

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 518
SENATE BILL 266

AN ACT TO CLARIFY AND SIMPLIFY THE COASTAL AREA MANAGEMENT ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113A-113(b)(2) is rewritten to read:

"(2) Estuarine waters, that is, all the water of the Atlantic Ocean within the boundary of North Carolina and all the waters of the bays, sounds, rivers, and tributaries thereto seaward of the dividing line between coastal fishing waters and inland fishing waters, as set forth in the most recent official published agreement adopted by the Wildlife Resources Commission and the Department of Natural Resources and Community Development;".

Sec. 2. G.S. 113A-114 is repealed.

Sec. 3. G.S. 113A-118(d)(1), as it appears in the 1978 Replacement Volume 3A, Part II, is amended on the seventh line by deleting the words and punctuation "or the North Carolina Sedimentation Control Board," and substituting therefor the words and punctuation "the North Carolina Sedimentation Control Board, or any federal agency or authority;".

Sec. 4. G.S. 113A-120(a)(5), as it appears in the 1978 Replacement Volume 3A, Part II, is amended on the first line by deleting the citation "G.S. 113A-113(4)" and substituting therefor the citation "G.S. 113A-113(b)(5)."

Sec. 5. G.S. 113A-120(b), is amended by rewriting the second sentence to read:

"The permit may be conditioned upon the applicant's amending his proposal to take whatever measures or agreeing to carry out whatever terms of operation or use of the development that are reasonably necessary to protect the public interest with respect to the factors enumerated in subsection (a) of this section."

Sec. 6. G.S. 113A-126(d)(3), as it appears in the 1978 Replacement Volume 3A, Part II, is amended on the fourteenth line by deleting the citation "G.S. 143-315" and substituting therefor the citation "G.S. 150A-43 et seq."

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of June, 1983.