

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 795

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H795-ASB-24 [v.2]

Page 1 of 2

Amends Title [NO]
Second Edition

Date _____, 2015

Representative Millis

1 moves to amend the bill on page 4, lines 15 through 41,
2 by rewriting the lines to read:

3
4 "SECTION 6. G.S. 159G-38 reads as rewritten:

5 "**§ 159G-38. Environmental assessment and public hearing.**

6 (a) Establish Environmental Assessment Process; Required Information. – An
7 application submitted under this Article for a loan or grant for a project must state whether the
8 project requires an environmental assessment. If the application indicates that an environmental
9 assessment is not required, it must identify the exclusion in the North Carolina Environmental
10 Policy Act, Article 1 of Chapter 113A of the General Statutes, that applies to the project. If the
11 application does not identify an exclusion in the North Carolina Environmental Policy Act, it
12 must include an environmental assessment of the project's probable impacts on the
13 environment. The Division shall establish an environmental assessment process for projects
14 funded from the CWSRF and DWSRF programs that is sufficient to meet federal
15 environmental assessment requirements for such projects. Projects funded by the CWSRF or
16 DWSRF shall meet the requirements of the environmental assessment process established
17 pursuant to this subsection.

18 (b) ~~Division Review.~~ If, after reviewing an application, the Division of Water
19 Infrastructure determines that a project requires an environmental assessment, the assessment
20 must be submitted before the Division continues its review of the application. If, after
21 reviewing an environmental assessment, the Division concludes that an environmental impact
22 statement is required, the Division may not continue its review of the application until a final
23 environmental impact statement has been completed and approved as provided in the North
24 Carolina Environmental Policy Act.

25 (c) ~~Hearing.~~ – The Division of Water Infrastructure may hold a public hearing on an
26 application for a loan or grant under this Article if it determines that holding a hearing will
27 serve the public interest. An individual who is a resident of any county in which a proposed
28 project is located may submit a written request for a public hearing. The request must set forth
29 each objection to the proposed project or other reason for requesting a hearing and must include
30 the name and address of the individual making the request. The Division may consider all
31 written objections to the proposed project, any statement submitted with the hearing request,
32 and any significant adverse effects the proposed project may have on the environment. The



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Page 2 of 2

- 1 Division's decision on whether to hold a hearing is conclusive. The Division must keep all
- 2 written requests for a hearing on an application as part of the records pertaining to the
- 3 application."".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**