

File (Coastal zone)
30 March 77

DAVID STICK
CHAIRMAN
P. O. BOX 180
KITTY HAWK, N.C. 27949

KENNETH D. STEWART
EXECUTIVE SECRETARY
P. O. BOX 27687
RALEIGH, N. C. 27611



telephone 919-829-2293

- DR. J. PARKER CHESSON, JR.
ELIZABETH CITY
- DR. ARTHUR W. COOPER
RALEIGH
- DEWITT L. DARDEEN
NEW BERN
- THOMAS D. EURE
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JACKSONVILLE
- CHARLES C. WELLS
WILMINGTON

March 22, 1977

MEMORANDUM

TO: CAMA Mailing List

FROM: Kenneth D. Stewart
Executive Secretary

SUBJECT: Public Hearing Notice for the Designation of
Areas of Environmental Concern

The Coastal Resources Commission and the Secretary of the Department of Natural and Economic Resources are preparing to conduct public hearings on the final designation of Areas of Environmental Concern (AECs) and on proposed amendments to the State Planning Guidelines which will outline the appropriate use standards for the AECs. The following document is a copy of the public notice and the public hearing schedule for each county that will appear in the local newspapers. Copies of the proposed AEC descriptions are available at the county court houses or from the Coastal Resources Commission as indicated in the Notice of Hearing.

Clifford J. Bond
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STATE OF NORTH CAROLINA
COASTAL RESOURCES COMMISSION
NOTICE OF HEARING

Notice is hereby given that the Coastal Resources Commission and the Secretary of the Department of Natural and Economic Resources, pursuant to the authority vested in them by 113A-115(a) and by 113A-107(f) of the General Statutes of North Carolina propose to designate by rule "Areas of Environmental Concern" and to amend the "State Guidelines for Local Planning in the Coastal Area," Title 15, Chapter 7 of the North Carolina Administrative Code. Public hearings will be conducted by an appointed hearing officer or hearing panel representing the Secretary of the Department of Natural and Economic Resources and the Coastal Resources Commission. The proposed effective date of this designation by rule of "Areas of Environmental Concern" will be after January 1, 1978 but no later than March 1, 1978. The proposed effective date of the amendments to the State Guidelines is July 1, 1977.

Following the effective date of designation of "Areas of Environmental Concern," individuals initiating "development", as defined in G.S. 113A-103(5)(a), in the designated "Area of Environmental Concern" must obtain a permit from either the designated local permitting officer in the case of "minor development", as defined in G.S. 113A-118(c)(2), or from the Coastal Resources Commission in the case of "major development", as defined in G.S. 113A-118(c)(1). The areas proposed by the Coastal Resources Commission as "Areas of Environmental Concern" are the following:

Coastal Wetlands as defined in G.S. 113A-230(a).

Estuarine Waters as defined in G.S. 113A-229(n)(2).

Small Surface Water Supplies defined as watersheds which contain a stream or streams classified AI or AII by the Environmental Management Commission. (These streams are Toomers Creek in New Hanover County, Tranter's Creek in Beaufort County, and the Bodie Island pond in Dare County.)

Public Water Supply Well Fields within which development could adversely affect the quantity or quality of public water resources. (The Elizabeth City well field, and the Cape Hatteras Water Association Well Field on Hatteras Island are being considered under this category.)

Certain Public Trust Areas defined as those waters and the lands thereunder where the public has rights of navigation, fishing, and right acquired by prescription, custom, usage, dedication or any other means.

Estuarine shorelines defined as that area adjacent to and within 75 feet of the mean high water and normal water level along the shorelines of the sounds, rivers and estuaries.

Ocean Beaches defined as lands consisting of unconsolidated soil materials that extend from the mean low water line landward to a point where either (a) the growth of vegetation occurs or (b) a distinct change in the slope or elevation of the unconsolidated sands alters the configuration of the landform.

Frontal Dunes defined as mounds of sand located directly landward of the ocean beaches and extending inland to the lowest elevation in the depression immediately behind the first dune ridge.

Inlet Lands defined as those lands with a substantial possibility of excessive erosion located adjacent to inlets and extending inland a distance sufficient to encompass that area through which either the inlet is predicted to migrate during the next 25 years or the maximum extent of recorded migration over the past 25 years, whichever is less.

Ocean Erodible Areas defined as the landward extent of those ocean shoreline areas having a substantial possibility of excessive erosion.

For each of the following three categories no specific land areas will be affected upon designation by the Commission. However, any specific land area that fits into one of these three categories may be nominated to local governments and the Coastal Resources Commission after which time the Commission will evaluate the proposed site to determine if the specific designation is appropriate. An additional public hearing is required before the Commission can finally designate the specific site.

Coastal Complex Natural Areas that are defined as areas that support native plant and animal communities and provide habitat conditions that have remained essentially unchanged by human activity.

Coastal Areas that Sustain Remnant Species defined as areas that support native plants or animals, rare or endangered (synonymous with threatened and endangered), within the coastal area.

Unique Coastal Geologic Formations defined as sites that contain geologic formations that are unique or otherwise significant components of coastal systems or are especially notable examples of geologic formations or processes in the coastal area.

The proposed amendments to the "State Guidelines for Local Planning in the Coastal Area" will specify the appropriate use standards to be used in permit letting within each of the proposed categories of "Areas of Environmental Concern."

Additional information dealing with the locations and descriptions of the proposed "Areas of Environmental Concern" and the proposed amendments to the State Guidelines is available for public inspection at the Clerk of Court's office, County Courthouse, in each of the coastal counties (Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington); field offices of the Department of Natural and Economic Resources at 1502 North Market Street, Washington, NC, and 3141 Wrightsville Avenue, Wilmington, NC; and the Executive Secretary's office at 210 N. Dawson Street, Raleigh, NC.

Any person interested may present data, views and arguments concerning the Guideline amendments and the designation of any or all of the previously mentioned areas as Areas of Environmental Concern. Individuals who desire to be heard at the public hearing are encouraged to give notice in writing to the Secretary of the Department of Natural and Economic Resources, c/o Kenneth Stewart, Executive Secretary, Coastal Resources Commission, P.O. Box 27687, Raleigh, NC 27611 before the date set for the hearing.

Any person who has notified the Secretary in writing that they desire to speak will be given the first opportunity to do so. Any remaining time will be allotted for those who have not given prior notice. Oral presentations will be limited to five (5) minutes each. Written statements must be received by Kenneth Stewart, Executive Secretary, on or before June 19, 1977.

Public Hearings will be conducted in the twenty county coastal area as outlined below:

Dare County:	County Court Room	Manteo	April 26 , 1977	8 :00 pm - 10:00 pm
Currituck County:	County Court Room	Currituck	April 27, 1977	8:00 pm - 10:00 pm
Camden County:	County Court Room	Camden	May 3, 1977	4:00 pm - 6:00 pm
Pasquotank County:	County Court Room	Elizabeth City	May 3, 1977	8:00 pm - 10:00 pm
Gates County:	Agricultural Building	Gatesville	May 4, 1977	4:00 pm - 6:00 pm
Perquimans County:	County Court Room	Hertford	May 4, 1977	8:00 pm - 10:00 pm
Brunswick County:	County Court Room	Southport	May 4, 1977	4:00 pm - 6:00 pm
New Hanover County:	Superior Court Room	Wilmington	May 4, 1977	8:00 pm - 10:00 pm
Pender County:	County Court Room	Burgaw	May, 5, 1977	8:00 pm - 10:00 pm
<u>Onslow County:</u>	<u>Auditorium, Clide Erwin School</u>	<u>Jacksonville</u>	<u>May 5, 1977</u>	<u>4:00 pm - 6:00 pm</u>
Chowan County:	Commissioners' Confer- ence Room, 4th Floor, County Office Building	Edenton	May 10, 1977	8:00 pm - 10:00 pm
Hertford County:	Commissioners' Room in Office Building #1	Winton	May 10, 1977	4:00 pm - 6:00 pm
Bertie County:	County Court Room	Windsor	May 11, 1977	4:00 pm - 6:00 pm
Tyrrell County:	County Court Room	Columbia	May 11, 1977	8:00 pm - 10:00 pm
Carteret County:	Superior Court Room	Beaufort	May 11, 1977	8:00 pm - 10:00 pm
Pamlico County:	County Court Room	Bayboro	May 11, 1977	4:00 pm - 6:00 pm
Craven County:	County Court Room	New Bern	May 12, 1977	3:00 pm - 5:00 pm
Hyde County:	County Court Room	Swan Quarter	May 12, 1977	8:00 pm - 10:00 pm
Beaufort County:	Superior Court Room	Washington	May 18, 1977	8:00 pm - 10:00 pm
Washington County:	County Court Room	Plymouth	May 18, 1977	4:00 pm - 6:00 pm