



HOUSE BILL 765: Regulatory Reform Act of 2015, Sec. 4.18: Amend Isolated Wetlands Law

2015-2016 General Assembly

Committee:
Introduced by:
Analysis of: Sec. 4.18 of S.L. 2015-286

Date:
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SUMMARY: *Sec. 4.18 of S.L. 2015-286 makes the following changes to the regulation of isolated wetlands in the State:*

- *Provides that the only types of isolated wetlands the State will regulate are Basin Wetlands and Bogs and that the State will not regulate isolated man-made ditches or ponds constructed for stormwater management purposes or any other man-made isolated pond.*
- *Provides that the mitigation requirements for impacts to isolated wetlands apply only to the amount of impact that exceeds the current regulatory thresholds.*
- *Provides that impacts to wetlands that are not isolated wetlands will not be combined with impacts to isolated wetlands to determine whether the regulatory thresholds have been reached.*
- *Directs the Environmental Management Commission (EMC) to amend its rules by March 1, 2016, to establish a coastal region, piedmont region, and mountain region for purposes of regulating impacts to isolated wetlands. The regulatory thresholds for the three regions would be as follows: (i) less than or equal to one acre of isolated wetlands for the entire project in the coastal region; (ii) less than or equal to one-half acre of isolated wetlands for the entire project for the piedmont region; (iii) less than or equal to one-third acre of isolated wetlands for the entire project for the mountain region.*

In no event could the regulatory requirements for impacts to isolated wetlands be more stringent than required under current law, which is less than or equal to one acre of isolated wetland for the entire project for areas east of Interstate 95 and less than or equal to one-third acre of isolated wetland for the entire project for areas west of Interstate 95.

This section became effective October 22, 2015.

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Director



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