

AGENDA

North Carolina Sedimentation Control Commission
Business Meeting

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

November 16, 2017, 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.

Dr. Susan White, Chair, Presiding

I. Preliminary Matters

- A. Call to Order
- B. Recognition of Those Attending
- C. Approval of Meeting Minutes of August 22, 2017

II. New Member Orientation

- A. Briefing on Public Meetings, Public Records, and Quasi-Judicial Functions – Shawn Maier
- B. DEMLR Overview – Mr. Tracy Davis
- C. Overview of the Sedimentation Program & Commission Member Roles – Mr. Toby Vinson

III. Information Items

- A. Rules Review Process Update – Boyd Devane
Staff will provide an update on the rules review process.
- B. Enforcement Report — Mr. Toby Vinson
Action on Civil Penalty Assessments and Judicial Actions will be summarized.
- C. Land Quality Section Active Sediment Cases Report — Mr. Toby Vinson
The status of Civil Penalty Assessments will be summarized.

- D. NC DOT Report — Mr. Jeevan Neupane
Report on Trout Buffer Waivers for Secondary Road Projects and ICA's that have been issued since August 22, 2017.
- E. Education Program Status Report — Ms. Julie Coco
Staff will provide a report on current plans in the Sediment Education Program.
- F. Sediment Program Status Report — Ms. Julie Coco
Staff will provide a report on LQS's current statewide plan approval, inspection, and enforcement activities.
- G. 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.
- H. Overview of Proposed Process for the Remission of Civil Penalties – Mr. Toby Vinson and Ms. Julie Coco
 - 1. Legislation
 - 2. DEMLR and SCC roles
 - 3. Presentation of Draft and Final Civil Penalty Remission Documents
 - a. Statutes from the Sedimentation Pollution Control Act
 - b. Remission Request Received Letter
 - c. Request from petitioner (including completed Justification for Remission Request and Waiver of Rights forms)
 - d. Civil penalty package (Assessment, Cover Letter with options, Justification for Remission Request and Waiver of Rights forms, Assessment Factors)

IV. **Action Items**

- A. Local Program Review
 - 1. City of Winston-Salem
 - 2. Guilford County
 - 3. Town of Southern Pines
 - 4. Chatham County
 - 5. Johnston County
 - 6. Catawba County
- B. NCDOT Program Review
- C. Review of Appreciation Letters to Former SCC Members for Signatures & Distribution

D. Discussion and Decision on Civil Penalty Remission Process and Hearings

V. **Conclusion**

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