

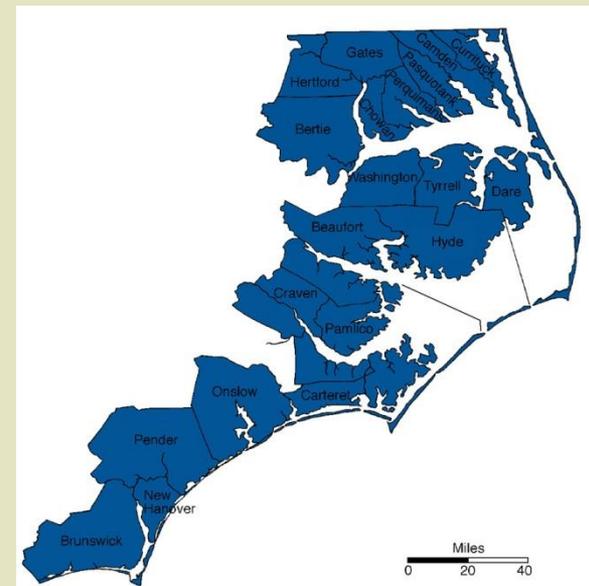


CAMA Permitting and Development on Oak Island



Heather Coats
Field Representative

Tara Macpherson
Field Specialist





CZMA/CAMA

CZMA- Coastal Zone Management Act
passed by US Congress in 1972

CAMA- Coastal Area Management Act
passed by the NC General Assembly in '74



Areas of Environmental Concern

- **Estuarine and Ocean System**
 - **Public trust waters and submerged lands, estuarine waters, coastal wetlands, and coastal (non-ocean) shorelines**
- **Public Water Supplies**
- **Natural and Cultural Resource Areas**
- **Ocean Hazard Areas**



CAMA Permits

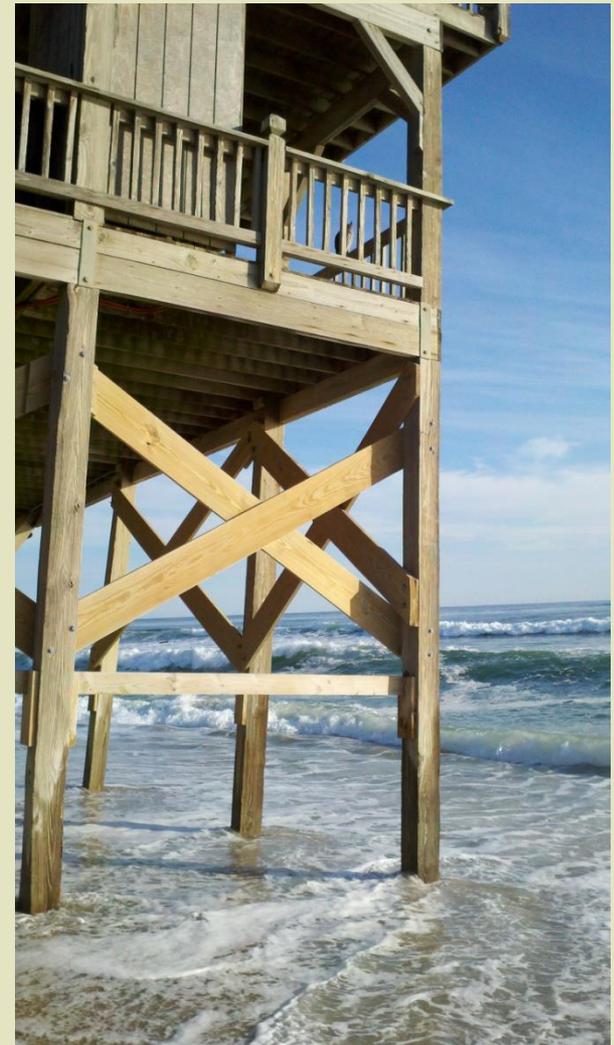
- 3 categories:
 - Minor permits issued by local governments consistent w/CRC-established standards (~ 29% CAMA permits)
 - General permits issued by DCM field staff - streamlined for routine projects (~ 65% CAMA permits)
 - Major permit applications issued by Morehead City office after review by 10 state & 4 fed. agencies (~ 6% of all CAMA permits)



Ocean Hazard Areas

DCM jurisdiction includes:

- *Ocean Erodeable Area*
- *High Hazard Flood Areas*
- *Inlet Hazard Areas*
- *Unvegetated Beach Area*

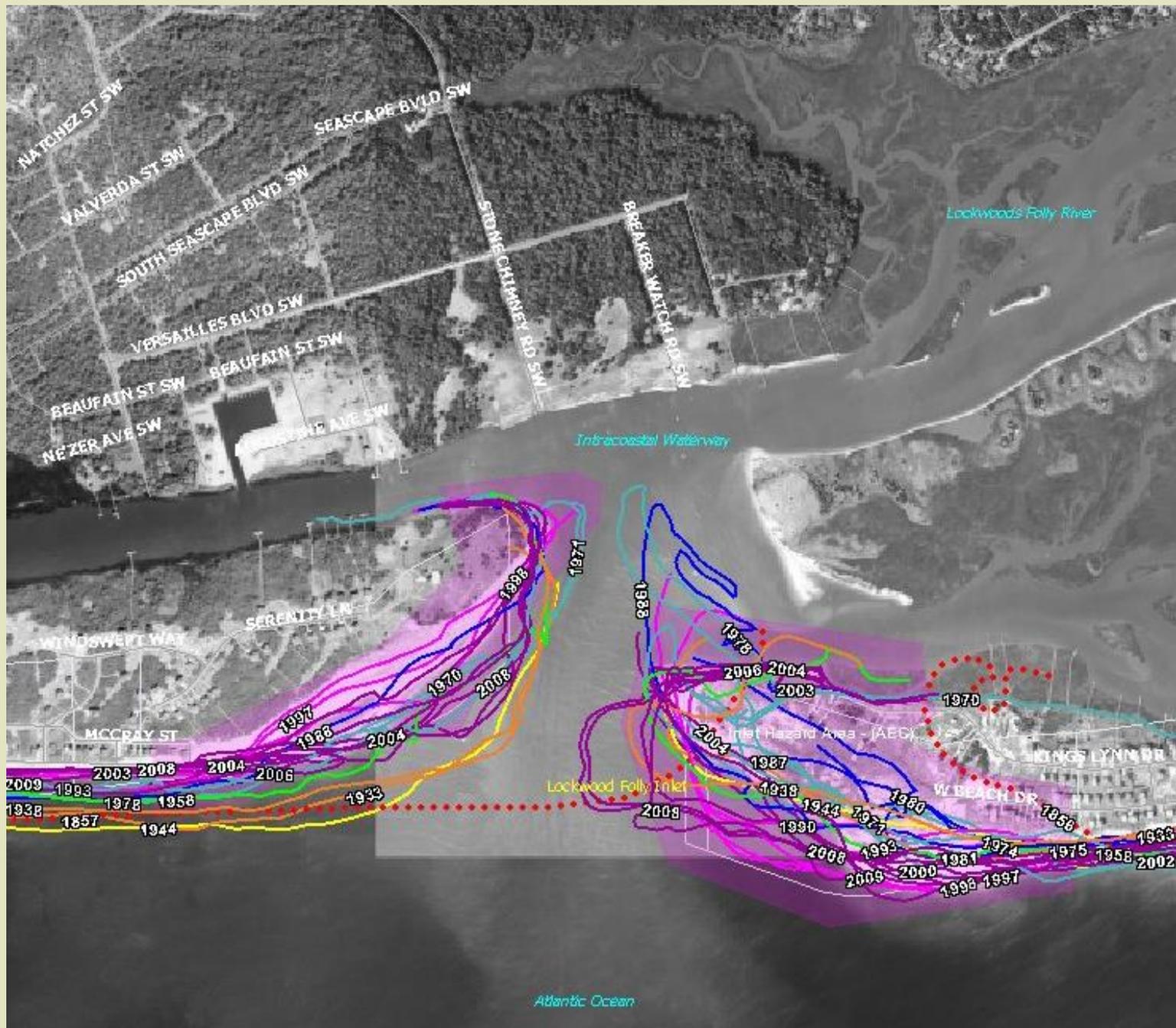




Inlet Hazard Areas (IHA)

- Areas especially vulnerable to erosion and flooding due to proximity to ocean inlets
- IHA boundaries designated in 1981
- Structures <4 units
- Density restrictions
- No dune building





October 2013



September 2014



January 2013



February 2014



October 2014



69th Pl W

Kings-Lynn Dr

66th Pl W



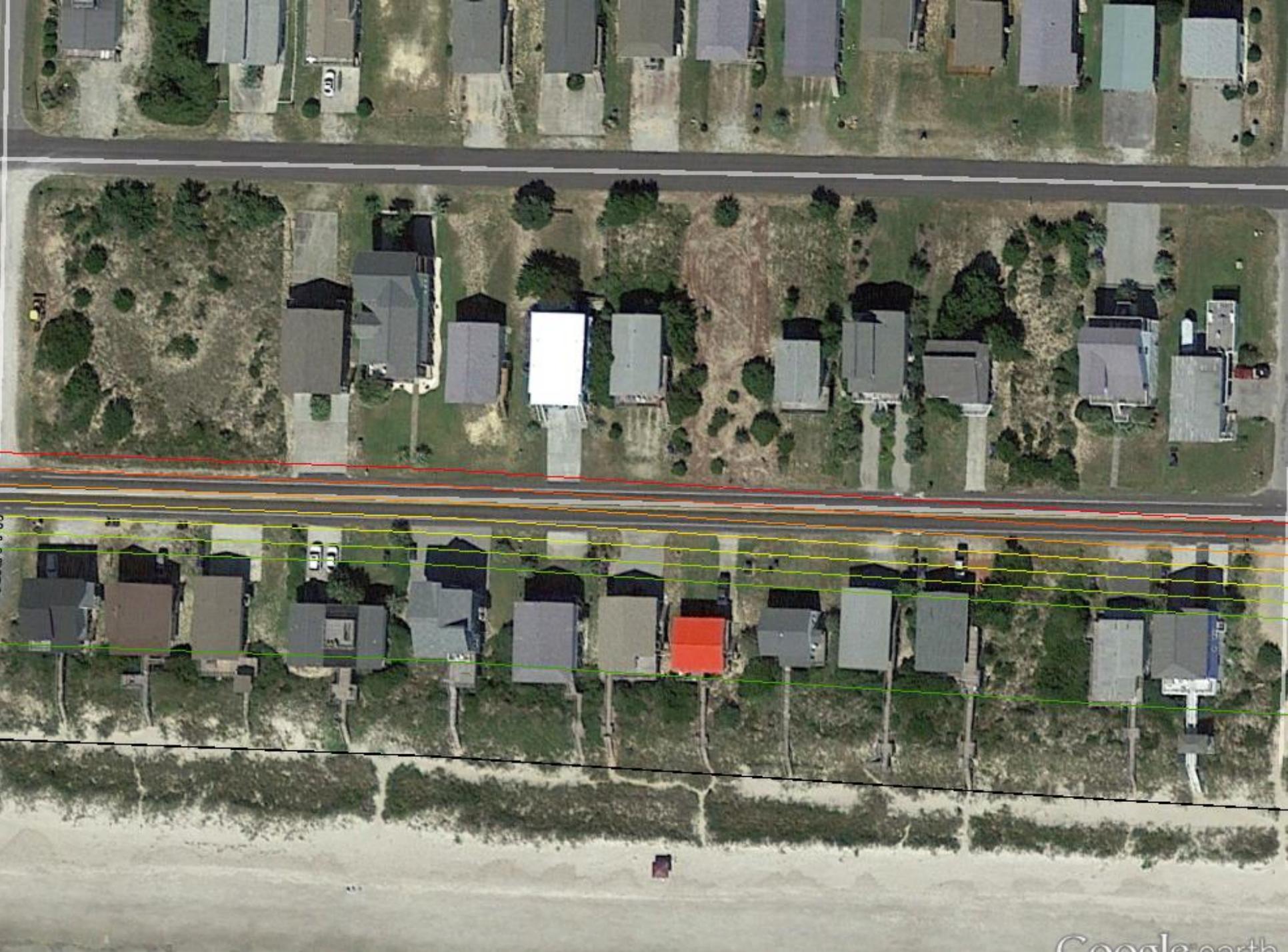
Ocean Hazard Area (AECs)

- Graduated setbacks depend on building size
 - 30 x erosion (if < 5K sf); 90 x (if > 100K sf)
- Protection for frontal dunes, public access
- Prohibition on permanent erosion control structures
- Temporary Erosion Control/Sandbag rules
- Beach Nourishment, Dune Stabilization
- Building Construction Standards
- Exceptions



The Static Line

- Oak Island has a static line for the majority of its oceanfront shoreline. This must be used instead of the actual first line of stable, natural vegetation.
- There is currently an option for a Static Line Exception.
- The CRC is currently evaluating the static line rules. Static Line vs. Development Line?





SE 33rd

SE 41st St

SE 42nd St

SE 44th St

SE 45th St

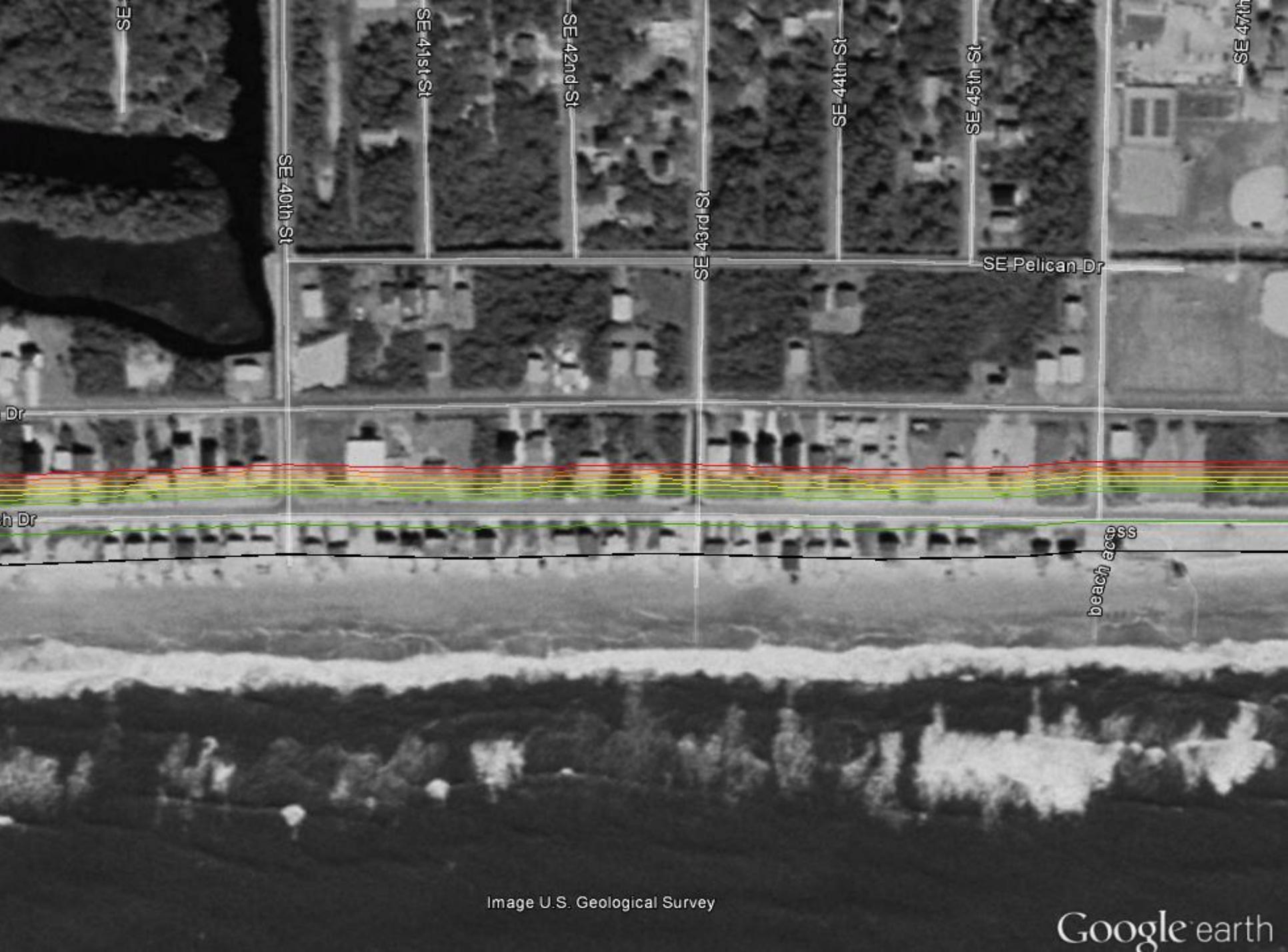
SE 40th St

SE 43rd St

SE 46th St

E Dolphin Dr

beach access





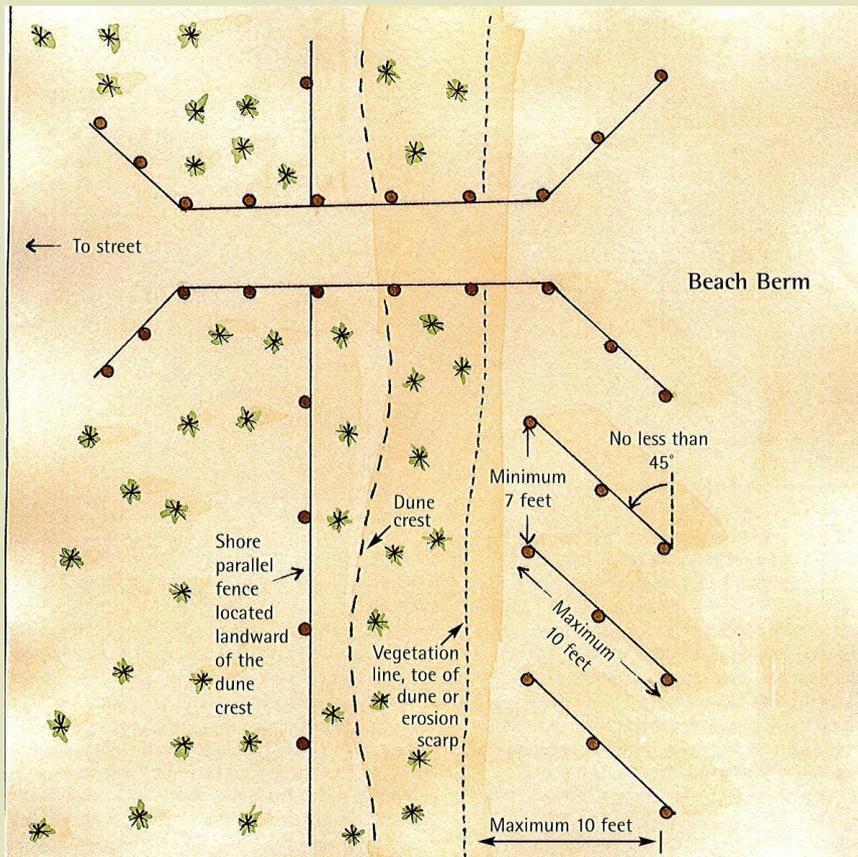
Exceptions to the Setback

- Campsites
- Single story sheds <200sf
- Parking areas w/ clay, packed sand, gravel
- Temp amusement stands
- Elevated decks- 500 sf
- Sand fencing
- Beach accessways
- Swimming pools
- Unenclosed, uninhabitable gazebos- up to 200sf



Sandfencing & dune planting

Recommended dune plant species

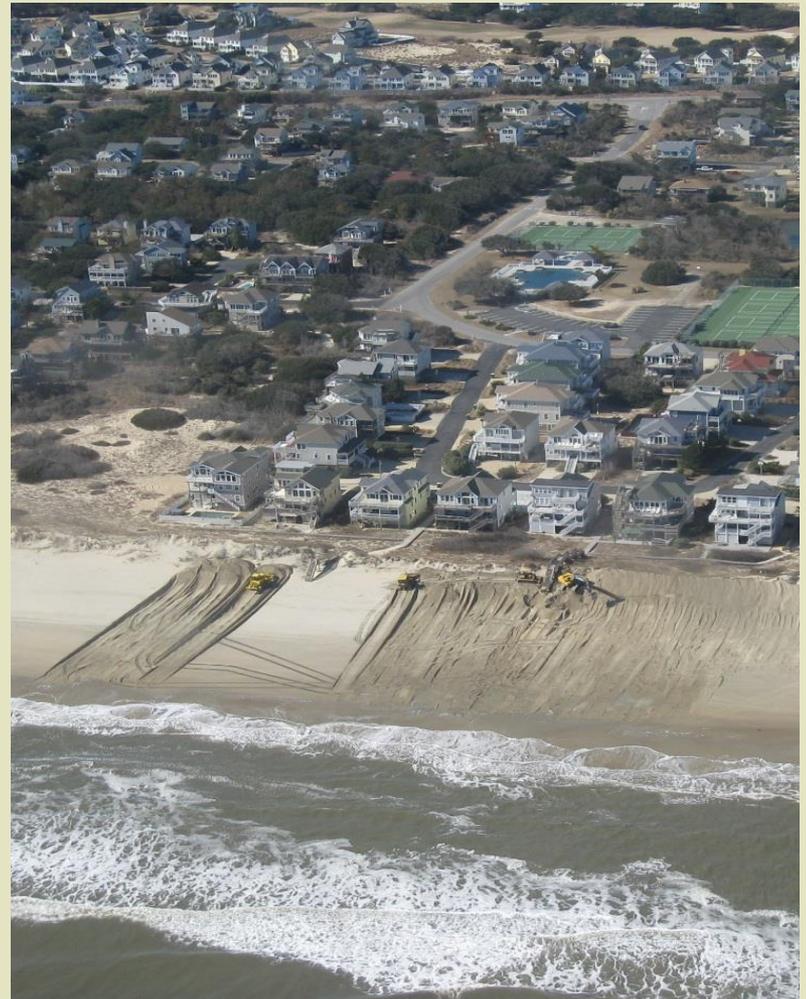


- **Sea Oats** (*Uniola paniculata*)
- **American Beachgrass** (*Ammophila breviligulata*)
- **Bitter Panicum** (*Panicum amarum*)
- **Saltmeadow Hay** (*Spartina patens*)



Bulldozing

- GP 1800 (15A NCAC 7H.1800) allows beach bulldozing landward of the MHW mark in the Ocean Hazard AEC, but does not apply to IHAs.





Sandbags

- If community is actively pursuing inlet relocation or stabilization project, sandbags may remain in place for up to 8 years from date of approval, and may be used more than once in Inlet Hazard Areas. Outside the IHA, sandbags may remain in place 2 years for structures <5,000 sf in TFA, and 5 years for structures >5,000sf or roads/infrastructure.
- Bags can be used to protect homes, septic systems, & roads.





AECs in the Estuarine and Ocean System

- Coastal Shoreline
 - ✓ Estuarine Shoreline
 - ✓ Public Trust Shoreline
- Coastal Wetlands
- Public Trust Areas
- Estuarine Waters



Estuarine Waters



All waters including the Atlantic Ocean and all bays, sounds, rivers, & tributaries seaward of the dividing line between coastal and inland fishing waters as agreed upon by MFC, DENR and the WRC.

Right-of-Way
Harborlines
Disposal Areas
Navigation Channels
Setbacks
Last Update: 19 Aug 2011



PNA_OKI AIWW

W Yacht Dr

NW-13th St

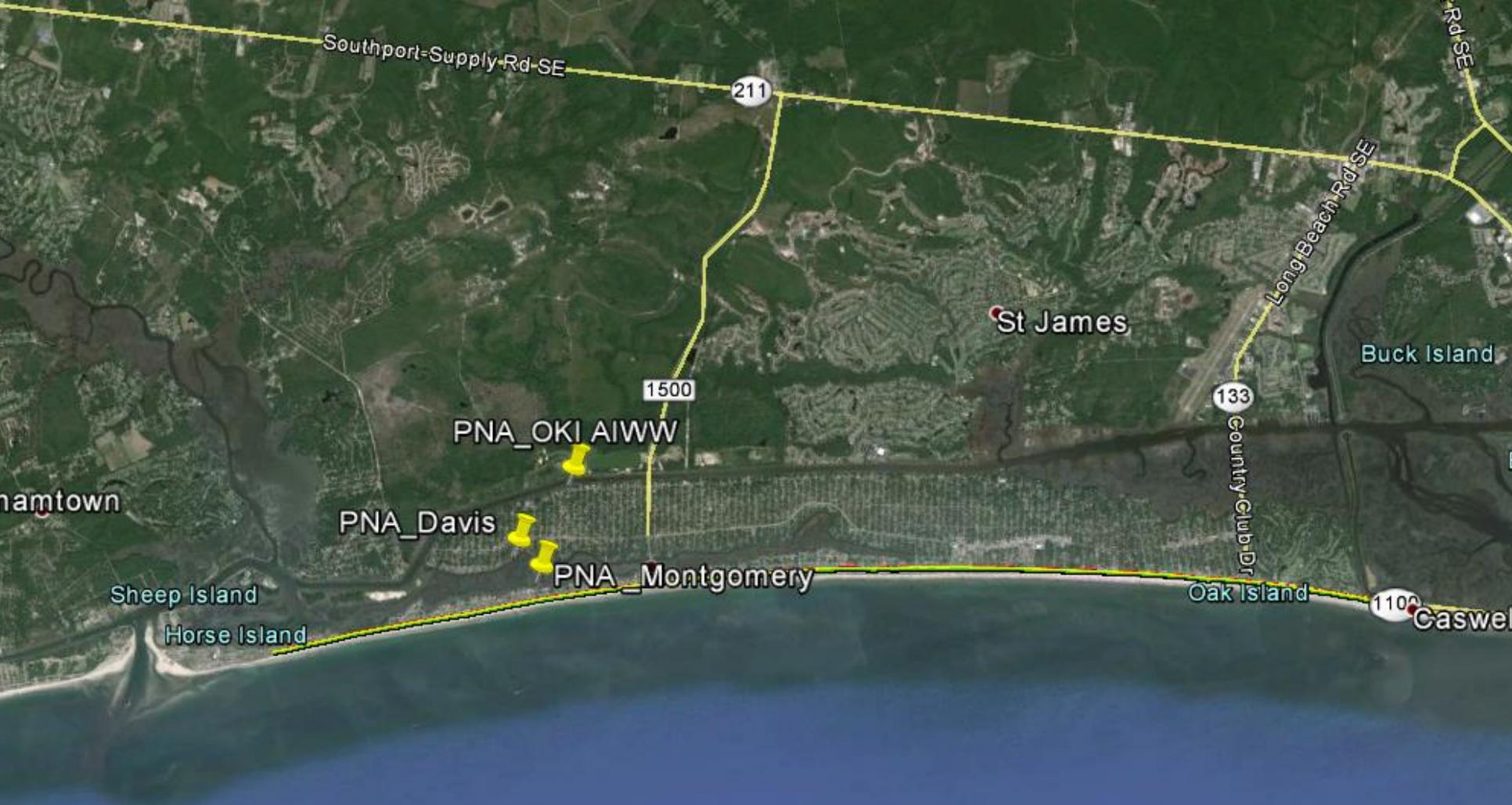
NW-12th St

NW-11th St

NW-10th St

NW-9th St

NW-8th St



© 2015 Google

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

Google earth



Estuarine Shoreline AEC



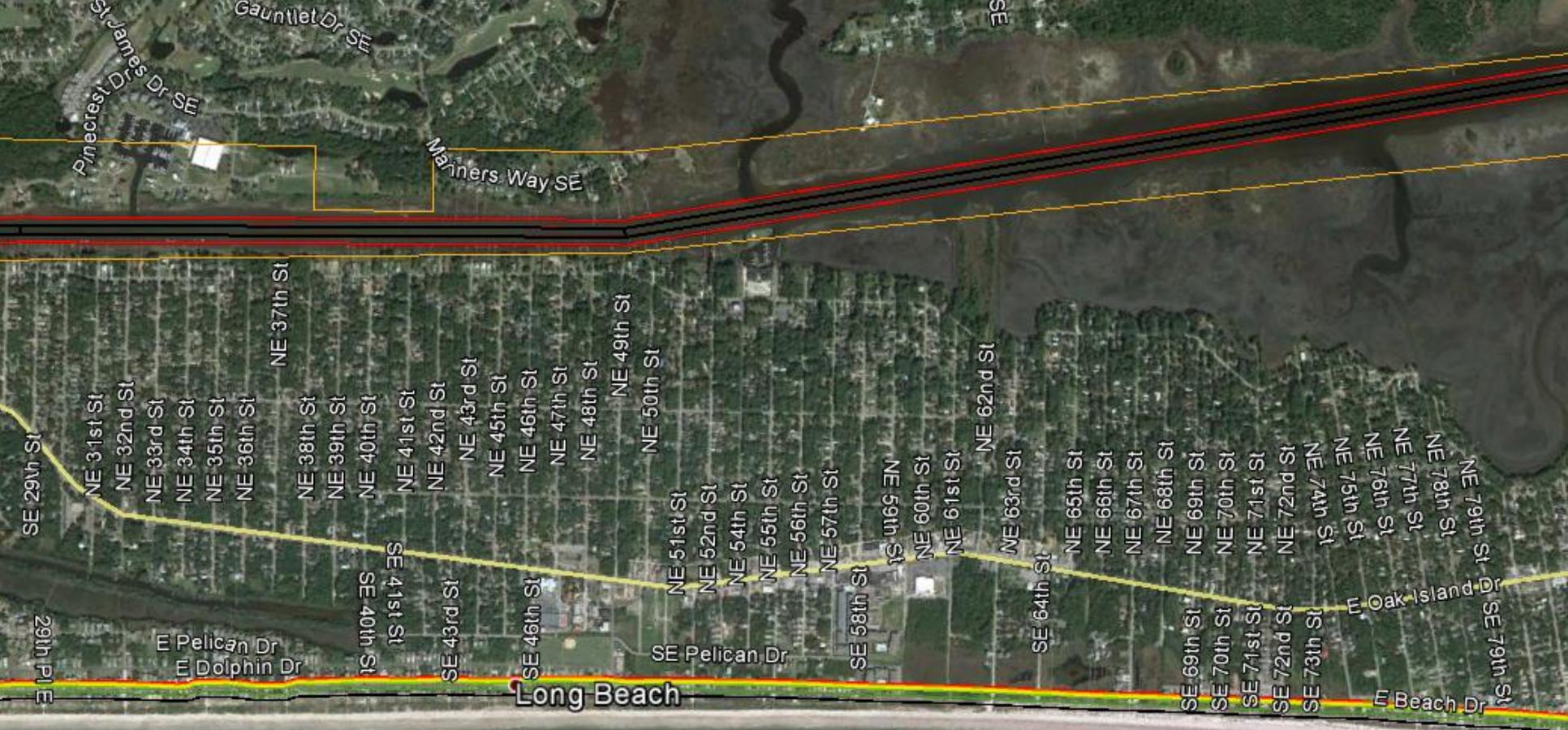
30 ft.

**75
ft.**



Coastal Wetland species





Long Beach

Division of Coastal Management



Locality _____ Permit Number _____
Ocean Hazard _____ Estuarine Shoreline _____ ORW Shoreline _____ Public Trust Shoreline _____ Other _____
(For official use only)

GENERAL INFORMATION

LAND OWNER

Name _____
Address _____
City _____ State _____ Zip _____ Phone _____
Email _____

AUTHORIZED AGENT

Name _____
Address _____
City _____ State _____ Zip _____ Phone _____
Email _____

LOCATION OF PROJECT: (Address, street name and/or directions to site. If not oceanfront, what is the name of the adjacent waterbody.) _____

DESCRIPTION OF PROJECT: (List all proposed construction and land disturbance.) _____

SIZE OF LOT/PARCEL: _____ square feet _____ acres

PROPOSED USE: Residential (Single-family Multi-family) Commercial/Industrial Other

COMPLETE EITHER (1) OR (2) BELOW (Contact your Local Permit Officer if you are not sure which AEC applies to your property):

(1) **OCEAN HAZARD AECs: TOTAL FLOOR AREA OF PROPOSED STRUCTURE:** _____ square feet (includes air conditioned living space, parking elevated above ground level, non-conditioned space elevated above ground level but excluding non-load-bearing attic space)

(2) **COASTAL SHORELINE AECs: SIZE OF BUILDING FOOTPRINT AND OTHER IMPERVIOUS OR BUILT UPON SURFACES:** _____ square feet (includes the area of the roof/drip line of all buildings, driveways, covered decks, concrete or masonry patios, etc. that are within the applicable AEC. Attach your calculations with the project drawing.)

STATE STORMWATER MANAGEMENT PERMIT: Is the project located in an area subject to a State Stormwater Management Permit issued by the NC Division of Water Quality?
YES _____ NO _____

If yes, list the total built upon area/impervious surface allowed for your lot or parcel: _____ square feet.

OTHER PERMITS MAY BE REQUIRED: The activity you are planning may require permits other than the CAMA minor development permit, including, but not limited to: Drinking Water Well, Septic Tank (or other sanitary waste treatment system), Building, Electrical, Plumbing, Heating and Air Conditioning, Insulation and Energy Conservation, FIA Certification, Sand Dune, Sediment Control, Subdivision Approval, Mobile Home Park Approval, Highway Connection, and others. Check with your Local Permit Officer for more information.

STATEMENT OF OWNERSHIP:

I, the undersigned, an applicant for a CAMA minor development permit, being either the owner of property in an AEC or a person authorized to act as an agent for purposes of applying for a CAMA minor development permit, certify that the person listed as landowner on this application has a significant interest in the real property described therein. This interest can be described as: (check one)

_____ an owner or record title, Title is vested in _____, see Deed Book _____ page _____ in the _____ County Registry of Deeds.

_____ an owner by virtue of inheritance. Applicant is an heir to the estate of _____; probate was in _____ County.

_____ if other interest, such as written contract or lease, explain below or use a separate sheet & attach to this application.

NOTIFICATION OF ADJACENT PROPERTY OWNERS:

I furthermore certify that the following persons are owners of properties adjoining this property. I affirm that I have given **ACTUAL NOTICE** to each of them concerning my intent to develop this property and to apply for a CAMA permit.

(Name)	(Address)
(1) _____	_____
(2) _____	_____
(3) _____	_____
(4) _____	_____

ACKNOWLEDGEMENTS:

I, the undersigned, acknowledge that the land owner is aware that the proposed development is planned for an area which may be susceptible to erosion and/or flooding. I acknowledge that the Local Permit Officer has explained to me the particular hazard problems associated with this lot. This explanation was accompanied by recommendations concerning stabilization and floodproofing techniques.

I furthermore certify that I am authorized to grant, and do in fact grant, permission to Division of Coastal Management staff, the Local Permit Officer and their agents to enter on the aforementioned lands in connection with evaluating information related to this permit application.

This the _____ day of _____, 20 _____

Landowner or person authorized to act as his/her agent for purpose of filing a CAMA permit application

This application includes: general information (this form), a site drawing as described on the back of this application, the ownership statement, the Ocean Hazard AEC Notice where necessary, a check for \$100.00 made payable to the locality, and any information as may be provided orally by the applicant. The details of the application as described by these sources are incorporated without reference in any permit which may be issued. Deviation from these details will constitute a violation of any permit. Any person developing in an AEC without permit is subject to civil, criminal and administrative action.

Division of Coastal Management



AEC HAZARD NOTICE

Project Is In An: _____ Ocean Erodible Area _____ High Hazard Flood Area _____ Inlet Hazard Area

Property Owner: _____

Property Address: _____

Date Lot Was Platted: _____

This notice is intended to make you, the applicant, aware of the special risks and conditions associated with development in this area, which is subject to natural hazards such as storms, erosion and currents. The rules of the Coastal Resources Commission require that you receive an AEC Hazard Notice and acknowledge that notice in writing before a permit for development can be issued.

The Commission's rules on building standards, oceanfront setbacks and dune alterations are designed to minimize, but not eliminate, property loss from hazards. By granting permits, the Coastal Resources Commission does not guarantee the safety of the development and assumes no liability for future damage to the development. Permits issued in the Ocean Hazard Area of Environmental Concern include the condition that structures be relocated or dismantled if they become imminently threatened by changes in shoreline configuration. The structure(s) must be relocated or dismantled within two (2) years of becoming imminently threatened, and in any case upon its collapse or subsidence.

The best available information, as accepted by the Coastal Resources Commission, indicates that the annual long-term average ocean erosion rate for the area where your property is located is _____ feet per year.

The rate was established by careful analysis of aerial photographs of the coastline taken over the past 50 years.

Studies also indicate that the shoreline could move as much as _____ feet landward in a major storm.

The flood waters in a major storm are predicted to be about _____ feet deep in this area.

Preferred oceanfront protection measures are beach nourishment and relocation of threatened structures. Hard erosion control structures such as bulkheads, seawalls, revetments, groins, jetties and breakwaters are prohibited. Temporary sand bags may be authorized under certain conditions.

The applicant must acknowledge this information and requirements by signing this notice in the space below. Without the proper signature, the application will not be complete.

SPECIAL NOTE: This hazard notice is required for development in areas subject to sudden and massive storms and erosion. Permits issued for development in this area expire on December 31 of the third year following the year in which the permit was issued. Shortly before work begins on the project site, the Local Permit Officer must be contacted to determine the vegetation line and setback distance at your site. If the property has seen little change since the time of permit issuance, and the proposed development can still meet the setback requirement, the LPO will inform you that you may begin work. Substantial progress on the project must be made within 60 days of this setback determination, or the setback must be remeasured. Also, the occurrence of a major shoreline change as the result of a storm within the 60-day period will necessitate remeasurement of the setback. It is important that you check with the LPO before the permit expires for official approval to continue the work after the permit has expired. Generally, if foundation pilings have been placed and substantial progress is continuing, permit renewal can be authorized. It is unlawful to continue work after permit expiration.

For more information, contact:

Local Permit Officer _____

Address _____

Locality _____

Phone Number _____

BEFORE YOU BUILD

Setting Back for Safety: A Guide to Wise Development Along the Oceanfront

When you build along the oceanfront, you take a calculated risk. Natural forces of water and wind collide with tons of force, even on calm days.

Man-made structures cannot be guaranteed to survive the force of a hurricane. Long-term erosion (or barrier island migration) may take from two to ten feet of the beach each year, and, sooner or later, will threaten oceanfront structures. These are the facts of life for oceanfront property owners.

The Coastal Resources Commission (CRC) has adopted rules for building along the oceanfront. The rules are intended to avoid an unreasonable risk to life and property, and to limit public and private losses from storm and long-term erosion. These rules lessen but do not eliminate the element of risk in oceanfront development.

As you consider building along the oceanfront, the CRC wants you to understand the rules and the risks. With this knowledge, you can make a more informed decision about where and how to build in the coastal area.

The Rules

When you build along the oceanfront, coastal management rules require that the structure be sited to fit safely into the beach environment.

Structures along the oceanfront, less than 5,000 square feet in size, must be behind the frontal dune, landward of the crest of the primary dune, and set back from the first line of stable natural vegetation a distance equal to 30 times the annual erosion rate (a minimum of 60 feet). The setback calculation increases as the size of the structure increases [15A NCAC 7H.0306(a)(2)]. For example: A structure between 5,000 and 10,000 square feet would require a setback from the first line of stable, natural vegetation to a distance equal to 60 times the annual erosion rate (a minimum of 120 feet). The graduated setback continues to increase through structure sizes greater than 100,000 square feet.

The Reasons

The beachfront is an ever-changing landform. The beach and the dunes are natural "shock absorbers," taking the beating of the wind and waves and protection the inland areas. By incorporating building setbacks into the regulations, you have a good chance of enjoying the full life of the structure. At first, it seems very inviting to build your dream house as close to the beach as possible, but in five years you could find the dream has become a nightmare as high tides and storm tides threaten your investment.

The Exception

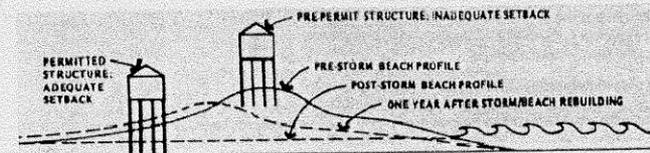
The Coastal Resources Commission recognized that these rules, initially passed in June 1979, might prove a hardship for some property owners. Therefore, they established an exception for lots that cannot meet the setback requirement. The exception allows buildings in front of the current setback, if the following conditions apply:

- (1) the lot must have been platted as of June 1, 1979, and is not capable of being enlarged by combining with adjoining land under the same ownership;
- (2) development must be constructed as far back on the property as possible and in no case less than 60 feet landward of the vegetation line;
- (3) no development can take place on the frontal dune;
- (4) special construction standards on piling depth and square footage must be met; and
- (5) all other CAMA, state and local regulations must be met.

The exception is not available in the Inlet Hazard Area.

To determine eligibility for the exception the Local Permit Officer will make these measurements and observations:

- _____ required setback from vegetation line
- _____ exception setback (maximum feasible)
- _____ rear property line setback
- _____ max. allowable square footage on lowest floor
- _____ piling length needed to extend 4 feet below MSL



After the storm, the house on the dune will be gone. The other house has a much better chance of survival.

Applicant Signature _____

Date _____

Revised 2/07



General Permits

- No application form to fill out.
- Prepare a drawing of the proposed work.
- Notify the adjacent riparian property owners.
- Schedule a site visit.
- Most permits valid for 4 months.
- Permit fee, agent authorization, DMF/ACE?



Major permits

- Most issued within 60-75 days of a complete application.
- Recommend a scoping meeting with other agencies prior to application submittal.
- Require plans drawn to scale, a copy of the deed, a narrative, application forms, adjacent property owner notification.
- Permits valid for 3 years.

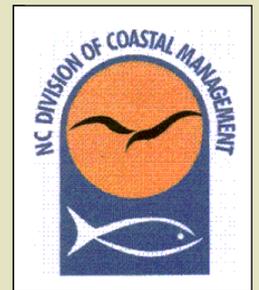


Maintenance & Repairs

- Statutorily exempt from requiring a permit.
- Less than 50% of the structure's depreciated value for non-water dependent structures (e.g. houses).
- Less than 50% of the structural components for water-dependent structures (e.g. docks, bulkheads).
- **Must submit documentation to substantiate.**



CAMA Part II





3rd Party Appeals

- Anyone can appeal a permit.
- Must be submitted within 20 days of permit issue date.
- Submitted directly to the Director of DCM.
- Decision is made by the Chairman of the CRC.



Variance Petitions

If a Major or Minor CAMA Permit has been **denied**.

Or

If a Permittee does not agree with a specific permit condition.

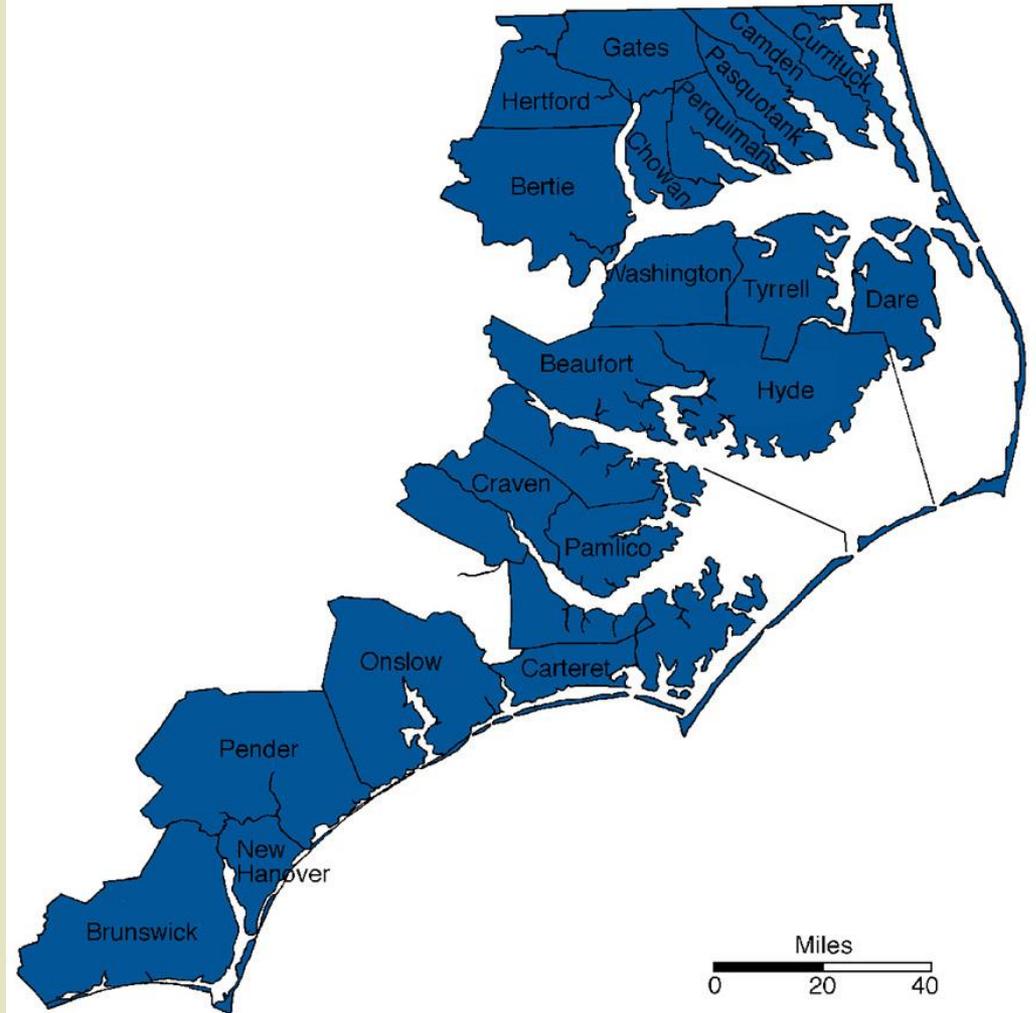
- Must **seek relief from the local requirements** restricting use of the property prior to filing a petition for a variance from a rule of the CRC.
- Variance petition must be received **6 weeks** in advance of a scheduled CRC meeting.



Compliance with CAMA Permits



**Am I in one of
the 20 Coastal
Counties
undertaking
development
in an AEC??**



Permit Class
NEW (Express Permit Program)

Permit Number

STATE OF NORTH CAROLINA
Department of Environment and Natural Resources
and
Coastal Resources Commission

Permit

for

Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

Excavation and/or filling pursuant to NCGS 113-229

Issued to [REDACTED], 20 Harbour Walk, New Bern, NC 28562

Authorizing development in Craven County on a manmade canal off the Trent River, in the River Bend Community, off SR 1222, as requested in the permittee's application dated 7/9/09 (MP-1) and 6/25/09 (MP-2), including the attached workplan drawings (5 total), as referenced in Condition No. 1 of this permit

This permit, issued on August 13, 2009, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

Authorized Development

- 1) Unless specifically altered herein, this permit authorizes the replacement of the existing bulkhead and boardwalk onsite the Harbour Walk Owners Association, Inc. property on a manmade canal system off the Trent River in the Community of River Bend near the City of New Bern, all as depicted in the attached permit application and workplan drawings (5 total): CO.1 dated 6/30/09, C1.1 dated 6/30/09, C1.2 dated 6/18/09, C1.3 dated 6/18/09, and C2.1 dated 6/18/09.

(See Attached Sheets for Additional Conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. An appeal requires resolution prior to work initiation or continuance as the case may be.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

December 31, 2012

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.

David W. Mays (Express Permit Coordinator)
for James H. Gregson, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

Signature of Permittee

- Review all permit conditions and approved plans as stated on the face of permit

- Varying from approved plans is a violation of the permit



Federal Agencies	State Agencies
U.S. Army Corps of Engineers	Division of Water Quality
U.S. Fish and Wildlife Service	Division of Marine Fisheries
Environmental Protection Agency	Division of Transportation
National Marine Fisheries Service	Division of Land Resources
	Wildlife Resources Commission
	Department of Cultural Resources
	Division of Public Health
	State Property Office
+ Local Government	Community Assistance



How do I avoid CAMA Permit Violations??

1. Make sure your project complies with the CRC's development standards and **all permit conditions**.
2. When you are issued a CAMA permit, you should consult with the Coastal Management field representative or local permit officer **before** beginning work to make sure that your work will meet all requirements.
3. A Coastal Management field representative or a local permit officer will periodically monitor work at your project site.



Compliance & Enforcement Program

Prevention of violations:

- Involvement in pre-construction meetings.
- Educational Seminars

Monitoring:

- onsite inspections
- aerial surveillance flight program

Issue NOV's:

- Unauthorized Development in AEC(s)
- Violation of conditions of Permit





Compliance Monitoring Routine Aerial Surveillance Flights





CAMA VIOLATIONS

- ~ In all violations, Coastal Management's and local government's first priority is to seek resource recovery
 - ~Tiered Enforcement Policy



Tiered Enforcement

Tier 1 Violation:
Stop Work Order

Example: Initiating Pier
Construction





Tier 2 Violation

Notice of Violation, Civil Penalty



Example: Permittable Jet ski lift



Example: Fill brought into lot- Stabilized no CW impacts.



Tier 3 Violation- Dredge and Fill violation or refusal to restore an impacted area.

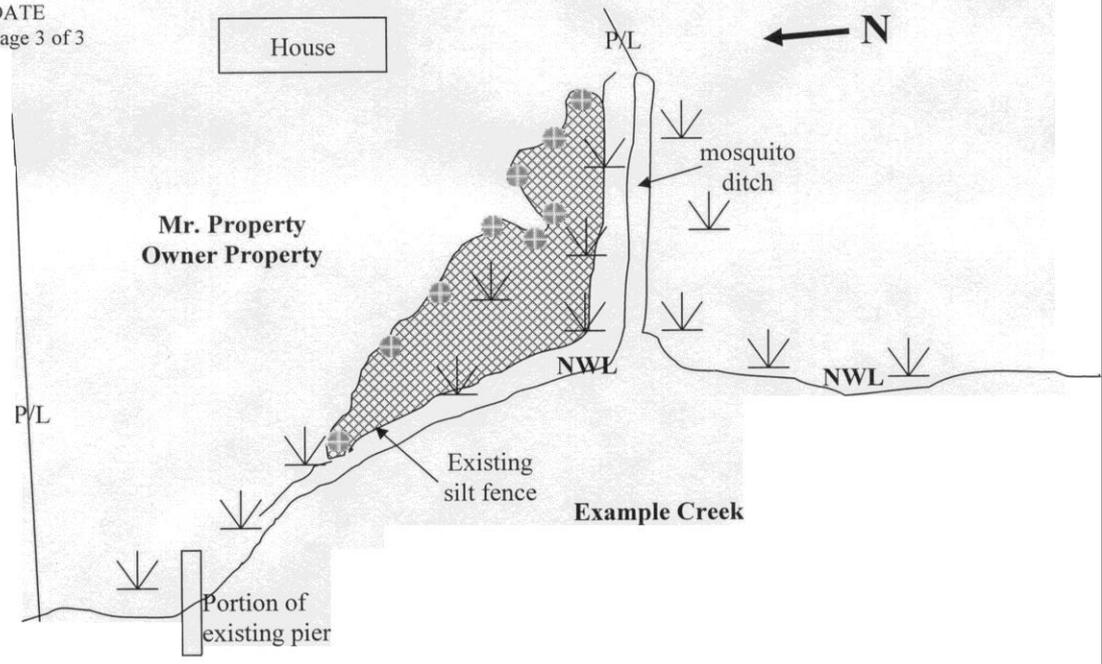


Example: Fill brought in to create a beach filling coastal wetlands and public trust areas.



Example Coastal Wetland Fill Violation with restoration required and completed





	DCM Flag
	Fill in Coastal Wetland to be removed
	Coastal Wetlands

Not To Scale

Example: Restoration Plan for the unauthorized filling of Coastal Wetlands to create more upland yard area.

Restoration Agreement

I, Mr. Property Owner, agree to restore the earthen filled area in Coastal Wetlands on my property. All affected areas of Coastal Wetlands shall be restored to the original elevations and contours. Sedimentation and Erosion control measures, i.e. silt fence, shall be taken to prevent the re-entry of material into Coastal Wetlands.

I agree to complete the restoration to the satisfaction of the Division of Coastal Management by **DATE (30 days)** or provide an explanation of non-compliance and a reasonable request for a time extension.

Signature _____

Date _____

It is the policy of the Coastal Resource Commission to levy a civil penalty assessment not to exceed \$10,000 against all violations. If restoration of the affected area is not undertaken or completed satisfactorily, a substantially higher civil assessment will be levied and an injunction sought to require restoration.



PENALTIES FOR VIOLATIONS

Permittable Development: Two times the Permit Fee**

Non-Permittable Development: Based on square footage of restoration area**

Major Violations: Maximum Fine = \$10,000**

Willful and Intentional -subject to a minimum penalty of \$2,000 + investigative costs.

Minor Violations: Maximum Fine = \$1,000**

Willful and Intentional - subject to a minimum penalty of \$1,000 + investigative costs.

** plus investigative costs

15A NCAC 07J .0409 CIVIL PENALTIES

Schedule A Major Development Violations

Size of Violation (sq. ft.)

AREA OF ENVIRONMENTAL CONCERN AFFECTED	≤ 100	101-500	501-1,000	1001-3000	3001-5000	5001-8000	8001-11,000	11,001-15,000	15,001-20,000	20,001-25,000	>25,000
ESTUARINE WATERS OR PUBLIC TRUST AREAS (1)	\$250	\$375	\$500	\$1,500	\$2,000	\$3,500	\$5,000	\$7,000	\$9,000	\$10,000	\$10,000
Primary Nursery Areas	\$100	\$225	\$350	\$850	\$1,350	\$2,850	\$4,350	\$3,000	\$1,000	n/a	n/a
Mudflats and Shell Bottom	\$100	\$225	\$350	\$850	\$1,350	\$2,850	\$4,350	\$3,000	\$1,000	n/a	n/a
Submerged Aquatic Vegetation	\$100	\$225	\$350	\$850	\$1,350	\$2,850	\$4,350	\$3,000	\$1,000	n/a	n/a
COASTAL WETLANDS											
COASTAL SHORELINES	\$250	\$350	\$450	\$850	\$1,250	\$2,450	\$3,650	\$5,250	\$7,250	\$9,250	\$10,000
Wetlands (2)	\$100	\$200	\$300	\$700	\$1,100	\$2,300	\$3,500	\$4,750	\$2,750	\$750	n/a
ORW- Adjacent Areas	\$100	\$200	\$300	\$700	\$1,100	\$2,300	\$3,500	\$4,750	\$2,750	\$750	n/a



Common Compliance Issues



reply

prohibited ^[2]

Posted: a month ago

[print](#)

★ Boat Lifts For Sale - No permits needed (NC)



Come checkout the Launch Pad Lift. We have 4400, 6600, 8800 and 12,000 capacities that can be used on a wide variety of boats. They are simple to use and can easily be moved if you ever change slips. No permitting is required unlike typical boat lifts. They have 10 year warranties on the tanks and require no maintenance. The lifts are delivered to you fully assembled to the nearest boat ramp then its a quick tow to your slip and you're done. We currently have lifts in the water in Carolina Beach for demo. Below is a link to a video showing how they work.

<https://www.youtube.com/watch?v=J1zDhvkDSTA>

Thank you!

- do NOT contact me with unsolicited services or offers

condition: **new**

more ads by this user

- [safety tips](#)
- [prohibited items](#)
- [product recalls](#)
- [avoiding scams](#)

post id: 4980955865

posted: a month ago

updated: 6 days ago

[email to friend](#)

▼ [best of](#) ^[2]



Montgomery Slough- State Owned

- Cannot span state owned marshland for water access

Property along the AIWW may have USACE Easements

- No development in these areas without USACE Consent. Contact USACE Real Estate Office.



Pergolas



****Not allowed within 30 ft. of NHW**



Marsh Mowing

- Cut to a height of no less than 2 ft. Leave clippings in place.
- Can be cut to six inches during the winter (December 1 to March 31)
- No alteration of substrate (no bush hogging)
- Access path of 4 ft. or less is **allowed to be maintained** at a height of no less than 6 inches for waterfront lots without pier access.





Division of Coastal Management Wilmington District

Field Representative for Oak Island -
Heather Coats: 910-796-7424

Field Specialist for Southern Region-
Tara MacPherson: 910-796-7425

127 Cardinal Drive Ext.
Wilmington, NC 28405-3845
910-796-7215