GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 399
House Committee Substitute Favorable 6/27/12

Short Title: Ecosystem Enhancement Program. (Public)

Sponsors:

Referred to:

March 23, 2011

A BILL TO BE ENTITLED

AN ACT TO STUDY CERTAIN ISSUES PERTAINING TO THE ECOSYSTEM ENHANCEMENT PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1.1. Study. – The Legislative Research Commission is authorized to study issues related to the Ecosystem Enhancement Program. The Commission shall specifically study the following items:

(1) The process for annual adjustments of EEP fees, including whether the use of the Civil Works Construction Cost Index System published by the U.S. Army Corps of Engineers as a basis for fee escalation is necessary given the past direction of the General Assembly to base program fees on actual costs.

(2) Whether compensatory mitigation should be allowed to be performed in any hydrologic area located in the same river basin as the site being mitigated. For purposes of this subdivision, the terms "compensatory mitigation" and "hydrologic area" shall have the definition attributed to them in G.S. 143-214.11.

(3) Whether the compensatory mitigation fee payment system represents the most efficient and effective way to provide compensatory mitigation and how the program could be revised to lessen its economic impact on the State's businesses and industries.

SECTION 1.2. Report. – The Legislative Research Commission shall report its findings, together with any recommended legislation, to the 2013 General Assembly upon its convening.

SECTION 1.3. Funding. – The Legislative Services Officer shall allocate funds appropriated to the General Assembly for the expenditures of the Legislative Services Commission in conducting this study.

SECTION 2. Effective date. – This act is effective when it becomes law.