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N.C. COASTAL RESOURCES COMMISSION REPORT ON IMPLEMENTATION OF TERMINAL GROIN LEGISLATION SEPTEMBER 1, 2011

Session Law 2011-387 (S110) authorizes the Coastal Resources Commission (CRC) to permit the construction of a terminal groin under a pilot program if the Commission finds that (i) structures or infrastructure are imminently threatened by erosion and that nonstructural approaches to erosion control are impractical; (ii) the terminal groin will be accompanied by a concurrent beach fill project; (iii) construction and maintenance of the terminal groin will not result in significant adverse impacts to private property or to the public recreational beach; (iv) the terminal groin will be managed pursuant to an inlet management plan; and (v) there are sufficient financial resources to cover the costs associated with the terminal groin.

The legislation also requires that the CRC report to the Environmental Review Commission on the implementation of the act including a detailed description of each proposed and permitted terminal groin and its accompanying beach fill project.

While there have been several inquiries by local governments into the permitting process, the CRC has not had a permit application submitted for the construction of a terminal groin. At the August 25, 2011 CRC meeting, Commissioners reviewed the provisions of the legislation and discussed the need for additional rule making. At this time, the CRC does not foresee the need to adopt any additional rules in order to implement the act. The Commission has asked for recommendations from the CRC Science Panel on Coastal Hazards regarding certain provisions of the law, including guidelines for the determination of adverse impacts of a terminal groin as described in SL 2011-387. The Science Panel will take up this issue at their October 6, 2011 meeting.



Division of Coastal Management
Department of Environment and Natural Resources
400 Commerce Ave., Morehead City, N.C. 28557
Phone 252-808-2808 Fax 252-247-3330

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