



HOUSE BILL 634: Stormwater/Built-Upon Area Clarification

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-149

Date:

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SUMMARY: *S.L. 2015-149 provides that for purposes of implementing stormwater programs, "built-upon area" does not include (i) a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least 4" thick over a geotextile fabric or (ii) certain types of public trails.*

This act became effective July 16, 2015.

PRIOR LAW:

Under prior law, for purposes of implementing stormwater programs, "built-upon area" meant impervious surface and partially impervious surface to the extent that the partially impervious surface did not allow water to infiltrate through the surface and into the subsoil. "Built-upon area" did not include a slatted deck or the water area of a swimming pool.

ANALYSIS:

S.L. 2015-149 provides that for purposes of implementing stormwater programs, "built-upon area" also does not include:

- A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least 4" thick over a geotextile fabric.
- A trail that is part of the State Parks System; is designated by the Secretary of Environment and Natural Resources as a component of the State trails system; is a State scenic trail, State recreation trail, or State connecting trail that serves as a park trail or designated trail; or any other trail that is open to the public, if the trail is either unpaved or paved with porous pavement.

S.L. 2015-149 also directs the Environmental Management Commission to issue rules to implement this change no later than December 1, 2015.

EFFECTIVE DATE:

S.L. 2015-149 became effective July 16, 2015.

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Director



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