

AGENDA

North Carolina Sedimentation Control Commission
Business Meeting

Ground Floor Hearing Room
Archdale Building
512 North Salisbury Street
Raleigh North Carolina

February 20, 2013, 10:00 AM

The State Government Ethics Act mandates that the Chair inquire as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the Commission. Executive Order 34 requires any member to recuse herself or himself from voting on any matter before this Commission which would confer a financial benefit on the member. If any member knows of a conflict of interest, appearance of a conflict, or possible financial benefit please so state at this time.

Ms. Robin K. Smith, Chair, Presiding

I. Preliminary Matters

- A. Call to Order
- B. Recognition of Those Attending
- C. Approval of Meeting Minutes of Oct. 1, 2013, Oct. 29, 2013, Nov. 7, 2013
- D. Ethics Evaluation of New Commissioners

II. Action Items

- A. Delegate Johnston County Local Program Jurisdiction in the Towns of Clayton and Pine Level — Mr. Matt Poling
Staff recommends approving request from the Towns of Clayton, Pine Level, and Johnston County
- B. Local Program Reviews — Mr. Matt Poling
Report on the reviews of the City of Raleigh, and the Counties of Durham and Wake.
- C. Memorandum of Agreement — Mr. Matt Poling
Revisions to the Memorandum of Agreement have been proposed.
- D. Local Program Model Ordinance — Mr. Matt Poling
Revisions to the Model Ordinance have been proposed.
- E. Resolution to Amend the SPCA to Increase Plan Review Fees — Mr. Matt Poling

- F. Commission's response to Mr. Joe Ratchford's Letter, Applewood Properties, LLC V. New South Properties, LLC — Mr. Shawn Maier
Summary of the North Carolina Supreme Court Decision

III. Information Items

- A. Rules Review Committee Update — Mr. Matt Poling
Preliminary designations of the North Carolina Administrative Code
- B. Update on Assignment of E&SC Program to DEMLR Energy Section for Oil and Gas Exploration and Development Land Disturbing Activities – Mr. Tracy Davis
Update will be provided on Mining and Energy Commission study report and initial drafts of local government MOA and SCC program assignment letter to DENR Secretary
- C. Local Program Responses — Mr. Matt Poling
Compilation of Local Program Responses to questions asked by the Environmental Review Commission subcommittee that is studying the effects of local environmental ordinances being more stringent than state or federal laws and regulations.
- D. Report on Local Program Assistance by Regional Offices — Mr. Matt Poling
Report on Regional Office Contacts with the Towns of Beech Mountain and Whispering Pines, The Counties of Rowan, Iredell, Catawba, Gaston, Lincoln, and Mecklenburg, and the City of Newton.
- E. Report on Local Program Review Dates — Mr. Matt Poling
Annual Report on Local Program Review Dates and Staffing Statistics
- F. Commissioner Term Dates — Ms. Evangelyn Lowery-Jacobs
Update all Commissioner Term Appointment and Expiration Dates on the Membership List
- G. Enforcement Report — Mr. John Payne
Action on Civil Penalty Assessments and Judicial Actions will be summarized.
- H. Land Quality Section Active Sediment Cases Report — Mr. Matt Poling
The status of Civil Penalty Assessments will be summarized.
- I. NC DOT Report — Mr. Matt Poling
No Trout Buffer Waivers for Secondary Road Projects and three ICA's that have been issued since November 1, 2013.
- J. Education Program Status Report — Ms. Evangelyn Lowery-Jacobs
Staff will provide a report on the past and current projects in the Sediment Education Program.
- K. Sediment Program Status Report — Mr. Toby Vinson
Staff will provide a report on LQS's current plan approval, inspection, and enforcement activities, statewide.

- L. Land Quality Section Report — Mr. Toby Vinson
Staff will provide a report on the current number of vacancies in the Section and other LQS activities and issues.

IV. **Conclusion**

- A. Remarks by Director
- B. Remarks by Commission Members
- C. Remarks by Chairman
- D. Adjournment