



“Combining local, state, and federal efforts for Waterfront Access in NC”

by

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“Our heritage, our culture, our history is right there on
the waterfront.....”

Senate President Pro Tempore Marc Basnight of Manteo

Presentation Overview

DCM's Public Access Program

Establishment of the program, funding levels,
Emerging Issues.. etc

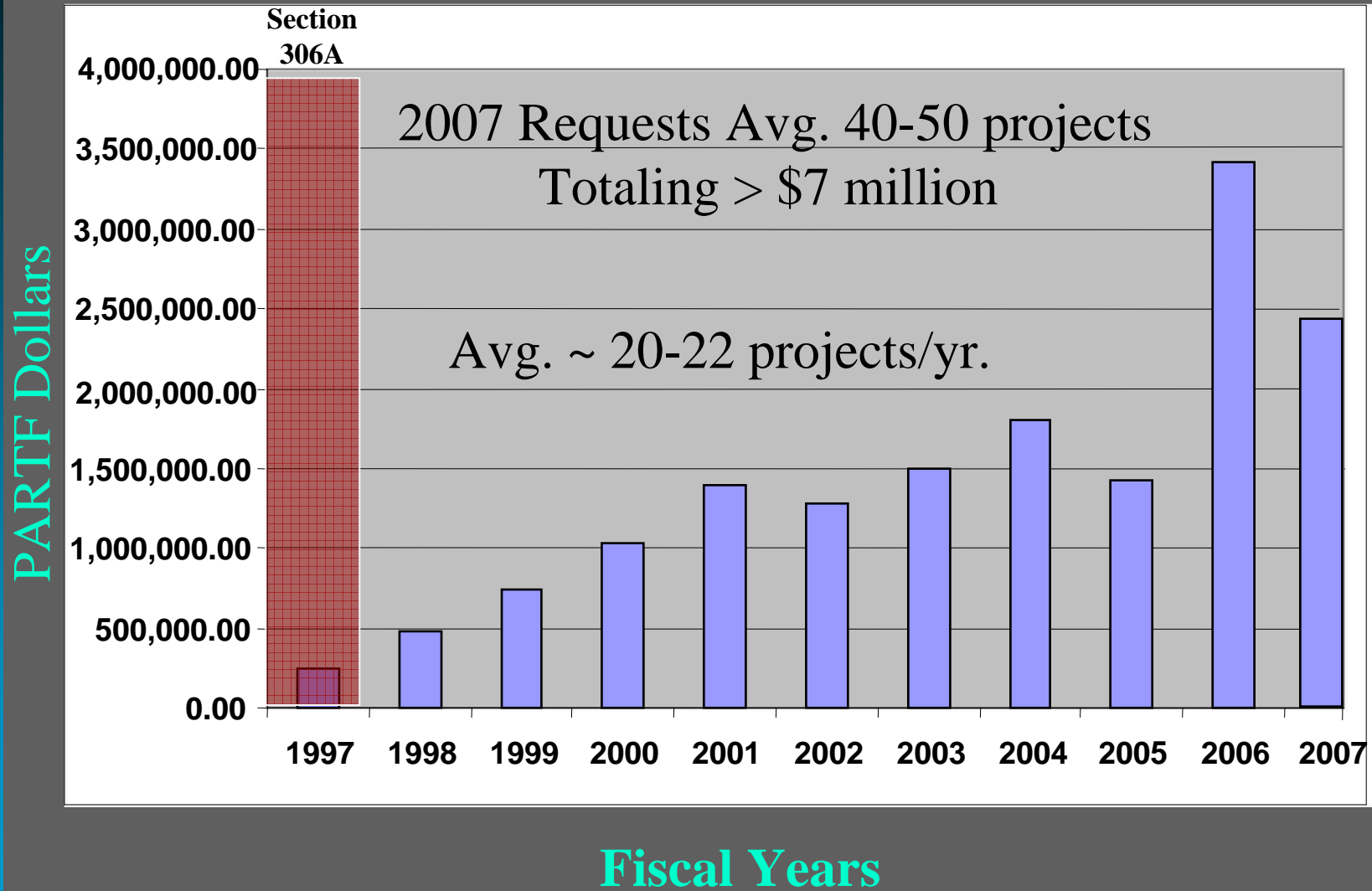
2006-07 NC General Assembly recognition of
Working Waterfronts, Recommendations and
Legislation

Federal Legislation –“Keep our Waterfronts Working
Act 2007” HB 3223

DCM's Access Program History

- *1981 – General Assembly established access program by amending CAMA to provide matching grants to local governments for **oceanfront access sites**. The program enabling legislation (GS 113A-134.1)*
- *1983 – Legislature expanded the program to include **estuarine beaches and waterways, coastal rivers, and urban waterfronts**.*
- ***Public Access Funded through Section 306A***
- *1997 - Establishment of Parks and Recreation Trust Fund (PARTF)- funded through land-transfer fees. (5% of the revenues from PARTF on a quarterly basis). Present Funding mechanism...*

Funding History of DCM's Access Program



Criteria used to prioritize and select projects

- Lack of access opportunities in area
- Demonstrated need for the project due to high demand and limited opportunities
- Project is identified in a local beach or waterfront access plan
- Community has not received previous assistance from this grant program
- The commitment of matching funds exceeds the minimum required local match
- Project proposal includes multiple funding sources
- Location includes donated land deemed “unbuildable” due to regulations or physical limitations
- The community has demonstrated its ability to complete previous projects and/or has demonstrated its ability to operate and maintain facilities previously funded

Emerging Issues for NC DCM

- 1) Participation of financially “distressed” communities in Program
- 2) Parking meters at Program funded access sites
- 3) Development encroachment at Program funded access locations
- 4) Handicapped accessibility at Program funded sites
- 5) Program funding for boating and fishing facilities
- 6) Requirements for access sites at beach nourishment locations

2006-07 NC General Assembly
recognition of Working Waterfronts,
Recommendations and Legislation

NC General Assembly recognition of Working Waterfronts Recommendations and Legislation

Establishment of the Waterfront Access Study Committee (WASC) in August 2006.

Charged to study the degree of loss and potential loss of the diversity of uses along the shoreline, and examine how these losses would impact access to coastal public trust waters of the state-completed **April 2007**.

Loss of diversity was attributed to:

- ✓ skyrocketing market demand for waterfront development
- ✓ accelerating non-waterfront dependent development
- ✓ steadily increasing property taxes

In all Commission -made a series of 27 Recommendations

General Assembly passes Senate Bill 646/S.L 2007-485

Entitled: Enact WASC Recommendations

Signed by Governor and ratified 8/30/07

Highlights:

1) Present use-value for Real Estate Taxes

a) Working waterfront property be taxed at the value for it's present or current use, not for it's potential value if redeveloped for residential or other purposes.

2) Advisory Committee for Coordination of Waterfront Access

a) DENR Secretary

b) Multiple Director's (DCM, Parks and Recreation, Aquariums, WRC, DMF, State Property Office, NC SeaGrant, League of Municipalities, Association of County Commissioners

3) **New Waterfront Access and Marine Industry Fund (WAMI fund+20 million)**

- a) Establishment of a trust fund or set aside state funds to be used to acquire waterfront properties or develop facilities for the purpose of providing public and commercial waterfront access and improving the same. Funds will come from “certificates of participation-lease revenue bonds”, a debt that does not require voter approval.

4) **Increased Boating Registration Fees – take effect Jan ‘08**

- a) Annual fees will increase from \$10 to \$15
- b) Three-year registration will increase \$25 to \$40

Will generate another \$2-3million

5) Increased Access From Roads and Bridges

- a) Ensure that public access to coastal waters is expanded along the roadways, bridges and other transportation infrastructure owned or maintained by the DOT.

6) Flood Zone Study

- a) DEM will study ways to facilitate the construction and repair of water-dependent structures such as fish processing and packing facilities, and boat repair and building facilities located in regulated flood zones.

7) Other WASC Recommendations

- a) In addition to actions taken by G.A., some do not require legislation, and can be reviewed and implemented by state agencies

“Keep our Waterfronts Working Act 2007” (HB 3223)

Federal Legislation – House Committee on Natural Resources and
was referred to the Subcommittee on Fisheries, Wildlife and Oceans
on 8/1/2007

Bill proposes to amend the CZMA of 1972 with the intent of Initiating a federally funded grant program designed to ensure Coastal access for commercial and recreational and other Coastal-related business

To be eligible for a grant a coastal state must develop a Working Waterfront Plan. These plans must demonstrate:

- 1) State's ability to preserve and expand waterfront access to persons involved in commercial, water-dependent, coastal-related businesses
- 2) A description of an economic, historical and cultural significance of targeted waterfront areas to the state
- 3) Identification of areas that are facing pressure from private development and
- 4) A description of relevant state and local laws that would affect development

“Keep our Waterfronts Working Act 2007” (HB 3223)-Cont’d

Grants may be used by a state to:

- 1) Acquire working waterfront or an interest in a working waterfront
- 2) To make improvements to a working waterfront including the construction or repair of wharfs, boat ramps or related facilities

After grants are awarded, requires states to adhere to their Federally approved working waterfront plan for a period of 5 years-all plans must be renewed prior to the end of the 5 years

Must provide matching funds equal to at least 25% of the project costs

www.nccoastalmanagement.net



“Notice of the Availability of Funds”

Eligible communities within 20 county coastal region
(CAMA Counties/Municipalities)

Process: The application process has three steps:

- 1) Pre-application due usually around end of February
Invitation for Final applications by end of March
- 2) Final applications received by DCM by end of April
All final applicants will be notified in early June as to whether DCM intends to fund their project
- 3) Grant contract approval to coincide with new fiscal year