

NORTH CAROLINA'S EMERGING OCEAN POLICY CHALLENGES

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In 2004, reports from the U.S. Commission on Ocean Policy and the Pew Oceans Commission were released, encouraging the nation to take a fresh look at ocean resource issues. In response, several states have taken the lead on either developing their own state-level ocean policy or updating existing policy. North Carolina is one such state. Encouraged by the challenges issued by these commissions, NC saw both the opportunity and need to update its existing policies on ocean uses. In furtherance of this goal, the NC Division of Coastal Management (DCM) partnered with NC Sea Grant and the NC Coastal Resources Law, Planning and Policy Center (Center) to conduct a rigorous study on NC's emerging ocean resource issues. The objective was to identify the emerging challenges and then recommend appropriate policies and strategies to address them. The Center was tapped to lead this effort.

An advisory committee was convened to collaborate with the Center on the study, providing technical expertise and assisting in the development of policy recommendations. The advisory committee included fourteen members from federal and state agencies, local government, academia and the private sector. The Center and advisory committee identified five principal emerging ocean resource issues: (1) sand resources management; (2) ocean-based alternative energy development, with an emphasis on wind energy; (3) comprehensive ocean management; (4) ocean outfalls; and (5) marine aquaculture.

Sand resources management was a major focus of the study. Due to the statutory ban on hardened structures along the coast, NC emphasizes beach nourishment to address coastal erosion. Sand resources are limited; yet demand for beach-quality sand continues to grow due to such factors as sea level rise and natural hazards. To date, sand supplies have been adequate to fulfill the needs of NC's beach communities. However, given the likely increased need for beach nourishment in the future, the study team developed a set of management tools to address the issue. The second major focus of the study was wind energy. A gap exists in NC law and regulations regarding wind energy development in coastal waters. It is unclear what the process would be, or which state agency would take the lead, if such a project is proposed. The study recommended strengthening relevant state law and regulations, including the state's coastal management plan, to better prepare NC in the event a wind energy project is proposed for coastal waters or adjacent federal waters. The study also recommended that NC: explore and develop comprehensive ocean management strategies; continue its ban on ocean outfalls; and, because waters off

North Carolina's coast are not conducive to marine aquaculture, need only monitor technological developments and proposed national legislation.

The study on NC's emerging ocean resource issues was conducted throughout 2008 and Winter 2009. After a public comment period, during which public input was received on a draft report, the Center prepared a final report, which was presented to the NC Coastal Resources Commission. The final report is available at the Center's website at <http://www.ncccoastallaw.org>.

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