

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 989*

Short Title: Limit Shellfish Lease Area In Core Sound. (Public)

Sponsors: Representative Wainwright.

Referred to: Environment and Natural Resources.

April 9, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE
3 LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE
4 DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT
5 LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE
6 IMPLEMENTATION OF THIS ACT.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** For purposes of this section:

- 9 (1) "Western Core Sound" is that part of Core Sound bounded by a line
10 beginning at a point on Cedar Island at 35°00'39"N - 76°17'48"W,
11 thence 109°(M) to a point in Core Sound 35°00'00"N - 76°12'42"W,
12 thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at
13 34°43'30"N - 76°29'00"W, thence 207°(M) to the Cape Lookout
14 Lighthouse at 34°37'24"N - 76°31'30"W, thence 12°(M) to a point at
15 Marshallberg at 34°43'07"N - 76°31'12"W, thence following the
16 shoreline in a northerly direction to the point of beginning except that
17 the highway bridges at Salters Creek, Thorofare Bay, and the Rumley
18 Bay ditch shall be considered shoreline.
- 19 (2) "Lease" means a shellfish cultivation lease granted pursuant to G.S.
20 113-202.

21 **SECTION 1.(b)** It is the intent of the General Assembly to permanently
22 limit the area within Western Core Sound that may be leased for the cultivation of
23 shellfish to the area that is subject to a lease on July 1, 2003.

24 **SECTION 1.(c)** Notwithstanding G.S. 113-202, the Secretary of
25 Environment and Natural Resources may grant a new lease or renew an existing lease in
26 an area of Western Core Sound only if the area is subject to a lease on July 1, 2003.

27 **SECTION 1.(d)** This section shall not prohibit the transfer of a lease as
28 provided in G.S. 113-202(k).

1 **SECTION 2.** The Division of Marine Fisheries in the Department of
2 Environment and Natural Resources shall report to the Joint Legislative Commission on
3 Seafood and Aquaculture on or before January 1, 2005, on the implementation of this
4 act.

5 **SECTION 3.** Section 1 of this act becomes effective July 1, 2003. Sections 2
6 and 3 of this act are effective when the act becomes law.