

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE DRS65593-LD-192B (5/17)**

Short Title: The Hugh Morton Save the Coast Pilot/Funds. (Public)

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Sponsors: Senator Brown.

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Referred to:

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A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH A PILOT PROGRAM TO TEST THE UNDERCURRENT  
2 STABILIZATION SYSTEM AT NORTH TOPSAIL BEACH TO DETERMINE IF  
3 IT IS EFFECTIVE TO STABILIZE COASTAL PROPERTY IN IMMINENT  
4 THREAT OF EXPERIENCING SIGNIFICANT LOSS DUE TO EROSION  
5 UNDER ORDINARY CONDITIONS OR DUE TO A NATURAL DISASTER  
6 AND TO DIRECT THE COASTAL RESOURCES COMMISSION TO ISSUE A  
7 PERMIT FOR THE CONSTRUCTION AND INSTALLATION OF THIS  
8 TECHNOLOGY FOR THE DURATION OF THIS STUDY.

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10       Whereas, few men in North Carolina's history have had the unique talents and  
11 love for the natural beauty of our State as Hugh Morton; and

12       Whereas, as a nationally acclaimed photojournalist, Hugh Morton has  
13 captured North Carolina from the soul of her mountains to the glory of her beaches; and

14       Whereas, Hugh Morton has fought for clean air, protection of our vistas, and  
15 promotion of environmentally sound beach restoration programs; and

16       Whereas, a man of vision who saw a mountain as a place to teach people the  
17 importance of nature, this bill is dedicated to Hugh Morton, a lifelong environmentalist  
18 and proud Tar Heel; Now, therefore,

19 The General Assembly of North Carolina enacts:

20       **SECTION 1.** A pilot program is established to test the undercurrent  
21 stabilization system, a technology of stabilizing beach property whereby stabilizing bars  
22 are placed parallel to the shoreline and a series of undercurrent stabilizers are extended  
23 perpendicular to the stabilizing bars. No later than October 1, 2006, the Town Aldermen  
24 of the Town of North Topsail Beach and the County Commissioners of Onslow County  
25 jointly shall select a site located in the Town of North Topsail Beach to conduct this  
26 test, after consulting with the Department of Environment and Natural Resources,  
27 Division of Coastal Resources. The Town of North Topsail Beach shall have the

1 responsibility of purchasing, installing, and maintaining the undercurrent stabilization  
2 system. The Department of Environment and Natural Resources shall oversee the  
3 installation by the Town of North Topsail Beach or by a contractor employed by the  
4 Town, monitor the test site, evaluate whether the technology results in saving the loss of  
5 coastal property in imminent threat of experiencing significant loss due to erosion under  
6 ordinary conditions, determine the likelihood that this technology would be successful  
7 in preventing a significant loss of coastal property due to a natural disaster that affects  
8 the coast of North Carolina, such as a Category Four Hurricane on the Saffir-Simpson  
9 Hurricane Scale, determine the desirability of the Coastal Resources Commission  
10 establishing a general permit for this technology for use at the coast of North Carolina  
11 where significant or sudden loss of coastal property is greatest, and report these results  
12 to the Environmental Review Commission no later than December 1, 2008.

13           **SECTION 2.** Notwithstanding G.S. 113A-115.1(b) and any other applicable  
14 laws or rules to the contrary, any applicable permits shall be issued for the construction  
15 and installation of the undercurrent stabilization system that is being tested under the  
16 pilot program under this act for the duration of the pilot program.

17           **SECTION 3.** There is appropriated from the General Fund to the Town of  
18 North Topsail Beach the sum of twenty-five thousand dollars (\$25,000) for the  
19 2006-2007 fiscal year for the cost of purchasing, installing, and maintaining the  
20 technology being tested under the pilot program under this act.

21           **SECTION 4.** This act is effective when it becomes law.