



CHAPTER 113A

ARTICLE 4 - SEDIMENTATION POLLUTION CONTROL ACT OF 1973

N.C.G.S. § 113A-57.

Mandatory standards for land-disturbing activity.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2013-413, s. 57(f) — sixteenth act in the lineage	21 September 2026, 04:21 UTC	d83a3b63315cfa2937ea8aa8 - 8dab985ea61678c54c4c935d - 1b34170b11de7418

No land-disturbing activity subject to this Article shall be undertaken except in accordance with the following mandatory requirements:

No land-disturbing activity during periods of construction or improvement to land shall be permitted in proximity to a lake or natural watercourse unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity. Waters that have been classified as trout waters by the Environmental Management Commission shall have an undisturbed buffer zone 25 feet wide or of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity, whichever is greater. Provided, however, that the Sedimentation Control Commission may approve plans which include land-disturbing activity along trout waters when the duration of said disturbance would be temporary and the extent of said disturbance would be minimal. This subdivision shall not apply to a land-disturbing activity in connection with the construction of facilities to be located on, over, or under a lake or natural watercourse.

The angle for graded slopes and fills shall be no greater than the angle that can be retained by vegetative cover or other adequate erosion-control devices or structures. In any event, slopes left exposed will, within 21 calendar days of completion of any phase of grading, be planted or otherwise provided with temporary or permanent ground cover, devices, or structures sufficient to restrain erosion.

Whenever land-disturbing activity that will disturb more than one acre is undertaken on a tract, the person conducting the land-disturbing activity shall install erosion and sedimentation control devices and practices that are sufficient to retain the sediment generated by the land-disturbing activity within the boundaries of the tract during construction upon and development of the tract, and shall plant or

11	2002	S.L. 2002-165, s. 2.6	AMENDED
12	2005	S.L. 2005-386, s. 7.2	AMENDED
13	2005	S.L. 2005-443, s. 2	AMENDED
14	2006	S.L. 2006-255, s. 2	AMENDED
15	2006	S.L. 2006-264, s. 53(a)	AMENDED
16	2013	S.L. 2013-413, s. 57(f)	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 113A-57 (2013).

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.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 392, s. 8; c. 1417, s. 5; 1975, c. 647, s. 2; 1979, c. 564; 1983 (Reg. Sess., 1984), c. 1014, s. 3; 1987, c. 827, s. 131; 1989, c. 676, s. 3; 1991, c. 275, s. 2; 1998-99, s. 1; 1999-379, s. 2; 2002-165, s. 2.6; 2005-386, s. 7.2; 2005-443, s. 2; 2006-255, s. 2; 2006-264, s. 53(a); 2013-413, s. 57(f).)

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