

Update on Environmental Legislation in North Carolina



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Key Environmental Legislation 2009

- Conservation and natural resources
- Solid and hazardous waste
- Economic development
- Water quantity and quality management

Legislation pending in 2010

Conservation and Natural Resources

- **S.L. 2009-12**
 - Adds Grandfather Mountain to the State Parks System
- **S.L. 2009-439**
 - Implements processes for situations in which conservation easements are condemned by public entities



From: North Carolina Division of Parks and Recreation: <http://www.ncparks.gov/visit/parks/qmo/main.php>

Solid and Hazardous Waste

- **S.L. 2009-163**
 - Bans the use of certain plastic bags on the islands or peninsulas of Dare, Currituck, and Hyde Counties
- **S.L. 2009-499**
 - Exempts pesticide containers from the prohibition on disposal of rigid plastic containers in landfills
- **S.L. 2009-483**
 - Amends the Dry-Cleaning Solvent Act



From: LAist: http://laist.com/2009/03/04/another_social_city_to_consider_bann.php

Economic Development

- **S.L. 2009-406, as amended**
 - Suspends the running of a development approval between Jan 1, 2008 and Dec 31, 2010 if it is current and valid during that time

Water Quantity and Water Quality Management

- **S.L. 2009-478**
 - Authorizes the use of three-sided, open-bottom, or bottomless culverts on private property when designed based on sound engineering practices
- **S.L. 2009-92**
 - Updates the State CAFO program to conform with revised federal NPDES discharge requirements
- **S.L. 2009-337**
 - Promotes the use of mitigation banks before mitigation by EEP

Water Quantity and Water Quality Management (cont'd)

- **S.L. 2009-486**
 - Upper Neuse River Basin / Falls Lake watershed management strategy
- **S.L. 2009-322**
 - Requires DENR to establish BMPs and wastewater treatment processes for stormwater discharges from composting facilities



From: N.C. Division of Park and Recreation,
<http://www.ncparks.gov/Visitparks/falls/main.php>

Water Quantity and Water Quality Management (cont'd)

- **S.L. 2009-216 and Part II of S.L. 2009-484:**
Restore water quality in Jordan Reservoir
 - 13 rules adopted by EMC comprise the Jordan Water Supply Nutrient Management Strategy
 - Minor changes to 3 rules were addressed in S.L. 2009-484
 - Significant changes to 2 rules were addressed in S.L. 2009-216:
 - Wastewater discharge compliance date extended from calendar year 2014 to 2016
 - Provides for more gradual phase-in of existing development rules

Legislation Pending the 2010 Regular Session

- **Senate Bill 1068 / House Bill 809**
 - State permitting program for wind energy facilities
- **Sec. 16.7, S.L. 2009-574 / House Bill 643**
 - Study aquifer storage and other alternative methods for disposal of reclaimed water
- **Secs. 9 and 10, House Bill 1099**
 - §9: Limit water transfers from Catawba River under Concord-Kannapolis IBT
 - §10: Create Yadkin River Trust to acquire/operate Yadkin River Project
- **House Bill 1426, House Bill 1427, Senate Bill 887**
 - Amend electronics recycling provisions

Questions?

To access any of these laws, go to:
<http://www.ncleg.net/>

OR

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