

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 301
HOUSE BILL 491

AN ACT TO PROVIDE FOR THE REEXAMINATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF THE CLASSIFICATION OF CERTAIN WATER SUPPLY WATERSHEDS THAT MEET THE STANDARDS OF MORE THAN ONE CLASSIFICATION AND TO RECLASSIFY THOSE WATERSHEDS ACCORDINGLY.

The General Assembly of North Carolina enacts:

Section 1. Certain water supply watersheds meet the standards of more than one classification under the water supply watershed protection program. Therefore, the Environmental Management Commission shall reexamine, under current rules adopted by the Environmental Management Commission pursuant to G.S. 143-214.5, the classification of any water supply watershed that was classified as a WS-III water supply watershed on 1 March 1995, and that: (i) affects a land area of approximately 70,956 acres; (ii) includes within the watershed the headwaters of a river that ultimately converges with other rivers to form a major river that flows west into another state; and (iii) is located within two adjacent counties that have a combined area of 467 square miles, have a combined population of approximately 29,367, share western borders with another state, have a national park running through the counties, are both located in the same two-member State House of Representatives district and the same two-member State Senate district, and one of the adjacent counties has a point of elevation of at least 3,589 feet above sea level.

Sec. 2. Due to the definitions of certain water supply watershed classes, the reclassification of a water supply watershed to a less restrictive class will change the land area affected by the classification. Reclassification of any watershed that meets the criteria set out in Section 1 of this act shall reduce the land area affected from approximately 70,956 acres to approximately 35,490 acres.

Sec. 3. Any water supply watershed that meets the criteria set out in Section 1 of this act and is reclassified by the Environmental Management Commission as a WS-IV water supply watershed, shall not thereafter be reclassified to a more restrictive classification.

Sec. 4. If the Environmental Management Commission fails to reexamine the classification of any water supply watershed that meets the criteria of Section 1 of this act and to reclassify that water supply watershed as a WS-IV water supply watershed by 1 October 1995, then, the watershed shall automatically be reclassified as a WS-IV water supply watershed on that date.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 20th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives