

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1991**

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HOUSE RESOLUTION 1227

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Sponsors: Representatives Gottovi; Barnes, Colton, N. J. Crawford, Ethridge, Fletcher, Greenwood, Hackney, H. Hunter, Kahl, Luebke, Payne, and Stamey.

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Referred to: Rules, Appointments, and Calendar.

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May 10, 1991

1 A HOUSE RESOLUTION AUTHORIZING THE ENVIRONMENTAL REVIEW  
2 COMMISSION TO STUDY VARIOUS ISSUES CONCERNING THE NORTH  
3 CAROLINA ENVIRONMENTAL POLICY ACT OF 1971.

4 Whereas, G.S. 120-70.43 provides that the Environmental Review  
5 Commission shall undertake such additional studies as may be requested by either house  
6 of the General Assembly;

7 Now, therefore, be it resolved by the House of Representatives:

8 Section 1. The Environmental Review Commission shall study the following  
9 issues concerning Article 1 of Chapter 113A of the General Statutes, the North Carolina  
10 Environmental Policy Act of 1971:

- 11 (1) Whether the scope of the North Carolina Environmental Policy Act  
12 should be broadened to include:  
13 a. Significant private activity which is subject to any public  
14 review;  
15 b. Actions of local governmental entities;  
16 c. Major modifications of existing systems; and  
17 d. Industrial facilities currently approved by the Department of  
18 Economic and Community Development in conjunction with  
19 the Department of Environment, Health, and Natural Resources  
20 pursuant to G.S. 143B-437.
- 21 (2) Whether all significant adverse effects should be mitigated to the  
22 fullest extent possible.
- 23 (3) Whether an analysis of the cumulative effects of all projects should be  
24 included in the review of the North Carolina Environmental Policy  
25 Act.

- 1           (4)    Whether State and local government should be required to report  
2           compliance with the North Carolina Environmental Policy Act and  
3           whether the Department of Environment, Health, and Natural  
4           Resources should be required to enforce compliance.
- 5           (5)    Whether all State agencies should be required to adopt environmental  
6           review criteria by January 1, 1992, and what those criteria should be.
- 7           (6)    Whether public notice, comment, and participation are adequate under  
8           the North Carolina Environmental Policy Act.
- 9           (7)    Whether to require cost-benefit analysis for large construction projects.
- 10          (8)    Whether the current exemptions, such as the current exemption for  
11          landfills, should be continued.
- 12          (9)    Whether to require the Department of Economic and Community  
13          Development to comply with the North Carolina Environmental Policy  
14          Act before it issues industrial revenue bonds pursuant to G.S. 159C-7.
- 15          (10)   What State agency or department should lead the review of the North  
16          Carolina Environmental Policy Act.
- 17          Sec. 2.   The Environmental Review Commission shall report its findings,  
18          recommendations, and any proposed legislation to the 1991 General Assembly (1992  
19          Regular Session) and, if the Commission determines that more study is needed, to the  
20          1993 General Assembly.
- 21          Sec. 3.   This resolution is effective upon adoption.