

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

FILED SENATE
Apr 27, 2016
S.B 763
PRINCIPAL CLERK

S

D

SENATE BILL DRS15314-SBz-26A (03/29)

Short Title: Prohibit Certain Stormwater Control Measures. (Public)

Sponsors: Senators Wade, Brock, and B. Jackson (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE DIRECTOR OF THE DIVISION OF WATER RESOURCES FROM REQUIRING ON-SITE STORMWATER CONTROL MEASURES UNDER CERTAIN CIRCUMSTANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. Until the effective date of the revised permanent rule that the Environmental Management Commission is required to adopt pursuant to Section 3 of this act, the Commission and the Department of Environmental Quality shall implement 15A NCAC 02H .0506 (Review of Applications) as provided in Section 2 of this act.

SECTION 2. Notwithstanding 15A NCAC 02H .0506(b)(5) and 15A NCAC 02H .0506(c)(5), the Director of the Division of Water Resources shall not require the use of on-site stormwater control measures to protect downstream water quality standards, except as required by State or federal law.

SECTION 3. The Environmental Management Commission shall adopt rules to amend 15A NCAC 02H .0506 (Review of Applications) consistent with Section 2 of this act. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section shall be substantively identical to the provisions of Section 2 of this act. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided by G.S. 150B-21.3(b2).

SECTION 4. This act is effective when it becomes law. Section 2 of this act expires on the date that rules adopted pursuant to Section 3 of this act become effective.



* D R S 1 5 3 1 4 - S B Z - 2 6 A *