

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 809*

Short Title: Environmental Technical Corrections 2012. (Public)

Sponsors: Senators Rouzer, East and Jackson.

Referred to: Agriculture/Environment/Natural Resources.

May 21, 2012

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS
3 TO VARIOUS LAWS RELATED TO ENVIRONMENT AND NATURAL RESOURCES,
4 AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 113-182.1(e) reads as rewritten:

7 "(e) The Secretary of Environment and Natural Resources shall monitor progress in the
8 development and adoption of Fishery Management Plans in relation to the Schedule for
9 development and adoption of the plans established by the Marine Fisheries Commission. The
10 Secretary of Environment and Natural Resources shall report to the Joint Legislative
11 Commission on Governmental Operations on progress in developing and implementing the
12 Fishery Management Plans on or before 1 September of each year. The Secretary of
13 Environment and Natural Resources shall report to the ~~Joint Legislative Commission on~~
14 ~~Seafood and Aquaculture~~ Joint Legislative Commission on Governmental Operations within 30
15 days of the completion or substantial revision of each proposed Fishery Management Plan. The
16 Joint Legislative Commission on Governmental Operations shall review each proposed Fishery
17 Management Plan within 30 days of the date the proposed Plan is submitted by the Secretary.
18 The Joint Legislative Commission on Governmental Operations may submit comments and
19 recommendations on the proposed Plan to the Secretary within 30 days of the date the proposed
20 Plan is submitted by the Secretary."

21 **SECTION 2.(a)** G.S. 113A-151.1 is amended to add a new subsection to read:

22 "**§ 113A-115.1. Limitations on erosion control structures.**

23 ...

24 (i) No later than September 1 of each year, the Commission shall report to the
25 Environmental Review Commission on the implementation of this section. The report shall
26 provide a detailed description of each proposed and permitted terminal groin and its
27 accompanying beach fill project, including the information required to be submitted pursuant to
28 subsection (e) of this section. For each permitted terminal groin and its accompanying beach
29 fill project, the report shall also provide all of the following:

- 30 (1) The findings of the Commission required pursuant to subsection (f) of this
31 section.
32 (2) The status of construction and maintenance of the terminal groin and its
33 accompanying beach fill project, including the status of the implementation
34 of the plan for construction and maintenance and the inlet management plan.
35 (3) A description and assessment of the benefits of the terminal groin and its
36 accompanying beach fill project, if any.



1 (j) The regulatory requirements for the establishment, operation, and monitoring of a
2 compensatory mitigation bank or full delivery project shall vest at the time of the execution of
3 the mitigation banking instrument or the award of a full delivery contract."

4 **SECTION 4.(b)** Sections 1.2 and 1.3 of S.L. 2011-343 are repealed.

5 **SECTION 5.** G.S. 143B-279.8(f) reads as rewritten:

6 "(f) The Secretary of Environment and Natural Resources shall report to the
7 Environmental Review Commission and the ~~Joint Legislative Commission on Seafood and~~
8 ~~Aquaculture [Joint Legislative Commission on Governmental Operations]~~ Joint Legislative
9 Commission on Governmental Operations within 30 days of the completion or substantial
10 revision of each draft Coastal Habitat Protection Plan. The Environmental Review Commission
11 and the Joint Legislative Commission on Governmental Operations shall concurrently review
12 each draft Coastal Habitat Protection Plan within 30 days of the date the draft Plan is submitted
13 by the Secretary. The Environmental Review Commission and the Joint Legislative
14 Commission on Governmental Operations may submit comments and recommendations on the
15 draft Plan to the Secretary within 30 days of the date the draft Plan is submitted by the
16 Secretary."

17 **SECTION 6.** This act is effective when it becomes law.