

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 442
HOUSE BILL 979

AN ACT TO PROVIDE AUTHORIZATION FOR GENERAL PERMITS UNDER
THE DREDGE AND FILL LAW AND CLARIFICATION OF GENERAL
PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113A-118.1, as adopted by Chapter 171 of the 1983 Session Laws, is amended by adding the following subsections:

"(c) The Commission may impose reasonable notice provisions and other appropriate conditions and safeguards on any general permit it issues.

(d) The variance, appeals, and enforcement provisions of this Article shall apply to any individual development projects undertaken under a general permit."

Sec. 2. A new subsection is added to G.S. 113-229 to read:

"(c1) The Coastal Resources Commission may, by rule, designate certain classes of major and minor development for which a general or blanket permit may be issued. In developing these rules, the Commission shall consider:

- (1) The size of the development;
- (2) The impact of the development on areas of environmental concern;
- (3) How often the class of development is carried out;
- (4) The need for on-site oversight of the development; and
- (5) The need for public review and comment on individual development projects.

General permits may be issued by the Commission as rules under the provisions of G.S. 113A-107. Individual development carried out under the provisions of general permits shall not be subject to the mandatory notice provisions of this section. The Commission may impose reasonable notice provisions and other appropriate conditions and safeguards on any general permit it issues. The variance, appeals, and enforcement provisions of this Article shall apply to any individual development projects undertaken under a general permit."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of June, 1983.