

April 3, 2003

S 989. WATER AND SEAFOOD PROTECTION ACT. TO PROTECT WATER QUALITY AND SEAFOOD HABITATS BY STRENGTHENING THE LAWS REGARDING SEDIMENTATION POLLUTION CONTROL TO REDUCE SEDIMENTATION, THE NUMBER ONE CAUSE OF WATER QUALITY DEGRADATION IN NORTH CAROLINA. Amends GS 113A-54.1 to require additional inspection of area covered by approved erosion and sedimentation control plan. Also requires Environmental Management Comm'n to develop, by Sept. 1, 2004, protocol for developers including risk assessment associated with erosion and sedimentation control, disincentives to development of highly vulnerable sites, and other matters. Amends GS 113A-54.2 to increase fee for review of erosion and sedimentation control plan and to impose new fee for plans that involve land-disturbing activities in floodplains credited to new nonreverting Floodplain Protection Account. Amends GS 113A-56 to cede exclusive state jurisdiction with respect to regulation of land-disturbing activities conducted by local governments. Allows Comm'n to review and amend plans approved under approved local erosion and sedimentation control program if plan does not comply with state law and to take inspection and enforcement action if local government fails to do so. Amends GS 113A-57 to require Comm'n to require best management practice with respect to width of undisturbed vegetation along watercourse adjoining land-disturbing activity. Requires Comm'n to develop policy, by Sept. 1, 2004, clarifying when restoration of streams is required due to damage from erosion and sedimentation. Amends GS 113A-60 regarding local erosion and sedimentation control programs. Requires DENR to report annually with respect to implementation of Sedimentation Pollution Control Act of 1973. Effective Aug. 1, 2003.

Intro. by Reeves.

Ref. to	GS 113A
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