

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

4

HOUSE BILL 1028
Corrected Copy 4/16/03
Committee Substitute Favorable 5/27/03
Fourth Edition Engrossed 6/16/03

Short Title: New Bulkhead Permit.

(Public)

Sponsors:

Referred to:

April 10, 2003

A BILL TO BE ENTITLED

1
2 AN ACT TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO
3 ADOPT TEMPORARY AND PERMANENT RULES TO ESTABLISH A
4 GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR
5 WETLAND ENHANCEMENT AND SHORELINE PROTECTION IN
6 ESTUARINE AND PUBLIC TRUST WATERS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Pursuant to G.S. 113A-118.1, the Coastal Resources
9 Commission may adopt temporary and permanent rules to establish a general permit to
10 allow the construction of offshore parallel sills made of stone or other suitable riprap
11 materials for shoreline protection in conjunction with existing, created, or restored
12 wetlands. The permit shall be applicable only where a shoreline is experiencing erosion
13 in public trust areas and estuarine waters. The permit shall not apply to oceanfront
14 shorelines or to waters and shorelines adjacent to the ocean hazard areas of
15 environmental concern except that the permit may apply to those shorelines that exhibit
16 characteristics of estuarine shorelines. Characteristics of estuarine shorelines include
17 the presence of wetland vegetation, lower wave energy, and lower erosion rates than are
18 generally characteristic of ocean erodible areas. Notwithstanding G.S. 150B-21.1(a), the
19 authorization to adopt temporary rules pursuant to this section shall continue in effect
20 until 1 July 2004. Reference to this section shall satisfy the requirement for a statement
21 of finding of need for a temporary rule set out in G.S. 150B-21.1.

22 **SECTION 2.** The fee for a general permit established by temporary rules
23 pursuant to Section 1 of this act shall be one hundred dollars (\$100.00). In adopting
24 permanent rules pursuant to Section 1 of this act, the Coastal Resources Commission
25 shall set a fee for the general permit as provided in G.S. 113A-119.1.

26 **SECTION 3.** This act becomes effective 1 July 2003.