



CHAPTER 113A

ARTICLE 4 - SEDIMENTATION POLLUTION CONTROL ACT OF 1973

N.C.G.S. § 113A-54.

Powers and duties of the Commission.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2015-241, s. 14.26(a) — thirteenth act in the lineage	21 September 2026, 06:17 UTC	283a75de5f81262f5b6964bd - 944c40b39b3f8ee576b19f9e - b1c572f6ed1c88d1

§ 113A-54(a) The Commission shall, in cooperation with the Secretary of Transportation and other appropriate State and federal agencies, develop, promulgate, publicize, and administer a comprehensive State erosion and sedimentation control program.

§ 113A-54(b) The Commission shall develop and adopt and shall revise as necessary from time to time, rules and regulations for the control of erosion and sedimentation resulting from land-disturbing activities. The Commission shall adopt or revise its rules and regulations in accordance with Chapter 150B of the General Statutes.

§ 113A-54(c) The rules and regulations adopted pursuant to G.S. 113A-54(b) for carrying out the erosion and sedimentation control program shall:

- (1) Be based upon relevant physical and developmental information concerning the watershed and drainage basins of the State, including, but not limited to, data relating to land use, soils, hydrology, geology, grading, ground cover, size of land area being disturbed, proximate water bodies and their characteristics, transportation, and public facilities and services;
- (2) Include such survey of lands and waters as may be deemed appropriate by the Commission or required by any applicable laws to identify those areas, including multijurisdictional and watershed areas, with critical erosion and sedimentation problems; and
- (3) Contain conservation standards for various types of soils and land uses, which standards shall include criteria and alternative techniques and methods for the control of erosion and sedimentation resulting from land-disturbing activities.

- § 113A-54(d)** In implementing the erosion and sedimentation control program, the Commission shall:
- (1) Assist and encourage local governments in developing erosion and sedimentation control programs and, as a part of this assistance, the Commission shall develop a model local erosion and sedimentation control ordinance. The Commission shall approve, approve as modified, or disapprove local programs submitted to it pursuant to G.S. 113A-60.
 - (2) Assist and encourage other State agencies in developing erosion and sedimentation control programs to be administered in their jurisdictions. The Commission shall approve, approve as modified, or disapprove programs submitted pursuant to G.S. 113A-56 and from time to time shall review these programs for compliance with rules adopted by the Commission and for adequate enforcement.
 - (3) Develop recommended methods of control of sedimentation and prepare and make available for distribution publications and other materials dealing with sedimentation control techniques appropriate for use by persons engaged in land-disturbing activities, general educational materials on erosion and sedimentation control, and instructional materials for persons involved in the enforcement of this Article and erosion and sedimentation control rules, ordinances, regulations, and plans.
 - (4) Require submission of erosion and sedimentation control plans by those responsible for initiating land-disturbing activities for approval prior to commencement of the activities.
- § 113A-54(e)** To assist it in developing the erosion and sedimentation control program required by this Article, the Commission is authorized to appoint an advisory committee consisting of technical experts in the fields of water resources, soil science, engineering, and landscape architecture.
- § 113A-54(f)** Repealed by Session Laws 1987, c. 827, s. 10, effective August 13, 1987.
- § 113A-54(g)** The Commission is authorized to make the final decision on a request for the remission of a civil penalty under G.S. 113A-64.2.

Amendment lineage

1973 1994 2015

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1973	c. 392, s. 5	ENACTED
02	1973	c. 1331, s. 3	AMENDED
03	1973	c. 1417, s. 6	AMENDED
04	1975	2nd Sess., c. 983, s. 74	AMENDED
05	1977	c. 464, s. 35	AMENDED
06	1979	c. 922, s. 2	AMENDED
07	1979	1983 (Reg. Sess., 1984), c. 1014, ss. 1, 2	AMENDED
08	1987	c. 827, s. 10	AMENDED
09	1987	1987 (Reg. Sess., 1988), c. 1000, s. 3	AMENDED
10	1989	c. 676, s. 1	AMENDED
11	1989	1993 (Reg. Sess., 1994), c. 776, s. 3	AMENDED
12	2002	S.L. 2002-165, ss. 2.2, 2.3	AMENDED
13	2015	S.L. 2015-241, s. 14.26(a)	AMENDED

Authorities referenced

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 113A-54(b)	(c)	"rules and regulations adopted pursuant to"
G.S. 113A-60	(d)(1)	"programs submitted to it pursuant to"
G.S. 113A-56	(d)(2)	"or disapprove programs submitted pursuant to"
G.S. 113A-64.2	(g)	"remission of a civil penalty under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 113A-54 (2015).

PINPOINT

N.C. Gen. Stat. § 113A-54(a) (2015).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 392, s. 5; c. 1331, s. 3; c. 1417, s. 6; 1975, 2nd Sess., c. 983, s. 74; 1977, c. 464, s. 35; 1979, c. 922, s. 2; 1983 (Reg. Sess., 1984), c. 1014, ss. 1, 2; 1987, c. 827, s. 10; 1987 (Reg. Sess., 1988), c. 1000, s. 3; 1989, c. 676, s. 1; 1993 (Reg. Sess., 1994), c. 776, s. 3; 2002-165, ss. 2.2, 2.3; 2015-241, s. 14.26(a).)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

