

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH80398-LDz-118A (5/6)

Short Title: Phase II Stormwater for Small Municipalities. (Public)

Sponsors: Representative Eddins.

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND
3 NATURAL RESOURCES TO COMPLETE STORMWATER CONTROL
4 PROGRAMS REQUIRED UNDER THE PHASE II STORMWATER RULES FOR
5 MUNICIPALITIES WITH A POPULATION OF TWO THOUSAND OR LESS,
6 AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE
7 PROCEDURE OVERSIGHT COMMITTEE.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 143-214.7(c) reads as rewritten:

10 "(c) The Commission shall develop model stormwater management programs that
11 may be implemented by State agencies and units of local government. Model
12 stormwater management programs shall be developed to protect existing water uses and
13 assure compliance with water quality standards and classifications. ~~A—Subject to~~
14 subsection (c1) of this section, a State agency or unit of local government may submit to
15 the Commission for its approval a stormwater control program for implementation
16 within its jurisdiction. To this end, State agencies may adopt rules, and units of local
17 government are authorized to adopt ordinances and regulations necessary to establish
18 and enforce stormwater control programs. Units of local government are authorized to
19 create or designate agencies or subdivisions to administer and enforce the programs.
20 Two or more units of local government are authorized to establish a joint program and
21 to enter into any agreements that are necessary for the proper administration and
22 enforcement of the program."

23 **SECTION 2.** G.S. 143-214.7 is amended by adding a new subsection to
24 read:

25 "(c1) The Department shall, on behalf of any municipality with a population of
26 2,000 or less, complete any stormwater control program and any application for a
27 National Pollutant Discharge Elimination System (NPDES) wastewater discharge

- 1 permit required under the Phase II stormwater rules adopted by the Environmental
2 Management Commission or the federal Clean Water Act."
3 **SECTION 3.** This act is effective when it becomes law.