

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1999**

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**HOUSE BILL 1039**

Short Title: Beach Management Strategy.

(Public)

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Sponsors: Representatives Redwine, Smith (Primary Sponsors); Rayfield, Barefoot, Jeffus, and Preston.

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Referred to: Environment and Natural Resources.

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April 14, 1999

**A BILL TO BE ENTITLED**

**AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP A STRATEGY AND A PLAN FOR BEACH MANAGEMENT AND RESTORATION AND TO IDENTIFY FINANCING ALTERNATIVES FOR THIS PURPOSE.**

The General Assembly of North Carolina enacts:

Whereas, North Carolina has 320 miles of ocean beach, including some of the most pristine and attractive beaches in the country; and

Whereas, the balance between economic development and quality of life in North Carolina has made our coast one of the most desirable along the Atlantic Seaboard; and

Whereas, North Carolina's beaches are vital to the State's tourism industry; and

Whereas, North Carolina's beaches belong to all the State's citizens and provide recreational and economic benefits to our residents statewide; and

Whereas, beach erosion can threaten the economic viability of coastal communities and can significantly affect State tax revenues; and

Whereas, the Atlantic Seaboard is vulnerable to hurricanes and other storms, and it is prudent to take precautions such as beach nourishment that protect and conserve the State's beaches and reduce property damage and flooding; and



1       (a) The Department of Environment and Natural Resources shall compile and  
2 evaluate information on the current conditions and erosion rates of beaches, on coastal  
3 geology, and on storm and erosion hazards for use in developing a State plan and strategy  
4 for beach management and restoration. The Department of Environment and Natural  
5 Resources shall make this information available to local governments for use in land use  
6 planning.

7       (b) The Department of Environment and Natural Resources shall develop a  
8 multiyear beach management and restoration strategy and plan that does all of the  
9 following:

- 10       (1) Utilizes the data and expertise available in the Divisions of Water  
11 Resources, Coastal Management, and Land Resources.
- 12       (2) Identifies the erosion rate at each beach community, and estimates the  
13 degree of vulnerability to storm and hurricane damage.
- 14       (3) Uses the best available geological and geographical information to  
15 determine the need for and probable effectiveness of beach  
16 nourishment.
- 17       (4) Provides for coordination with the U.S. Army Corps of Engineers, the  
18 North Carolina Department of Transportation, the North Carolina  
19 Division of Emergency Management, and other State and federal  
20 agencies concerned with beach management issues.
- 21       (5) Provides a status report on all U.S. Army Corps of Engineers' beach  
22 protection projects in the planning, construction, or operational stages.
- 23       (6) Makes maximum feasible use of suitable sand dredged from navigation  
24 channels for beach nourishment to avoid the loss of this resource and to  
25 reduce equipment mobilization costs.
- 26       (7) Promotes inlet sand bypassing where needed to replicate the natural  
27 flow of sand interrupted by inlets.
- 28       (8) Provides for geological and environmental assessments to locate  
29 suitable materials for beach nourishment.
- 30       (9) Considers the regional context of beach communities to determine the  
31 most cost-effective approach to beach nourishment.
- 32       (10) Provides for and requires adequate public beach access, including  
33 handicapped access.
- 34       (11) Recommends priorities for State funding for beach nourishment  
35 projects, based on the amount of erosion occurring, the potential  
36 damage to property and to the economy, the benefits for recreation and  
37 tourism, the adequacy of public access, the availability of local  
38 government matching funds, the status of project planning, the adequacy  
39 of project engineering, the cost-effectiveness of the project, and the  
40 environmental impacts.
- 41       (12) Includes recommendations on obtaining the maximum available federal  
42 financial assistance for beach nourishment.
- 43       (13) Is subject to a public hearing to receive citizen input.

1       (c)     The Department of Environment and Natural Resources shall submit the plan  
2 to the 1999 General Assembly by May 1, 2000. This first plan shall be as complete as  
3 resources and available information allow. The Department shall revise, update, and  
4 improve the plan every two years, submitting it to the General Assembly by March 1 of  
5 each odd-numbered year. The Department may issue a supplement to the plan in even-  
6 numbered years if significant new information becomes available.

7       (d)     The Department of Environment and Natural Resources shall provide to the  
8 General Assembly along with the first plan a report on alternative State and local  
9 government sources of funding for beach nourishment.

10       (e)    The Department of Environment and Natural Resources shall review State,  
11 federal, and local policies on enabling and assisting property owners to move structures  
12 that are threatened by imminent erosion damage and shall recommend policies,  
13 legislative changes, and actions to make moving structures more feasible for landowners.

14       (f)    The Department of Environment and Natural Resources shall review existing  
15 programs for the acquisition and management of public land for beach access areas and  
16 open space, including identifying high-hazard, erosion-prone, or unbuildable parcels of  
17 land that may be used for this purpose, and shall recommend any policy and legislative  
18 changes needed to improve public beach access. The Department shall recommend  
19 priorities for land acquisition for public beach access, open space, and hazard-reduction  
20 purposes."

21           Section 2. This act is effective when it becomes law.