



**Status of Major Non-Budgetary Conservation Bills in the
2017 NC General Assembly as of September 13, 2017**

NC Senate Bills

S 533 – Mitigation Services/DOT (Rabon) – Moves Division of Mitigation Services in the Department of Environmental Quality to the Department of Transportation and makes numerous reforms to mitigation program, including making nonprofit conservation organizations eligible to hold mitigation easements. **Status: Re-referred to the Committee on Transportation, and if approved to the Committee on Rules and Operations of the Senate on 4/13/17.**

S 545 –State Nature and Historic Preserve Additions and Deletions (Hise, Britt) - Removes small parcels from state Nature and Historic Preserve system from New River, Carvers Creek and Lumber River, and Mayo River State Parks. Authorized installation of public safety communications tower in Chimney Rock State Park. Adds Endor Iron Furnace to State Historic Properties. **Status: Ratified on 6/29/17. Signed by Governor Cooper on 7/12/17.**

S 615 – North Carolina Farm Act of 2017 (B. Jackson, Sanderson, Brock) - Makes a range of changes to the state's agricultural laws, including those impacting local government regulation of hog farms, farm truck labeling requirements, farmer sale tax issues, forestry management and sedimentation, and others. Section 3 amends the Present Use Value (PUV) program to allow counting livestock grazing fees and the sale of bees and products derived from bee hives other than honey toward income eligibility requirements. Section 8 requires those wishing to have an agritourism building exempted from county zoning regulations must be enrolled in a present use value (PUV) deferred tax program for agriculture, forestry or horticulture land, have a Schedule F IRS tax form and/or forest management plan or hold a farmer sales tax exemption certificate. Section 14 of the bill allows utility companies, the NCDOT, or other government bodies (with eminent domain authority) to forgo the conservation benefit analysis process on parcels comprising less than 2% of the easement size or 1 acre, whichever is less, when altering or terminating conservation easements. **Status: Ratified on 6/29/17. Signed by Governor Cooper 7/12/2017.**

NC House Bills

H56 – Amend Various Environmental Laws (McElraft, Yarborough) - Makes numerous changes to environmental laws pertaining to underground storage tanks, agency reporting requirements, coastal management, stream buffers, mining permits, solid waste disposal, plastic bags, and others. Section 6 establishes the Coastal Storm Damage Mitigation Fund to pay for beach nourishment and other projects to mitigate and remediate coastal storm damage. Sections 9 amends certain stream buffers rules to exempt publicly-owned areas from buffer requirements where the buffer is deemed to pose a public safety risk by law enforcement officials. Section 10 exempts publicly-owned land being used for public walking trails from buffer requirements in the Catawba River basin. Section 11 requests a study of whether private

property subject to buffer restrictions should be exempt from property taxes. Section 14 amends the Mitigation Services Law and would allow nonprofit conservation organizations approved by the Division of Mitigation Services to hold mitigation easements. Section 19 repeals the coastal county plastic bag ban and Section 20 provides funding for UNC-Wilmington and the Cape Fear Public Utility Authority to respond to the GenX pollution issue on the Cape Fear River. **Status: Ratified on August 31. Presented to Governor Cooper, who has until September 30 to sign, veto, or let it become law without his signature.**

H 353 – Authorize State Park System Expansion (Dobson, Brisson, Br. Jones, Hunter) - Authorizes the addition of Bob’s Creek State Natural Area (McDowell), Warwick Mill Bay State Natural Area (Robeson), and Salmon Creek State Natural Area (Bertie) to the State Park System. Directs the Department of Natural and Cultural Resources to conduct a feasibility study for the creation of Black River State Park (Bladen, Pender, Sampson). **Status: Ratified 6/29/17. Signed by Governor Cooper on 7/25/17.**

H 371 – Agency Powers and Technical Changes (McGrady, McNeill, Hurley) - Changes the name of the Clean Water Management Trust Fund to the Land and Water Preservation Trust Fund. Also establishes new responsibilities for the Secretary of the Department of Natural and Cultural Resources regarding the NC Zoological Park, including adopting goals, objectives, and rules for the Zoological Park and to acquire, dispose of and develop Zoological Park property in accordance with those goals and objectives. **Status: Passed by the House on 04/19/17. Referred to the Committee on Operations and Rules of the Senate on 04/20/17.**

H 423 – Check Off Donation: Land Trusts (W. Richardson, Harrison, Belk, Butler) - Establishes an income tax form “check off” for a taxpayer to donate a portion of his or her state income tax refunds to the Conservation Grant Fund that can be used to cover transaction costs related to land conservation projects and other conservation capacity building. **Status: Referred to the Environment and Natural Resources Committee and if approved to the Finance Committee on 03/22/17.**

H 680 – Allow Option to Purchase at Agricultural Value/Conservation Easements on Farmland (Ager) - Allows conservation easements on farmland to include a provision giving the easement holder the option to purchase the land at agricultural value in perpetuity. **Status: Referred to the House Agriculture Committee, if approved, to the Committee on Rules, Calendars and Operations of the House On 04/11/17.**

H 905 – Reenact Conservation Tax Credit (Jordan, McGrady, Setzer) - Would reestablish the NC Conservation Tax Credit for a limited/reduced number of qualifying purposes. Qualifying purposes include farmland, military buffers, flood plain,s and public access. **Status: Referred to the House Finance Committee on 04/26/17.**