



SENATE BILL 613: Sedimentation Buffer for Trout Waters.

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	April 19, 2023
Introduced by:	Sens. Moffitt, B. Newton, Rabon	Prepared by:	Chris Saunders
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 613 would provide that waters that have been classified as trout waters by the Environmental Management Commission (EMC) must have an undisturbed, vegetated buffer zone 25 feet wide where land-disturbing agricultural activities are prohibited. The EMC would be able to waive this prohibition when it finds that the duration of the disturbance would be temporary and the extent of the disturbance would be minimal.*

CURRENT LAW AND BACKGROUND: The Sedimentation Pollution Control Act was adopted in 1973 to minimize the effects of pollution by sedimentation. The State's erosion and sedimentation control program requires that an erosion and sedimentation control plan must be submitted at least 30 days before land disturbance begins on any site involving over one acre in disturbance. A sufficient buffer zone must be retained or established along any natural watercourse or lake to contain all visible sediment to the first 25% of the buffer strip nearest the disturbed area. An undisturbed 25-foot buffer must be maintained along trout waters. However, there are some activities to which the Sedimentation Pollution Control Act, does not apply, including "activities on agricultural land and for the production plants and animals useful to man."

BILL ANALYSIS: Senate Bill 613 would provide that, despite the exception for activities on agricultural land, waters that have been classified as trout waters by the Environmental Management Commission (EMC) must have an undisturbed, vegetated buffer zone 25 feet wide where such activities are prohibited. However, the EMC may approve plans that include land-disturbing activity within the 25-foot buffer when the Commission finds that the duration of the disturbance would be temporary and the extent of the disturbance would be minimal.

EFFECTIVE DATE: This section would become effective January 1, 2024, and would apply to tracts or portions of tracts on which agricultural activities are initiated on or after that date.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578