

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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SENATE BILL 765

Short Title: DEQ to Comment to Corps on Stream Mitigation. (Public)

Sponsors: Senators Wade, Brock, B. Jackson (Primary Sponsors); and Rabin.

Referred to: Agriculture/Environment/Natural Resources

April 28, 2016

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO COMMENT TO THE UNITED STATES ARMY CORPS OF ENGINEERS ON STREAM MITIGATION REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** During the time period for public comment specified by the Wilmington District of the Army Corps of Engineers in its published notice of the proposed 2017 five-year reauthorization of Nationwide Permits issued pursuant to Section 404(e) of the Clean Water Act, the Department of Environmental Quality shall submit written comments to the United States Army Corps of Engineers on behalf of the State in support of the Wilmington District adopting Regional Conditions that will increase the threshold for the requirement of mitigation for loss of stream bed of perennial or ephemeral/intermittent stream from 150 linear feet to 300 linear feet.

**SECTION 2.** This act is effective when it becomes law.

