

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 613
Agriculture, Energy, and Environment Committee Substitute Adopted 4/18/23

Short Title: Sedimentation Buffer for Trout Waters. (Public)

Sponsors:

Referred to:

April 6, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR A TWENTY-FIVE-FOOT BUFFER FOR CERTAIN
3 AGRICULTURAL ACTIVITIES IN PROXIMITY TO STREAMS CLASSIFIED AS
4 TROUT WATERS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 113A-52.01 reads as rewritten:

7 "§ 113A-52.01. Applicability of this Article.

8 (a) This Article shall not apply to the following land-disturbing ~~activities:activities~~
9 except as provided in subsection (b) of this section:

10 (1) Activities, including the production and activities relating or incidental to the
11 production of crops, grains, fruits, vegetables, ornamental and flowering
12 plants, dairy, livestock, poultry, and all other forms of agriculture undertaken
13 on agricultural land for the production of plants and animals useful to man,
14 including, but not limited to:

- 15 a. Forages and sod crops, grains and feed crops, tobacco, cotton, and
16 peanuts.
17 b. Dairy animals and dairy products.
18 c. Poultry and poultry products.
19 d. Livestock, including beef cattle, llamas, sheep, swine, horses, ponies,
20 mules, and goats.
21 e. Bees and apiary products.
22 f. Fur producing animals.
23 g. Mulch, ornamental plants, and other horticultural products. For
24 purposes of this section, "mulch" means substances composed
25 primarily of plant remains or mixtures of such substances.

26 ...

27 (b) Waters that have been classified as trout waters by the Environmental Management
28 Commission shall have an undisturbed, vegetated buffer zone 25 feet wide where activities
29 included under subdivision (a)(1) of this section are prohibited. The Commission, however, may
30 approve plans that include land-disturbing activity within the 25-foot buffer when the duration
31 of the disturbance would be temporary and the extent of the disturbance would be minimal in the
32 discretion of the Commission. The Commission may take any action reasonably necessary to
33 enforce this requirement."

34 SECTION 2. This act becomes effective January 1, 2024, and applies to tracts or
35 portions of tracts on which activities set forth under G.S. 113A-52.01(a)(1), as amended by this
36 act, are initiated on or after that date.

