

# Environment Committee

Wednesday, May 14, 2:00 – 3:00 p.m.  
Charlotte-Mecklenburg Government Center  
Room CH-14

Committee Members: John Autry, Chair  
Ed Driggs, Vice Chair  
David Howard  
Claire Fallon  
Kenny Smith

Staff Resource: Hyong Yi, Assistant City Manager

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## AGENDA

- I. **Power2Charlotte** – 5 minutes  
*Staff Resources: Darcy Everett, Neighborhood & Business Services and Cass Bonfiglio, Corporate Communications*  
Staff will review the Power2Charlotte website that is being re-launched.  
*Action: None.*
  
- II. **PCCO Timeline Review** - 15 minutes  
*Staff Resource: Darryl Hammock, Engineering & Property Management*  
Staff will review the timeline for PCCO and how we plan to accomplish the review.  
*Action: Request to schedule meetings in July and August.*  
*Attachment: 1. Timeline and Process Map.pdf*
  
- III. **Coal Ash Due Diligence Update** – 20 minutes  
*Staff Resources: Hyong Yi, City Manager's Office and Rob Phocas, Neighborhood & Business Services*  
Staff will provide an update on the Coal Ash due diligence review.  
*Action: None.*  
*Attachment: 2. Coal Ash Due Diligence Progress.pdf*
  
- IV. **Tree Legislation** – 20 minutes  
*Staff Resources: Tim Richards and David Weekly, Engineering & Property Management*  
Staff will review the proposed legislation to limit local jurisdiction protection of trees on private property.  
*Action: For Committee recommendation to Council regarding City position on legislation.*

### **Next Meeting**

Wednesday, June 11 at 2:00 p.m., Room 280

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|               |              |                          |                       |
|---------------|--------------|--------------------------|-----------------------|
| Distribution: | City Council | Ron Carlee, City Manager | Executive Team        |
|               | Bob Hagemann | Stephanie Kelly          | Environmental Cabinet |

# Mitigation Options for Redevelopment projects in the Post- Construction Controls Ordinance

## *Timeline and Process Map*

The temporary extension approved by council on April 28 expires October 31. To extend the options further, the following timeline is proposed:

- Provide update and seek input in May 15 Storm Water Advisory Committee meeting
- Conduct public meeting in Government Center May 29, 5pm Room 280
- Include SWAC update/comment in June 19 meeting on the proposal.
- Staff recommendation ready prior to July Environment Committee meeting
- *Need two Environment Committee meetings, one in July and one in August*
  - *One meeting the week of July 21st or week of July 28<sup>th</sup>*
  - *One meeting in August*
- Public hearing on September 8
- Council vote on September 22.
- Allow one extra Council meeting - October 27 as contingency

## **2014 Proposed Meeting Schedule for City Council Environment Committee**

2nd Wednesday of each month at 2:00 pm Room 280

- May 14 (FYI – Budget Adjustments start at 3:00)
- June 11
- September 10
- October 8
- November 12
- December 10

Notes: No July or August meetings due to Council's summer schedule

## **Mitigation Options currently identified to be considered:**

1. Administrative Options:
  - a. Continue allowing the fee as it currently is, or raise the fee
  - b. A case-by-case approval process by staff
2. Political Option:
  - a. Case-by-case approval process by Storm Water Advisory Committee (similar to what is available now through a variance process) or case-by case approval by some other body.
3. Creative Financing of onsite measures– Evaluate a Synthetic Tax Increment Financing (TIF) program
4. Remove the option entirely, no mitigation fee option for these redeveloping areas



### Coal Ash Due Diligence Progress as of May 9, 2014

1. Coal Ash Strike Team continuing to meet with Charah and Duke to review due diligence areas
2. Legal and Environmental areas identified as having go or no go issues
  - a. Focus has been on answering legal and environmental questions
  - b. Legal team is continuing to work closely with Moore & Van Allen on:
    - i. Contract language
    - ii. Indemnification
    - iii. Operational classification (Ex - Would this be considered a beneficial reuse or a landfill operation?)
    - iv. Federal Aviation Administration contractual obligations
  - c. Environmental team is working closely with Charah on:
    - i. NEPA (National Environmental Policy Act) Implications
    - ii. Waste Characterization (Ex – what’s the chemical composition of the coal ash?)
    - iii. Transportation/Logistics
    - iv. Environmental Permitting
    - v. Ground Water Monitoring
3. Site Visits
  - a. Several Council members along with City and County staff have visited the Asheville Regional Airport twice
  - b. Council members along with City and County staff have visited the Riverbend Steam plant in Gaston County
  - c. An additional trip to the Asheville Regional Airport is scheduled for May 23, 2014
4. Staff training
  - a. Coal ash 101 conducted by Duke Energy, Catawba Riverkeeper, Charah, and UNC-Charlotte
5. Staff coordination
  - a. City & County staff regularly meet with Duke Energy and Charah to work through critical issues identified by staff. This process is ongoing.
6. Public outreach



## CHARLOTTE

- a. Corporate Communications has developed a coal ash website linked to the Charmeck.org homepage
  - i. <http://charmeck.org/city/charlotte/FocusAreas/Environment/Pages/Coal-Ash.aspx>

Staff presented at Councilmember Mayfield's April 5<sup>th</sup> District 3 town hall meeting

- b. The transportation route and neighborhoods along the proposed route are being identified
- c. Public meetings would be held to hear from communities near Riverbend, the transit route, and within close proximity of the airport

### 7. City manager briefings

- a. To date the City manager has been briefed regularly on the due diligence status.

### 8. Next steps

- a. Complete question and legal review with Charah and Duke Energy
- b. Identify the conditions under which the City of Charlotte would accept the coal ash at Charlotte Douglas International Airport
- c. Brief the Environment Committee on results of the due diligence review
- d. Brief the Council on the results of the due diligence review