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SENATE BILL 927
Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/31/05
House Committee Substitute Favorable 7/13/06
House Committee Substitute #2 Favorable 7/26/06

Short Title: Nutrient Offset Payments.		(Public)
Sponsors:		
Referred to:		

March 24, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE DEPARTMENT OF ENVIRONMENT AND NATURAL
3   RESOURCES TO DECLINE TO ACCEPT A NUTRIENT OFFSET PAYMENT
4   FOR PHOSPHOROUS FOR THE TAR-PAMLICO RIVER BASIN IF THE
5   DEPARTMENT FINDS THAT THE PAYMENT IS NOT SUFFICIENT TO
6   COVER THE FULL COSTS OF NUTRIENT REDUCTION MEASURES
7   NEEDED TO COMPLY WITH THE NUTRIENT SENSITIVE WATERS
8   MANAGEMENT STRATEGY.
9 The General Assembly of North Carolina enacts:
10   **SECTION 1.** If Senate Bill 1862, 2005 Regular Session, becomes law,
11 Senate Bill 1862 shall be amended by adding a new section to read:
12 "**SECTION 1.1** Notwithstanding 15A NCAC 2B.0240 and Section 1 of this act, the
13 Department of Environment and Natural Resources shall not be required to accept a
14 nutrient offset payment for phosphorous as a means of fulfilling any requirement of the
15 nutrient sensitive waters management strategy for the Tar-Pamlico River Basin if the
16 Department finds that the payment is not sufficient to cover the full costs of nutrient
17 reduction measures needed to comply with the nutrient sensitive waters management
18 strategy. If the Department declines to accept a nutrient offset payment for phosphorous,
19 the Department shall provide an estimate of the full cost of the nutrient reduction
20 measures required for compliance with the nutrient sensitive waters management
21 strategy. The Department may negotiate and enter into contracts to provide nutrient
22 reduction measures needed to fulfill any requirement of the nutrient sensitive waters
23 management strategy for phosphorous for the Tar-Pamlico River Basin based on the full
24 cost of providing the nutrient reduction measures."
25   **SECTION 2.** This act becomes effective when Senate Bill 1862 becomes
26 law.