

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 2014

Short Title: The Hugh Morton Save the Coast Pilot/Funds. (Public)

Sponsors: Senator Brown (Primary Sponsors).

Referred to: Agriculture/Environment/Natural Resources.

May 26, 2006

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH A PILOT PROGRAM TO TEST THE UNDERCURRENT
2 STABILIZATION SYSTEM AT NORTH TOPSAIL BEACH TO DETERMINE IF
3 IT IS EFFECTIVE TO STABILIZE COASTAL PROPERTY IN IMMINENT
4 THREAT OF EXPERIENCING SIGNIFICANT LOSS DUE TO EROSION
5 UNDER ORDINARY CONDITIONS OR DUE TO A NATURAL DISASTER
6 AND TO DIRECT THE COASTAL RESOURCES COMMISSION TO ISSUE A
7 PERMIT FOR THE CONSTRUCTION AND INSTALLATION OF THIS
8 TECHNOLOGY FOR THE DURATION OF THIS STUDY.
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10 Whereas, few men in North Carolina's history have had the unique talents and
11 love for the natural beauty of our State as Hugh Morton; and

12 Whereas, as a nationally acclaimed photojournalist, Hugh Morton has
13 captured North Carolina from the soul of her mountains to the glory of her beaches; and

14 Whereas, Hugh Morton has fought for clean air, protection of our vistas, and
15 promotion of environmentally sound beach restoration programs; and

16 Whereas, a man of vision who saw a mountain as a place to teach people the
17 importance of nature, this bill is dedicated to Hugh Morton, a lifelong environmentalist
18 and proud Tar Heel; Now, therefore,

19 The General Assembly of North Carolina enacts:

20 **SECTION 1.** A pilot program is established to test the undercurrent
21 stabilization system, a technology of stabilizing beach property whereby stabilizing bars
22 are placed parallel to the shoreline and a series of undercurrent stabilizers are extended
23 perpendicular to the stabilizing bars. No later than October 1, 2006, the Town Aldermen
24 of the Town of North Topsail Beach and the County Commissioners of Onslow County
25 jointly shall select a site located in the Town of North Topsail Beach to conduct this
26 test, after consulting with the Department of Environment and Natural Resources,
27 Division of Coastal Resources. The Town of North Topsail Beach shall have the
28 responsibility of purchasing, installing, and maintaining the undercurrent stabilization
29 system. The Department of Environment and Natural Resources shall oversee the

1 installation by the Town of North Topsail Beach or by a contractor employed by the
2 Town, monitor the test site, evaluate whether the technology results in saving the loss of
3 coastal property in imminent threat of experiencing significant loss due to erosion under
4 ordinary conditions, determine the likelihood that this technology would be successful
5 in preventing a significant loss of coastal property due to a natural disaster that affects
6 the coast of North Carolina, such as a Category Four Hurricane on the Saffir-Simpson
7 Hurricane Scale, determine the desirability of the Coastal Resources Commission
8 establishing a general permit for this technology for use at the coast of North Carolina
9 where significant or sudden loss of coastal property is greatest, and report these results
10 to the Environmental Review Commission no later than December 1, 2008.

11 **SECTION 2.** Notwithstanding G.S. 113A-115.1(b) and any other applicable
12 laws or rules to the contrary, any applicable permits shall be issued for the construction
13 and installation of the undercurrent stabilization system that is being tested under the
14 pilot program under this act for the duration of the pilot program.

15 **SECTION 3.** There is appropriated from the General Fund to the Town of
16 North Topsail Beach the sum of twenty-five thousand dollars (\$25,000) for the
17 2006-2007 fiscal year for the cost of purchasing, installing, and maintaining the
18 technology being tested under the pilot program under this act.

19 **SECTION 4.** This act is effective when it becomes law.