

March 27, 2009

**S 1080. MINING PERMIT APPLICATION REVIEW BY LOCALS.** Filed 3/26/09. *TO REQUIRE A DETERMINATION OF WHETHER A PROPOSED MINING PERMIT, OR A PROPOSED MODIFICATION TO A MINING PERMIT TO ADD LAND TO THE PERMITTED AREA, IS CONSISTENT WITH LOCAL ZONING REGULATIONS AND ORDINANCES PRIOR TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TAKING FURTHER ACTION UPON THE APPLICATION FOR THE PERMIT.*

Amends GS 74-65 to establish procedure to determine if a proposed mining permit is consistent with a local zoning regulation. An applicant must submit a request to local government to determine if the permit is inconsistent with local zoning. Local government must determine consistency and if it is inconsistent, must include a copy of the relevant regulations in its response. The Department of Environment and Natural Resources (DENR) may not act until it either has the determination or the local government fails to act within 15 days. If the permit is inconsistent with local regulation, DENR's granting of a permit must be conditioned on compliance with local regulation. Provides this section does not limit any opportunity a local government has to comment on a permit application under any other law or rule.

**Intro. by Snow.**

GS 74