

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 491  
House Committee Substitute Favorable 7/6/95

Short Title: Modify Minimum Streamflow/Small Hydro.

(Public)

Sponsors:

Referred to:

March 27, 1995

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE MINIMUM STREAMFLOW REQUIRED IN THE LENGTH OF THE STREAM AFFECTED BY CERTAIN DAMS OPERATED BY SMALL HYDROELECTRIC POWER PRODUCERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.31, as amended by Chapter 184 of the 1995 Session Laws, is amended by adding a new subsection to read:

"(e) The minimum streamflow in the length of the stream affected by a dam to which subsections (c) and (d) of this section do not apply shall be established as provided in subsection (b) of this section. Subsections (c) and (d) of this section do not apply if the length of the stream affected:

(1) Receives a discharge of waste from a treatment works for which a permit is required under Part 1 of this Article; or

(2) Includes any part of a river or stream segment that:

a. Is designated as a component of the State Natural and Scenic Rivers System by G.S. 113A-35.1 or G.S. 113A-35.2.

b. Is designated as a component of the national Wild and Scenic Rivers System by 16 U.S.C. §§ 1273 and 1274."

Sec. 2. This act is effective on and after 6 June 1995.