

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 439
SENATE BILL 491

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.

In the General Assembly read three times and ratified this the 17th day of July, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives