March 30, 2012

Tim Simpson and Bruce Myers
North Carolina Department of Transportation (NCDOT)
Office of Roadside Environmental
802 Coble Avenue
Albemarle, North Carolina 28001

Dear Mr. Simpson and Mr. Myers:

Attached are the City of Charlotte's comments on 21 Selective Vegetation Removal (SVR) Permit applications received on March 1, 2012, from Adams Outdoor Advertising Company for outdoor advertising sign locations within the city limits.

The City of Charlotte requests that 16 of the applications be denied.

- In 14 cases our request is based on the 9 criteria included in the NCDOT temporary rules governing the issuance of permits.
- In 2 cases our request for denial is based on concerns about erosion control, and we note erosion control concerns in 3 other locations. While adherence to erosion control requirements, pursuant to NCGS, Article 4, Chapter 113A of the Sedimentation Pollution Control Act, is not one of the listed criteria for issuance or denial of a selective vegetation removal permit in 19A NCAC 02E.0609, it is one of the criteria for approval of replanting plans in 19A NCAC 02E.0610. This leads the City to believe that a parallel requirement should be added to the list of conditions of 19A NCAC 02E.0609. Accordingly, the City respectfully requests that should NCDOT not deny the application based on one or more of the criteria provided in the temporary rules, it should require the applicant to submit erosion control plans to ensure that environmental degradation of the streams does not occur.
- We have no comments on 5 of the applications.

We have included a matrix summarizing our review of the applications against the 9 criteria (plus erosion control) which the temporary rules list as reasons that an application may be issued or denied by NCDOT.

We appreciate the opportunity to provide these comments. However, the City of Charlotte continues to be concerned that the temporary administrative rules do not allow for meaningful local government input and specifically for citation of our local ordinances and regulations as a reason to deny tree removal.

Our fundamental concern remains the vital need for local communities to retain the ability to protect the natural environment, specifically trees and tree canopy.

The City of Charlotte has a strong, long standing commitment to preserving the natural environment to enhance community livability and promote economic development. The City Council has adopted a number of policies over the years with extensive citizen and stakeholder input to achieve these purposes. Our efforts on behalf of the natural environment have resulted in our urban environment being rated as one of the most beautiful and livable cities in the United States with a strong economic base.

Charlotte has been recognized as a Tree City USA for 32 years by the North Carolina Division of Forest Resources and the National Arbor Day Foundation. Charlotte City Council recently established a goal to achieve 50% tree canopy coverage by 2050. As of 2008, our tree canopy coverage was 46%, one of the best canopies among large cities in the nation.

We look forward to NCDOT's review of the applications and hope that reviewers concur with the City's comments and recommendations for denial. Where NCDOT cannot deny or limit the vegetation removal, the City will continue to work with Adams to determine whether Adams can voluntarily respond to the City's requests.

If you have any questions or need any clarification of our comments, please contact me.

Sincerely,

Donald McSween, City Arborist

cc: Mr. Kevin Madrzykowski, Adams Outdoor Advertising