

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 778  
Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/4/09

Short Title: Eliminate Overlap Between CAMA and SEPA.

(Public)

Sponsors:

Referred to:

March 25, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE GENERAL STATUTES TO PROVIDE THAT MAJOR  
3 DEVELOPMENTS SUBJECT TO PERMITTING UNDER THE COASTAL AREA  
4 MANAGEMENT ACT ARE EXEMPT FROM THE ENVIRONMENTAL POLICY ACT.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 113A-12 reads as rewritten:

7 "§ 113A-12. Environmental document not required in certain cases.

8 No environmental document shall be required in connection with:

- 9 (1) The construction, maintenance, or removal of an electric power line, water  
10 line, sewage line, stormwater drainage line, telephone line, telegraph line,  
11 cable television line, data transmission line, or natural gas line within or  
12 across the right-of-way of any street or highway.
- 13 (2) An action approved under a general permit issued under G.S. 113A-118.1,  
14 143-215.1(b)(3), or 143-215.108(c)(8).
- 15 (3) A lease or easement granted by a State agency for:  
16 a. The use of an existing building or facility.  
17 b. Placement of a wastewater line on or under submerged lands  
18 pursuant to a permit granted under G.S. 143-215.1.  
19 c. A shellfish cultivation lease granted under G.S. 113-202.
- 20 (4) The construction of a driveway connection to a public roadway.
- 21 (5) A major development as defined in G.S. 113A-118(d) that receives a permit  
22 review pursuant to Article 7 of Chapter 113A of the General Statutes, as that  
23 review is the functional equivalent of an environmental document prepared  
24 under this Article."

25 SECTION 2. This act is effective when it becomes law and applies to any major  
26 development for which a permit application is received by the Department of Environment and  
27 Natural Resources on or after that date.

