

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 707

Short Title: Ensure Safe Navigation Channels. (Public)

Sponsors: Representatives Millis, McElraft, Warren, and Tine (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Environment.

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL
3 RESOURCES TO PURSUE VARIOUS STRATEGIES TO ENSURE THAT THE
4 STATE'S SHALLOW DRAFT NAVIGATION CHANNELS ARE SAFE AND
5 NAVIGABLE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** For purposes of this act, the following definitions apply:

- 8 (1) "Department" means the Department of Environment and Natural Resources.
9 (2) "Corps" means the United States Army Corps of Engineers.
10 (3) "Shallow draft navigation channel" means (i) a waterway connection with a
11 maximum depth of 16 feet between the Atlantic Ocean and a bay or the
12 Atlantic Intracoastal Waterway, (ii) a river entrance to the Atlantic Ocean
13 through which tidal and other currents flow, or (iii) other interior coastal
14 waterways. "Shallow draft navigation channel" includes the Atlantic
15 Intracoastal Waterway and its side channels, Beaufort Harbor, Bogue Inlet,
16 Carolina Beach Inlet, the channel from Back Sound to Lookout Back,
17 channels connected to federal navigation channels, Lockwoods Folly River,
18 Manteo/Shallowbag Bay, including Oregon Inlet, Masonboro Inlet, New
19 River, New Topsail Inlet, Rodanthe, Rollinson, Shallotte River, Silver Lake
20 Harbor, and the waterway connecting Pamlico Sound and Beaufort Harbor.

21 **SECTION 2.** The Department shall take all of the following steps in order to
22 ensure that the State's shallow draft navigation channels are safe and navigable:

- 23 (1) The Department shall utilize long-term agreements with Corps to maintain
24 the dredging of the State's shallow draft navigation channels to depths
25 authorized on the date this act becomes law.
26 (2) The Department shall assist local governments in their pursuit of general
27 permit authorizations from the Corps to allow the local governments to
28 dredge shallow draft navigation channels to depths and according to project
29 designs authorized on the date this act becomes law.
30 (3) The Department shall assist local governments in their pursuit of individual
31 permits under the State Coastal Area Management Act permits issued by the
32 Corps to allow the dredging of shallow draft navigation channels to depths
33 greater than authorized on the date this act becomes law and to allow the
34 placement of dredged materials on beaches.

35 **SECTION 3.** This act is effective when it becomes law.



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