

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 488\*  
Committee Substitute Favorable 5/2/89

Short Title: Qualify Forestry Exemption.

(Public)

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Sponsors:

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Referred to:

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March 8, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO LIMIT THE FORESTRY EXEMPTION UNDER SEDIMENTATION  
3 POLLUTION CONTROL LAWS TO FORESTRY ACTIVITIES USING BEST  
4 MANAGEMENT PRACTICES.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 113A-52(6) reads as rewritten:

7 "(6) 'Land-disturbing activity' means any use of the land by any person in  
8 residential, industrial, educational, institutional or commercial  
9 development, highway and road construction and maintenance that  
10 results in a change in the natural cover or topography and that may  
11 cause or contribute to sedimentation. This Article shall not apply to the  
12 following land-disturbing activities:

13 a. Those undertaken on agricultural land for the production of  
14 plants and animals useful to man, including but not limited to:  
15 forages and sod crops, grains and feed crops, tobacco, cotton,  
16 and peanuts; dairy animals and dairy products; poultry and  
17 poultry products; livestock, including beef cattle, sheep, swine,  
18 horses, ponies, mules or goats, including the breeding and  
19 grazing of any or all such animals; bees and apiary products; fur  
20 animals; ~~and~~

21 b. Those undertaken on forestland for the production and  
22 harvesting of timber and timber ~~products;~~ products and which  
23 are conducted in accordance with the Forest Practices

1 Guidelines Related to Water Quality as prepared, adopted, and  
2 amended as necessary by the Department. If land-disturbing  
3 activity undertaken on forestland for the production and  
4 harvesting of timber and timber products is not conducted in  
5 accordance with the Forest Practices Guidelines Related to  
6 Water Quality, the provisions of this Article shall apply to such  
7 activity and any related land-disturbing activity on the specific  
8 tract. The adoption of Forest Practices Guidelines Related to  
9 Water Quality under this statute is subject to the rule-making  
10 procedures of Chapter 150B of the General Statutes. In  
11 adopting the Forest Practices Guidelines Related to Water  
12 Quality, the Department will be guided by the purposes and  
13 policies set forth in G.S. 113A-51; and

- 14 c. Activities undertaken by persons as defined in G.S. 113A-52(8)  
15 who are otherwise regulated by the provisions of G.S. 74-46  
16 through G.S. 74-68, the Mining Act of 1971."

17 Sec. 2. This act shall not apply to any land-disturbing activity undertaken on  
18 forestland for the production and harvesting of timber and timber products which occurs  
19 before the Department's adoption of the Forest Practices Guidelines Related to Water  
20 Quality.

21 Sec. 3. This act is effective upon ratification.