

Report to N.C. League of Women Voters Advocacy Committee  
on Environmental Legislation Passed by the 2007 General Assembly

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The N.C. General Assembly adjourned August 2, leaving behind a mixed-bag of ratified environmental legislation.

Senate Bill 3 got all the media attention and was a subject of disagreement among environmental groups. This ratified bill requires N.C. utilities to obtain at least 12.5% of their power from renewables and energy efficiency by 2021. However, it also allows utilities to charge ratepayers for new generating plants as the plants are constructed, a provision that some groups think will encourage the building of new coal or nuclear plants.

Most environmental legislation received much less publicity. The N.C. League of Women Voters is a member of the N.C. Conservation Network (and the Watershed Alliance which sets and lobbies for legislative goals) and the Land for Tomorrow coalition, so we have followed legislation related to priorities of these organizations as well as a few of interest to local Leagues. A number of other environment-related bills were passed but are not covered in this report.

#### Watershed Alliance

Legislative priorities of the Watershed Alliance were increasing funding for additional state erosion and sedimentation control inspectors, prohibiting new and phasing out old swine lagoons, and reforming the state's law regulating transfer of water from one river basin to another. There was some success on each of these issues:

\* The State budget allows the Department of Environment and Natural Resources to increase the fee it charges for review of erosion and sediment control plans from \$50 to \$65 per disturbed acre and provides that the increased revenue is to be used to hire seven additional inspectors to enforce erosion and sedimentation control rules on construction sites under state jurisdiction.

\* Senate Bill 1465 was ratified, prohibiting new or expanded animal waste systems that use anaerobic lagoon as the primary waste treatment method and land application of waste by sprayfield as the primary method of disposal. The bill also establishes a source of state funding to begin converting existing lagoons to "environmentally superior technologies." However, lagoons in operation before Sept 1, 2007, may be replaced under certain circumstances, and swine producers who wish to use methane capture to generate energy can continue to use existing lagoons.

\* House Bill 820 was ratified, amending the laws governing interbasin transfer of water and directing the Environmental Management Commission to study issues related to transfer of water from one river basin to another and the allocation of surface water resources. Amendments to the laws are many and technical but basically make local

governments who want to take water out of a river basin and discharge it into another to jump through more hoops and provide more documentation that the transfer is needed and will not cause ecological damage to the source basin.

#### Land for Tomorrow

The State budget authorizes issuance of special indebtedness (funds to be borrowed against future revenues of the natural resource trust funds) of up to \$120 million, with \$50 million to be used for State park land acquisition, \$50 million for natural heritage land acquisition, and \$20 million for waterfront access and the marine industry fund. While this is nowhere near the \$1 billion bond that the Land for Tomorrow coalition wanted, it is something.

#### School Bus Retrofit

A bill of particular interest to the Wake County League, which has actively sought protection of school children from diesel fumes, was House Bill 1912, School Bus Retrofit. This ratified bill establishes a pilot program in counties located in ozone or particulate nonattainment areas to reduce diesel emissions from school buses. It creates a fund that counties can use to match federal funds to be provided through DOT to pay for bus retrofits. The State budget provides \$500,000 for this grant fund, which will be managed by the N.C. Division of Air Quality.

#### Green School Construction

Of interest to the Henderson County League was Senate Bill 927 (H 1073) Green School Construction Loan Fund/Program. Unfortunately neither bill passed its chamber, but presumably could be considered in the short session since it affects the budget.

The General Assembly will reconvene May 13, 2008, for the “short session.”