

Orange County Commission for the Environment

Meeting Summary

May 13, 2019

West Campus Office Building, Room 302, 131 West Margaret Lane, Hillsborough

Present: Bradley Saul (Chair), Jeremy Marzuola (Vice Chair), Bill Ward, Kim Piracci, Alan Parry, Matt Crook, Jeremy Marzuola, Jody Eimers, Laura Doherty, Jim Eichel, Lynne Gronback, Will Stanley

Absent: Bill Newby

Staff: Tom Davis, Brennan Bouma, Dave Stancil

- I. **Call to Order** – Saul called the meeting to order at 7:30.
- II. **Additions or Changes to Agenda** – Alan requested that we add a discussion of the draft Carbon Fee and Dividend resolution. Kim P requested that she be allowed to introduce an issue to the CFE members for them to possibly consider for the agenda of the next meeting. If time allows at end of meeting, it was agreed that she could do so. Appreciation gifts from the BOCC were distributed to the members.
- III. **Approval of Draft Minutes** from April 8, 2019. Crook made a motion to approve the minutes as written. Fletcher seconded. Approved unanimously.

IV. **Activities Update**

The Chair stated that the next goal for the State of the Environment report is to have a new draft ready for the members to review at the June meeting. The executive editorial committee is meeting next week to discuss the report.

Eco tips- nothing new on this item currently

Forest management policy- The land resources committee has completed a draft policy, but since the land resources coordinator position is currently vacant, this item is waiting for the next staff person to pick up the issue. Brennan related how several sustainability staff in the triangle area are currently working on this same issue. Jody asked if Dave had spoken with Ruth Rouse at OWASA about this since they are currently beginning to develop a similar policy for their properties. Dave said yes he is aware of OWASA's process on this.

Rural Buffer Research project - Brennan discussed the fact that we may potentially have an intern from UNC-CH to work on this project in the fall.

The anti-idling campaign - Alan indicated that he and his wife have discussed this with some local bike groups. They are interested in putting together an event to raise awareness of this campaign.

V. BOCC Abstract - Environmental Impact Item

Brennan discussed his presentation to the BOCC on this issue which occurred on April 16th. He presented the option that was preferred by the County Manager. The BOCC approved the County Managers recommended version - which is just a simple one line item. Brennan also presented a proposed prompts page for use on future abstracts that is based on the Environmental Responsibility Goal document that was approved by the BOCC in 2005. The approved version is simple, maintains an open response format, provides for statements on environmental impacts, and helps avoid staff confusion and conflict with development impacts assessment process that already has to be completed. Dave discussed the sheer volume of BOCC abstracts that are generated every two weeks, and that their authors have varying degrees of expertise, as well as the potential for creating a potential liability issue with a more extensive impact assessment. Several commissioners indicated that they thought that the approved format is a good start and worth initiating, and maybe this can be reviewed and possibly modified in the future. Dave and Brennan are going to develop some examples this summer for staff to consider. Dave then discussed the BOCC agenda review process and the oversight that is built into this process. Bradley indicated it might be a good idea to reconsider this item in 6 months or so to see if some revision may be needed at that time.

VI. Proposed Rights-of-Way (ROW) Committee Update

Dave provided some background of how BOCC advisory boards can function, their setup, etc. much of which was revised about 8 years ago by the BOCC. In summary, the BOCC tightened up the rules somewhat as to how advisory boards can operate. Upon consideration of the proposed ROW committee- it was feared that the only way for this group to be formed would be through a formal process that would need the blessing of the BOCC. Dave thinks it would be much easier to initiate this committee as a subcommittee of the CFE at this time. This would essentially mirror the process previously used to create the bicycle safety task force. The ROW subcommittee could investigate the issue of roadside herbicide usage, prepare a report, and then present the report to the BOCC. Bradley discussed the proposed original make-up of the group and stated that he is interested in serving on this group. He also discussed how to proceed. Matt asked what happens if one of the proposed membership entities (Duke Power, PSNC, etc.) decides not to participate. Then additional sources of members were discussed, including The Town of Hillsborough, Verizon, Spectrum, etc. Brennan talked about the initial members of the group developing a report of some type, and then possibly use the document to essentially recruit additional members in the future. Jeremy moved to establish a subcommittee, this was seconded by Lynne Gronback, and then unanimously approved. Bradley asked for volunteers, and Carrie F. and Lynne G. indicated that while they are not

experts on this issue, they are willing to volunteer. Carrie said she might be able to provide administrative assistance especially with the setup of the group.

VII. SOE Event

Bradley indicated that he is worried about the event intended to serve as the rollout for the pending SOE report, especially now that Kim L., our former Land Resources Coordinator, no longer works for the County. Before she left, Kim emailed several members of the New Hope Collaborative Conservation Group on May 1st concerning the development of an event in conjunction with the CFE. Only one member of that group has apparently replied to that email to date. Carrie stated she had spoken with some people that may be available to speak at the event. The event was originally tentatively planned for the end of October. Bradley asked Brennan to follow up with the Collaborative Conservation Group, and include CFE members Lynne and Carrie (who previously expressed interest in helping with the development of the event). Davis stated that he has requested funding in next year's budget for the event.

VIII. Updates and Information Items

Draft Carbon Fee and Dividend Resolution - Alan Parry prepared a draft CFD resolution, based on a presentation that was made to the CFE in 2018. Several local municipalities have approved a similar resolution. Alan indicated that in general Republicans are in favor of this approach because it is a free market solution. Alan discussed some of the background on this item, including that the City of Durham just recently approved a similar resolution supporting the bill that is referenced in this resolution (HR 763). Alan stated that the Town of Chapel Hill is considering a similar resolution. A carbon fee would be assessed at the point of entry of the fossil fuel into the economy, and the overall idea is to disincentivize the use of fossil fuels. Jody asked how this would affect Orange County and would we need to consider the environmental impact such as what is proposed for the BOCC agenda. The county would face higher fuel costs and would not get a dividend since only households would receive a dividend as this is currently envisioned. Jeremy made a motion to approve the draft resolution pending the addition of a paragraph or sentence stating that Durham County has also approved a similar resolution, per Dave's suggestion, as well as adding links to similar adopted resolutions. This was seconded by Jody and then approved unanimously. Alan will make the approved changes to the document and send it to Bradley for him to forward to the BOCC.

As time allows it, Kim wants to discuss the proposed Fairway Hills development in Orange County, as she is also on the County planning board. She began by telling members that the proposed development is located along Highway 70 east of Hillsborough. Carrie said this development would dramatically impact the drive along Highway 70 and that she supports Kim "110%" in her opposition to the planned development. 20 houses are proposed- some on 1.5 acre lots and the parcel is 42 acres in size. Kim was concerned with the lack of affordable housing in the proposed development, the traffic impact, stormwater runoff (1

inch of rain in 24 hours is exceeded), the clearcutting of site, “the yardstick that is being used is a yardstick for the 20th century”. She asked if there is any interest in the CFE in trying to do something about this proposed development. She stated that Craig Benedict, Planning Director, said that someone will go back and look at the runoff calculations for this development, and maybe the County could change their rules for how much rain to consider in the runoff calculations. Kim also lamented the fact that the impact fee has been eliminated in Orange County. Alan asked what the process would be from here on out for this proposed development. Matt thought there should be more consideration for the environmental impact of future developments. Alan asked if there are more steps that the BOCC must vote on or not? If so, does the CFE want to weigh in on this?

Bradley then tried to curtail the discussion at 9:00. Jeremy then said the entire SOE is going to be geared towards advising the BOCC and maybe this should be added to the report somehow. Kim said that this plan “is the perfect example of what not to do”. Dave stated that the Dillon Rule prevents local governments from enacting rules that exceed the state requirements on some things. Local governments now are more restricted than they were in the past. Alan asked if the BOCC is going to weigh in on this planned development. If it is a major subdivision it will have to be approved by the BOCC. Bradley tabled further discussion at 9:08. Dave suggested reviewing the UDO for relevant information concerning the development process.

IX. Adjournment – Crook motioned to adjourn, and Parry seconded. Meeting adjourned at 9:10.