

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE DRS15120-LD-26A (02/24)

Short Title: EIS to Consider Adverse Impacts on Farms.

(Public)

Sponsors: Senator Rouzer.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT ENVIRONMENTAL IMPACT STATEMENTS UNDER THE ENVIRONMENTAL POLICY ACT INCLUDE ANY SIGNIFICANT ADVERSE IMPACTS AFFECTING FARMS, MEASURES PROPOSED TO AVOID, MINIMIZE, AND MITIGATE THE ADVERSE IMPACTS, AND ALTERNATIVES TO THE PROPOSED ACTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113A-4(2) reads as rewritten:

"(2) Every State agency shall include in every recommendation or report on any action involving expenditure of public moneys or use of public land for projects and programs significantly affecting the quality of the environment of this State, a detailed statement by the responsible official setting forth all of the following:

- a. The environmental impact of the proposed ~~action~~; action.
- b. Any significant adverse environmental effects which cannot be avoided should the proposal be ~~implemented~~; implemented.
- c. Mitigation measures proposed to minimize the ~~impact~~; impact.
- d. Alternatives to the proposed ~~action~~; action.
- e. The relationship between the short-term uses of the environment involved in the proposed action and the maintenance and enhancement of long-term ~~productivity~~; and productivity.
- f. Any irreversible and irretrievable environmental changes which would be involved in the proposed action should it be implemented.
- g. Any significant adverse impacts affecting farms, including impacts that could result in the loss of farmland acreage or the loss of the use of the farmland acreage, impacts that could interfere with the landowner or farmer using the property for any bona fide farm purpose, and impacts that obstruct ingress and egress to farm equipment in the long term. As used in this sub-subdivision, 'bona fide farm purpose' has the same meaning as in G.S. 153A-340.
- h. Measures proposed to avoid, minimize, and mitigate the adverse impacts to farms under sub-subdivision g. of this subdivision and alternatives to the proposed action."



1 **SECTION 2.** This act is effective when it becomes law and applies to any
2 environmental impact statements subject to Article 1 of Chapter 113A of the General Statutes
3 that are prepared on or after that date.