles Hill Uranium Deposit.

Localities Downstream From Possible Uranium Exploration



"...talking to the lead geologist, he's insistent to this day that Coles Hill is the first of more major discoveries in Virginia..."

Walt Coles Jr., Virginia Uranium, Inc.
 Remarks to UK investment group, 2/1/2011

"A common scenario ... is that a large discovery such as Coles Hill is followed by an influx of exploration companies who comb the countryside and discover additional deposits."

Susan Hall, U.S. Geological Survey
 To the Associated Press, 7/24/2011

Figure 2. Map showing the Location of the Coles Hill Uranium Deposit and Downstream Water Resources.

Rich Shaw

From: NCDA&CS News Releases <noreply@info.ncagr.com>
Sent: Monday, June 17, 2013 3:18 PM
To: Rich Shaw
Subject: First detection of emerald ash borer made in the state; quarantine established for Granville, Person and Vance counties



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FOR IMMEDIATE RELEASE
MONDAY, JUNE 17, 2013

CONTACT: *Phillip Wilson, plant pest administrator*
NCDA&CS Plant Industry Division
919-707-3753

First detection of the emerald ash borer made in the state; quarantine established for Granville, Person and Vance counties

RALEIGH -- Agriculture Commissioner Steve Troxler signed an emergency quarantine order today restricting the movement of hardwood firewood, ash nursery stock and other ash materials from Granville, Person and Vance counties following the confirmation of the emerald ash borer in trees there. This marks the first time emerald ash borer has been found in the state.

North Carolina is the 20th state in the country to confirm the presence of the destructive pest, following the discovery of an adult beetle and other signs of borer activity in trees in Granville County by staff with the N.C. Forest Service. Additional surveying found signs of emerald ash borer activity in the bordering counties of Person and Vance.

"The detection of this pest is not unexpected, especially given the presence of the beetle in Virginia and Tennessee," Troxler said. "We have been surveying and trapping sites along the state borders for several years for any signs of the movement of this pest. A federal quarantine will be coming shortly, but I am invoking this emergency quarantine to take every step possible to restrict the movement of emerald ash borer any further."

The beetle was first detected in the United States in Michigan in 2002. It is responsible for the death or decline of tens of millions of ash trees across the country.

Under the state quarantine, all hardwood firewood and plants and plant parts of the ash tree -- including living, dead, cut or fallen, green lumber, stumps, roots, branches and composted and uncomposted chips -- cannot be moved outside the three counties.

The N.C. Department of Agriculture and Consumer Services' Plant Industry Division and N.C. Forest Service are working in cooperation with the U.S. Department of Agriculture's Animal and Plant Health Inspection Service.

"Detecting and preventing the human spread of the emerald ash borer is a huge undertaking," said Deborah

Stewart, USDA state plant health director for North Carolina. "We need everyone's cooperation to minimize the impacts of this pest."

Symptoms of emerald ash borer in ash trees include a general decline in the appearance of the tree, such as thinning from the top down and loss of leaves. Clumps of shoots, also known as epicormic sprouts, emerging from the trunk of the tree and increased woodpecker activity are other symptoms. The emerald ash borer is not the only pest that can cause these.

Emerald ash borers overwinter as larvae. Adult beetles begin to emerge from May to June and can be found in the summer months. The adult beetle is one-fourth to a half-inch long and is slender and metallic green. When the adults emerge from a tree, they leave behind a D-shaped exit hole. The larvae can also create serpentine tunneling marks, known as feeding galleries, which are found under the bark of the infested trees.

Home and landowners are encouraged to report any symptomatic activity in ash trees to the NCDA&CS Plant Industry Division hotline at 1-800-206-9333 or by email at newpest@ncagr.gov. The pest can affect any of the four types of ash trees grown in the state.

-aea-1,2

NCDA&CS Public Affairs Division, Brian Long, Director
Mailing Address: 1001 Mail Service Center, Raleigh NC 27699-1001
Physical Address: 2 West Edenton Street, Raleigh NC 27601
Phone: (919) 707-3001; **FAX:** (919) 733-5047

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Steve Troxler, Commissioner of Agriculture

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CFE Committee Priorities

(Updated April 2013)

Air and Energy Resources Committee

(David Neal, Jan Sassaman, May Becker, Tom O'Dwyer, Gary Saunders, Lucy Adams, Terri Buckner)

1. Recommend a variety of strategies to the BOCC that would encourage energy efficiency in new construction and existing buildings, and recommend requirements for preserving Renewable Energy sites on new land development.
2. Create a countywide composting initiative that would help reduce the disposal of organic material in landfill.
3. Examine solid waste issues and collaborate with the Solid Waste Advisory Board (SWAB) on charting a course for the future with a focus on conservation and energy reduction.
4. Research and recommend appropriate use of biofuels and look into UNC's planned use of wood to replace coal at its cogeneration plant.
5. Assist in evaluating the County's carbon footprint as follow-up to the 2005 GHG inventory.
6. Help implement the County's goal of Environmental Responsibility in County Government.
7. Monitor upcoming statewide air quality standards (O_3 75 ppb in 8-hour period; Hg 85%-90% control; $PM < 2.5 \mu m$), which could require additional controls on emissions from private and public sources.

Water and Biological Resources Committee

(Peter Cada, Loren Hintz, David Welch, Bill Kaiser, Sam Yellen)

1. Develop and implement a monitoring plan and associated Quality Assurance Protection Plan (QAPP) for more frequent monitoring at existing State sampling locations; identify and initiate monitoring at other locations to support State water quality objectives under the Clean Water Act. Collaborate with other entities that may support these efforts (e.g., Eno River Association).
2. Explore and pursue funding sources to increase funding for the County's groundwater observation well network program (Orange Well Net).
3. Initiate efforts to create a detailed Water Budget for Orange County.
4. Revitalize effort to eliminate use of herbicides to manage vegetation in utility right of ways.
5. Help implement the development of a comprehensive conservation plan.
6. Educate the public about ways to promote biodiversity.

CFE meeting
March 11, 2013

Air and Energy Resources Committee

Potential topics for RENEW public workshops or forums

- What kinds of energy-efficiencies would produce jobs?
- Chapel Hill's WISE program / Pete Street home energy-savings program
- Clean Energy Durham model information
- Reserving land for solar energy generation in subdivisions (CFE memo – Dec 2011)
- Property tax reduction/rebate for energy efficient construction (CFE memo – Dec 2011)
[Bring in local gov'ts that have tried this; estimate payback period, etc.]
- More "bang for the buck" with commercial energy efficiencies, rather than residential
- Focus on initiatives that help people/businesses save money
- Any relevant priorities from the County's Economic Development Commission?
- Eliminating or altering existing policies or code provisions that hinder energy conservation at the county level
[Shaw suggested meeting with Susan Mellott (retiring) and/or Michael Harvey for ideas]

Develop new County webpage devoted to informing citizens about energy conservation

- Identify tools that people can use easily
- Links to many other established programs and opportunities

Orange County Energy Fair

- Wayne Fenton organized Energy Fair for County employees (4-5 years ago, Hillsborough)
- The audience would be homeowners and businesses
- Include vendors and utility companies

Energy Walks/Tours

- Provide tours of homes, buildings, businesses for people to see and learn
- Energy efficient windows, insulation, caulking, water heating, etc.
- Display booth at Hillsborough's Last Fridays street festival (April – Sept.)

OWASA considering reducing water fees for new homes that meet certain water-savings criteria