

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 454

Short Title: ERC to Study Construction on Slopes. (Public)

Sponsors: Representatives Rapp, McGrady, Fisher, and Keever (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Rules, Calendar, and Operations of the House.

March 24, 2011

A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT THE ENVIRONMENTAL RESOURCES COMMISSION TO STUDY
3 ISSUES RELATED TO SAFE ARTIFICIAL SLOPE CONSTRUCTION IN
4 MOUNTAINOUS AREAS OF THE STATE IN ORDER TO PROMOTE STABLE
5 SLOPES FOR DEVELOPMENT, TO REDUCE THE LIKELIHOOD OF SLOPE
6 FAILURES ON DEVELOPED OR DISTURBED LAND, AND TO PROTECT HUMAN
7 SAFETY AND PROPERTY.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** The Environmental Review Commission, with the assistance of the
10 Department of Environment and Natural Resources and the North Carolina Geological Survey,
11 shall do all of the following:

- 12 (1) Study issues related to safe artificial slope construction in mountainous
13 areas. The Commission may specifically study the need for and advisability
14 of establishing minimum statewide management requirements for safe
15 artificial slope construction in mountainous areas of the State. The
16 Commission may also consider issues related to the recordation of natural
17 hazards; environmental permit conditions and limitations and land-use
18 restrictions associated with real property located in mountainous and other
19 areas of the State; and disclosure to prospective purchasers of real property
20 of those hazards, conditions, and restrictions.
- 21 (2) Collect research and information on (i) landslide types, events, causes, and
22 triggers, including elevations and slope angles at which landslides may be
23 more likely to occur; (ii) technical requirements that may be applied to
24 artificial slope construction; and (iii) any other issues deemed relevant.
- 25 (3) Hold public meetings in Boone, Asheville, and Franklin in order to consult
26 with the public and user groups in the conduct of this study.
- 27 (4) Report its findings and recommendations, including any administrative or
28 legislative proposals, to the 2012 General Assembly upon its convening.

29 **SECTION 2.** This act is effective when it becomes law.

