HOUSE BILL 812:
Nutrient Offset Amendments.

Committee:	Senate Rules and Operations of the Senate	**Date:**	June 20, 2019
Introduced by:	Reps. White, Bell, McGrady, Jones	**Prepared by:**	Jeff Hudson
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 812 would allow a wastewater facility to offset its nutrient reduction requirements with nutrient offset credits from a nutrient offset project located downstream from the wastewater facility and upstream from the impaired water body.*

BACKGROUND AND CURRENT LAW:

Nutrient offset mitigation may be required for new or existing development where nutrient reductions are required as part of a nutrient management strategy. There are nutrient management strategies for the Neuse River Basin, the Tar-Pamlico River Basin, the Falls Lake Watershed, and the Jordan Lake Watershed. Nutrient offset credits may be purchased from a private mitigation bank or the Division of Mitigation Services in the Department of Environmental Quality. Generally, nutrient offset credits must be purchased from a nutrient offset project located within the same hydrologic area as the new or existing development for which the nutrient offset credits are sought.

BILL ANALYSIS:

House Bill 812 would amend the nutrient offset credit requirements to allow a wastewater facility to offset its nutrient reduction requirements with nutrient offset credits from a nutrient offset project located downstream from the wastewater facility and upstream from the impaired water body. This could allow the wastewater facility to offset its nutrient reduction requirements with nutrient offset credits from a nutrient offset project located outside of its hydrologic area. House Bill 812 would also authorize the Environmental Management Commission to further limit the permissible nutrient offset projects.

EFFECTIVE DATE:

The act would become effective when it becomes law and apply to nutrient offset credits purchased on or after that date.

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Director

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Legislative Analysis
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