

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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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.



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