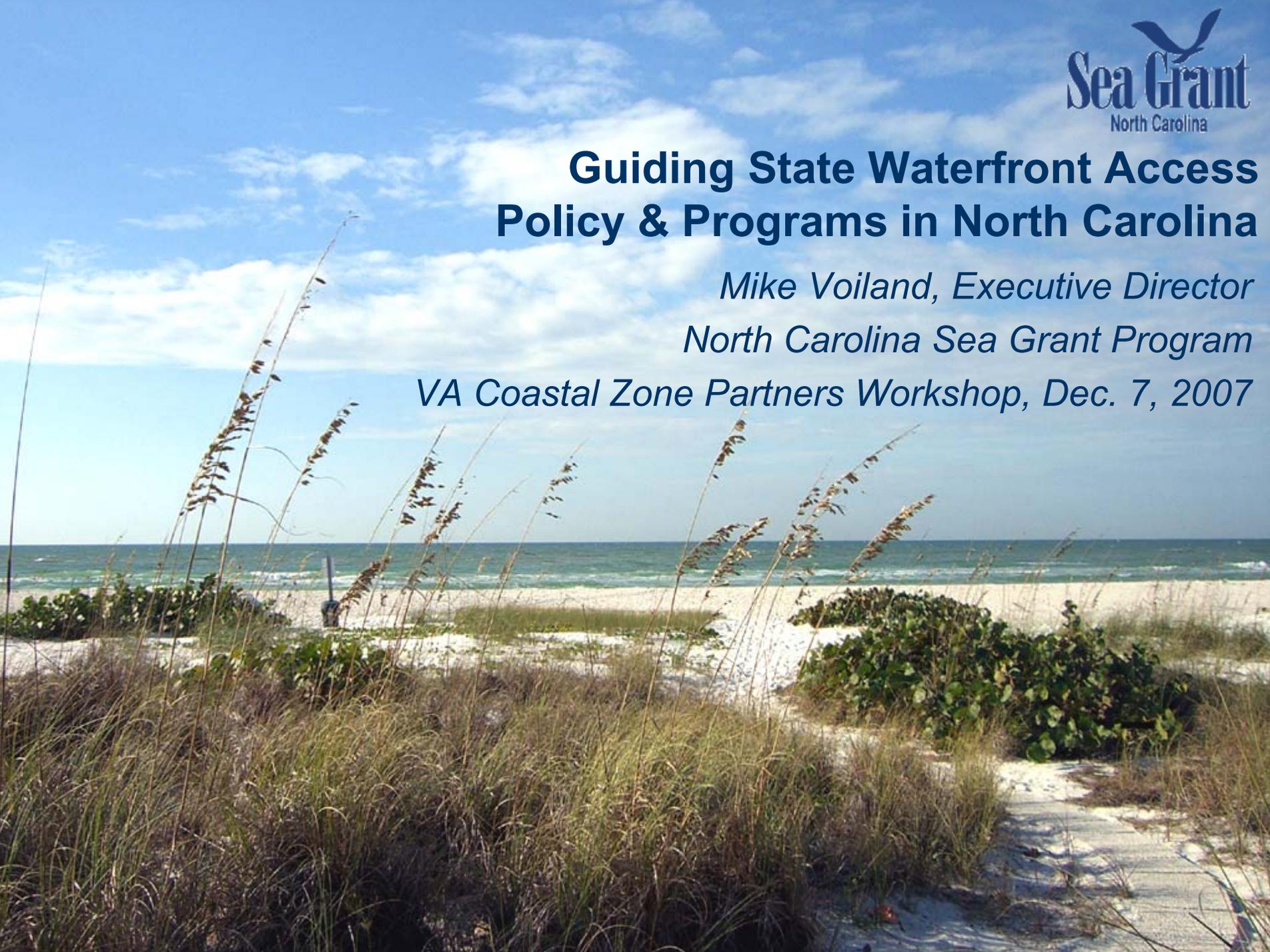


Guiding State Waterfront Access Policy & Programs in North Carolina

*Mike Voiland, Executive Director
North Carolina Sea Grant Program*

VA Coastal Zone Partners Workshop, Dec. 7, 2007



Guiding N.C. Waterfront Access

Summer 2006

July 27 – N.C. General Assembly enacts legislation establishing a “Waterfront Access Study Committee” (WASC)

Aug. 16 – Governor signs the legislation into law

Guiding N.C. Waterfront Access

Summer 2006

WASC shall:

“....study the degree of loss and potential loss of the diversity of uses ... and how these losses impact access to the public trust waters of the state”

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techniques and management tools to preserve waterfront use diversity, and their applicability to the N.C. coast

Guiding N.C. Waterfront Access

Summer 2006

WASC shall:

Report (and hear from) the public at three public meetings to be held in three coastal N.C. regions (Northern, Central and Southern)

Submit a final report to the JLCSEA, NCMFC and NCCRC no later than April 15, 2007

Guiding N.C. Waterfront Access

Summer 2006

WASC shall:

Chaired by N.C. Sea Grant Director

Composed of 20 other members, including:

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NCCRC, NCWRC

Directors of NCDMF, NCDCM

President of NCR&PA or director of coastal park

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Advent to Action

Strong state and coastal population growth and development

NC: 31% increase since 1990

Several coastal counties among fastest growing in state/nation:

- Brunswick = 76%
- Currituck = 68%
- Pender = 62%
- Dare = 50%
- New Hanover = 49%

Advent to Action

Strong state and coastal population growth and development

Strong growth / influx into estuarine areas (NC's "Inner Banks," "Second Shore," or "Mainland Shore")

Associated residential / commercial growth (e.g., retail, lodging, dining, exclusive leisure services)

Advent to Action

Resolutions in 2005 and 2006 by NC Marine Fisheries and Coastal Resources Commissions:

“... special measures must be taken to ensure ... public access ... despite the ongoing trend of privatization, soaring real estate values, and ... reduction in commercial and recreational fisheries infrastructure.”

Advent to Action

Resolution of Maritime Scholars (2006):

“... the health of N.C.’s fishing communities is increasingly fragile and in a state of flux and crisis, imperiling the unique culture of the coastal plain ...”

Advent to Action

**June 2006 conference in New Bern, NC,
sponsored by NC Sea Grant:**

“North Carolina’s Changing Waterfronts: Coastal
Access and Traditional Uses”

Nearly 200 attended

Riveted public and media attention on the loss of
working waterfronts and public access to coastal
public trust waters

Advent to Action: Media Coverage

**Fishing industry gives way to residential,
but is it really an economic benefit?**

State Port Pilot (Southport)

Coastal diversity becoming thing of the past

Outer Banks Sentinel

Land rush may cost locals their harbor

The News and Observer (Raleigh)

Public piers on N.C. coast are vanishing

The Charlotte Observer

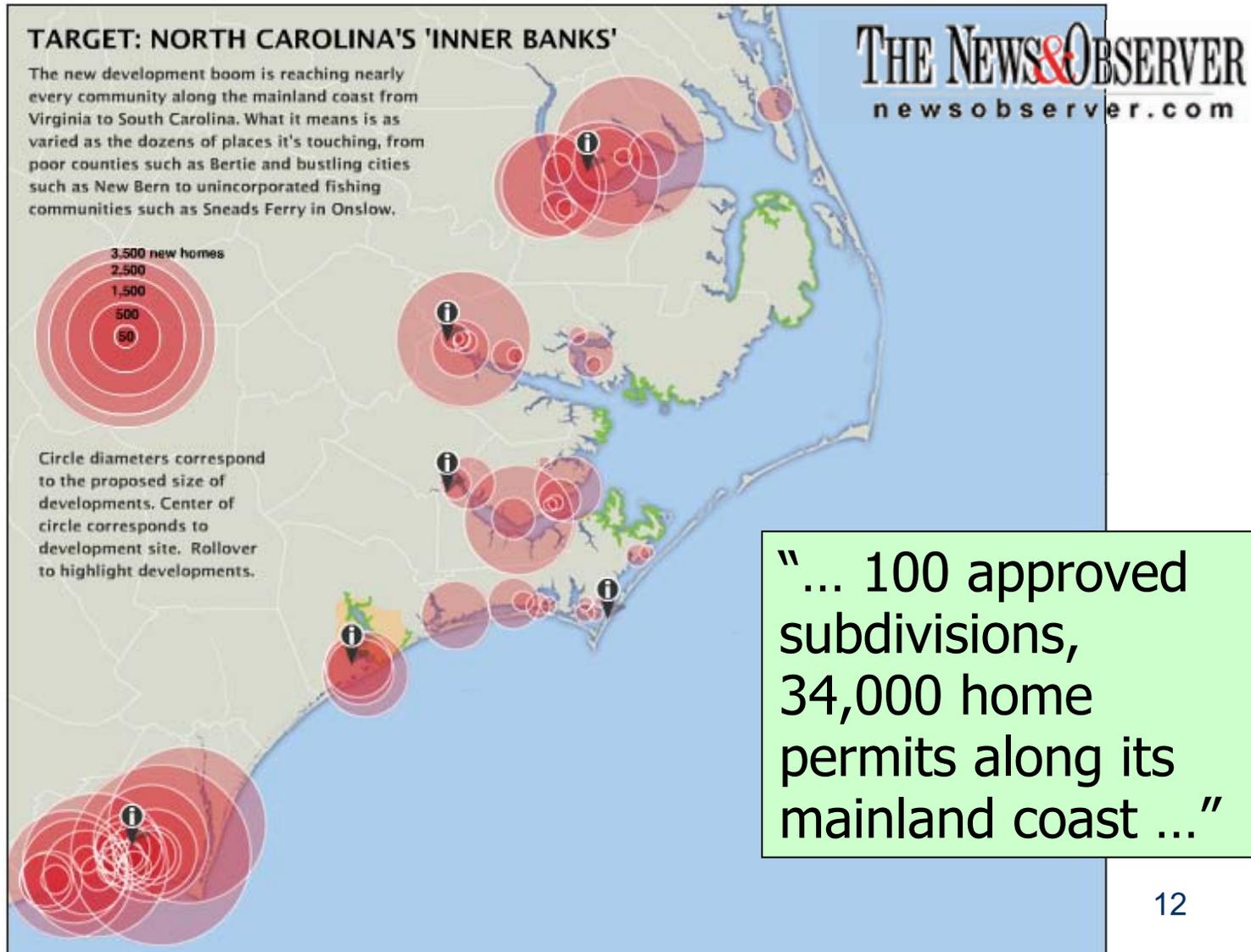
**Boat storage, access prices soar
as waterfronts develop**

V h k l h m f s n m

The fight to save working waterfronts

The Island Breeze (Hatteras/Ocracoke)

Advent to Action: Media Coverage



Guiding N.C. Waterfront Access

Waterfront Access Study Committee Created

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Passed July 27, 2006

Signed into law on August 16, 2006

Appointments made within 4 weeks

Committee Approach & Activities

Four (4) full committee business meetings, open to the public:

- Three (3) in coastal settings

- Emphasized presentations and discussions

Staffed and facilitated by NC Sea Grant and the NC Coastal Resources Law, Planning and Policy Center, under contract with the NC General Assembly.

Committee Approach & Activities

Creation/use of WASC website (www.ncseagrants.org/waterfronts) as an electronic “kiosk” and clearinghouse to facilitate discussions, WASC member and public input and positions, and meeting transcripts.

WASC public input email: wasc_public@ncseagrants.org.

Committee Approach & Activities

Three regional public comment meetings:

Jan. 30 – North: Manteo, at North Carolina Aquarium

Jan. 31 – Central: Morehead City, at Carteret Community College

Feb. 1 – South: Wilmington, at
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Total audience of over 275 people, with 68 making formal statements

WASC Recommendations

Focus Areas

Retaining & enhancing working waterfronts

Enhancing public access to coastal waters

Planning/zoning approaches

PDRs and TDRs

Fishing piers

Fees for public trust submerged lands
easements

WASC Recommendations

Focus Areas

Meeting environmental compliance costs

Comprehensive socioeconomic study

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approaches

Educational outreach

Further study and oversight

WASC Recommendations

Retaining / Enhancing Working Waterfronts:

Extend present use value eligibility to working waterfronts.

Establish a working waterfront trust fund, or other

Endorse NC DENR One NC Naturally Program, { } database and model to identify working lands, including working waterfronts.

WASC Recommendations

Enhancing Public Access to Coastal Waters:

Fund existing NCWRC Boating Infrastructure Program at significantly higher levels, giving priority to coastal public trust water access.

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public access in infrastructural programs.

WASC Recommendations

Enhancing Public Access to Coastal Waters:

Fund existing NCDCM Beach & Coastal Waterfront Access Programs at significantly higher levels.

Urge NCDWR's Water Resources Development Grant Program to give greater priority to applications seeking enhanced public access to higher levels.

WASC Recommendations

Enhancing Public Access to Coastal Waters:

Allocate a reasonable share of proceeds from State's new saltwater fishing license to public fishing access projects.

Support the Joint Legislative Commission on Land and Water Conservation proposal to allocate \$1B over 5 years to conservation, cultural and historic preservation activities.

WASC Recommendations

Enhancing Public Access to Coastal Waters:

Elevate public recreational access enhancement as a criteria for awarding of grants through the State's Clean Water Management Trust Fund.

Require state coastal resource management agencies to catalog and prioritize waterfront site needs.

WASC Recommendations

Planning / Zoning Approaches:

Under State CAMA, require local governments to inventory / assess / develop policies regarding working waterfronts.

Provide additional funding via existing NCDPCM Planning and Management Grant Program for local government public access inventories / plans.

WASC Recommendations

Planning / Zoning Approaches:

Amend State CAMA to authorize provision of grants to local governments to inventory / plan for retention / enhancement of working waterfronts.

Urge local governments to explore potential use of specialized zoning techniques, such as conditional zoning.

WASC Recommendations

Purchase of Development Rights (PDRs) & Transfer of Development Rights (TDRs):

Urge enacting legislation to authorize PDRs and TDRs at the local level for use in working waterfront and public access retention and enhancement programs.

WASC Recommendations

Fishing Piers:

Grant present use value taxation eligibility to private commercial fishing piers (that provide public access).

Assist fishing piers owners with storm damage

aside.

Authorize and fund the NC Aquariums to pilot the design / development / operation of three (3) public fishing piers to provide public angling access and educational opportunities.

WASC Recommendations

Fees for Public Trust Submerged Lands Easements:

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trust submerged lands easement fee structure as
means to create revenues for access
development.

Explore new means to generate a source of
State revenues for working waterfronts and
public access.

WASC Recommendations

Fees for Public Trust Submerged Lands Easements:

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permanent sale of docks or “dockominiums” that
occupy public trust submerged lands.

WASC Recommendations

Meeting Environmental Compliance

Costs:

Make funds available to assist working waterfront and public access facility developers in
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are fully compliance with environmental regulations.

WASC Recommendations

A Comprehensive Socioeconomic Study:

Provide funding for a comprehensive socioeconomic study of working waterfronts and access to coastal public trust waters.

4. Encourage the establishment of locally based working waterfront and public access advisory committees.

Encourage the establishment of locally based working waterfront and public access advisory committees to provide representation.

WASC Recommendations

Educational Outreach:

Support educational outreach programs to improve retention and enhancement of working waterfront and public access to coastal waters.

Further Study and Oversight:

Establish a formal joint legislative commission that continues to study and guide working waterfront and public access programs.

State Response

HR1473, the 2007 NC State Budget Bill, established \$20M Waterfront Access & Marine Industry (WAMI) Fund

Underwritten by COPs

Managed by DMF

Charged to invest state monies in facilities that expand/retain public access and working waterfronts

159 investment proposals received; currently narrowed down to 40 projects; will fund on 21 projects in 2008.

State Response

Senate Bill 646 passes; signed as

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related properties

Creates Waterfront Access Coordination Committee staffed by DENR (will advise on expenditures from the \$20M WAMI Fund). Must submit state access plan and recommendations to enhance access.

State Response

Senate Bill 646 (continued)

Directs DOT to coordinate with other agencies to enhance access development

Streamlines permit process for rebuilding waterfront facilities

Increases boat fees, thus infusing WRC Boating Infrastructure Program Funding

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State & Local Response

Agency Action

DCM/CRC to examine changes in planning requirements for CZM plans in coastal counties

NC Aquariums announces plans to build 3 fishing piers by 2014. Will include Jeanette's Pier, near Nags Head (north coast), a pier at Emerald Isle (central coast), and another at an unidentified site in the south
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million

Dockominium legality: NCCRLPPC analysis

Local Action

Oak Island/Yaupon Pier bid

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www.ncseagrant.org/waterfronts

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