

June 6, 2002

**H 1568. SEDIMENTATION ACT AMENDMENTS. TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.** Amends GS 113A-54.1 to require approved erosion and sedimentation control plan to contain a schedule for inspection after each phase of the plan has been completed and after establishment of temporary ground cover and requires person performing inspection to post record on site. Amends GS 113A-54.2 to specify that fee for review of erosion and sedimentation control plan is \$150 per acre of disturbed land (now, Comm'n sets fee). Amends GS 113A-56 to provide that Comm'n has concurrent jurisdiction with local governments that have approved erosion and sedimentation program and has authority to review and amend a plan approved by the local government program if it doesn't comply with statutory requirements and rules and to take inspection and enforcement action if Comm'n believes local government has failed to take appropriate action. Amends GS 113A-57 to require slopes left unexposed be planted within 10 (now, 15) working days or 21 (now, 30) calendar days of completion of any phase of grading. Amends GS 113A-60, regarding local erosion control programs, to allow local government ordinance to set fee for review of plan; to allow Comm'n to assume administration as well as enforcement of local government program if government is failing to administer the program; and allows a local government or two or more local governments jointly to set up, with approval of Comm'n, a limited program under which the local government inspects land-disturbing activities, but Comm'n is responsible for all other components of the program. Requires local government administering a limited program to pay an amount equal to \$120 per acre of disturbed land to DENR for deposit in the Sedimentation Account. Amends GS 113A-64 to allow civil penalty of \$5,000, except up to \$10,000 for the first day of a violation, of Sedimentation Pollution Control Act (now, penalty is \$5,000). Requires DENR to report to Environmental Review Comm'n on implementation of Sedimentation Pollution Control Act by Sept. 1 of each year. Effective Aug. 1, 2002.

**Intro. by Weiss, Hackney.**

Ref. to Environment	GS 113A
---------------------	---------

June 25, 2002

**H 1568. SEDIMENTATION ACT AMENDMENTS.** Intro. 6/6/02. House committee substitute makes the following changes to 1st edition. Removes power of Comm'n to amend approved erosion and sediment control plans; instead gives Comm'n power to require revision of plans. Grants power to local governments administering limited erosion and sediment control programs to set fees that cover costs of the local government unit. Makes other technical changes.

September 26, 2002

**H 1568. SEDIMENTATION ACT IMPROVEMENTS (NEW).** Intro. 6/6/02. House committee substitute makes the following changes to 2nd edition. Makes technical changes. Deletes amendment to GS 113A-54.2(a) which had established a fee of \$150 per acre for review of erosion and sedimentation control plans. Reduces charge to be paid by local governments for Comm'n review of erosion and sedimentation control plan from \$120 to \$30 per acre. Requires Dep't of Environment and Natural Resources to study feasibility of creating exemptions to plan approval requirements and report its findings not later than May 1, 2003. Changes effective date of other amendments from Aug. 1, 2002 to Jan. 1, 2003.

October 2, 2002

**H 1568. SEDIMENTATION ACT IMPROVEMENTS.** Intro. 6/6/02. House amendments make the following changes to 3rd edition. Clarify that provisions in sedimentation control law exempting the following activities from coverage also apply to this bill: (1) agricultural activities undertaken on agricultural land; (2) activities undertaken on forestland for the production and harvesting of timber products, as long as those activities are in compliance with Forest Practice Guidelines Related to Water Quality; (3) activities for which a Mining Act permit is required; and (4) emergency activities essential to protect human life. Delay deadline for submission of Dep't of Environment and Natural Resources report to Environmental Review Comm. from May 1, 2003 to Feb. 1, 2004.

