

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 569
Committee Substitute Favorable 5/12/09
Third Edition Engrossed 5/13/09

Short Title: DWQ/Bridge Culvert Standards.

(Public)

Sponsors:

Referred to:

March 16, 2009

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DIVISION OF WATER QUALITY IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO AUTHORIZE THE USE OF THREE-SIDED, OPEN-BOTTOM, OR BOTTOMLESS CULVERTS ON PRIVATE PROPERTY, BASED ON SOUND ENGINEERING PRACTICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. Part 1 of Article 21 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-215.9C. Use of certain types of culverts allowed.

(a) The Division of Water Quality in the Department of Environment and Natural Resources shall allow the use of structures known as three-sided, open-bottom, or bottomless culverts. A culvert authorized under this section shall be designed, constructed, and installed to both:

(1) Adhere to professional engineering standards and sound engineering practices.

(2) To the extent practicable, minimize the erosive velocity of water.

(b) The Division shall allow the use of culverts authorized under this section throughout the State and may not limit their use to locations where they must be tied into bedrock. Culverts authorized under this section may only be used on private property and may not be transferred to, or operated or maintained by, the Department of Transportation.

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

