

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 598

Short Title: EIS to Consider Adverse Impacts on Farms. (Public)

Sponsors: Senators Rouzer; Brock, Brown, East, Jackson, Meredith, and Tillman.

Referred to: Agriculture/Environment/Natural Resources.

April 14, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT ENVIRONMENTAL IMPACT STATEMENTS UNDER THE
3 ENVIRONMENTAL POLICY ACT INCLUDE ANY SIGNIFICANT ADVERSE
4 IMPACTS AFFECTING FARMS, MEASURES PROPOSED TO AVOID, MINIMIZE,
5 AND MITIGATE THE ADVERSE IMPACTS, AND ALTERNATIVES TO THE
6 PROPOSED ACTION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 113A-4(2) reads as rewritten:

9 "(2) Every State agency shall include in every recommendation or report on any
10 action involving expenditure of public moneys or use of public land for
11 projects and programs significantly affecting the quality of the environment
12 of this State, a detailed statement by the responsible official setting forth all
13 of the following:

- 14 a. The environmental impact of the proposed ~~action;~~action.
15 b. Any significant adverse environmental effects which cannot be
16 avoided should the proposal be ~~implemented;~~implemented.
17 c. Mitigation measures proposed to minimize the ~~impact;~~impact.
18 d. Alternatives to the proposed ~~action;~~action.
19 e. The relationship between the short-term uses of the environment
20 involved in the proposed action and the maintenance and
21 enhancement of long-term ~~productivity;~~ and productivity.
22 f. Any irreversible and irretrievable environmental changes which
23 would be involved in the proposed action should it be implemented.
24 g. Any significant adverse impacts affecting farms, including impacts
25 that could result in the loss of farmland acreage or the loss of the use
26 of the farmland acreage, impacts that could interfere with the
27 landowner or farmer using the property for any bona fide farm
28 purpose, and impacts that obstruct ingress and egress to farm
29 equipment in the long term. As used in this sub-subdivision, 'bona
30 fide farm purpose' has the same meaning as in G.S. 153A-340.
31 h. Measures proposed to avoid, minimize, and mitigate the adverse
32 impacts to farms under sub-subdivision g. of this subdivision and
33 alternatives to the proposed action."

34 **SECTION 2.** This act is effective when it becomes law and applies to any
35 environmental impact statements subject to Article 1 of Chapter 113A of the General Statutes
36 that are prepared on or after that date.

