

15A NCAC 01T .0203 PROJECT ELIGIBILITY

(a) A shallow draft navigation channel dredging project proposed by a local government may be eligible for grant funds from the Shallow Draft Navigation Channel Dredging Fund provided that:

- (1) the project is designed to keep shallow draft navigation channels located in State waters or waters of the state located within lakes navigable and safe or the project is for siting and acquisition of dredged disposal easement sites associated with the maintenance of the Atlantic Intracoastal Waterway between the border with the state of South Carolina and the border with the Commonwealth of Virginia, under a Memorandum of Agreement between the state and the federal government; and
- (2) the cost share requirements of G.S. 143-215.73F(c) are met.

(b) The following are ineligible costs that may not be reimbursed from the Shallow Draft Navigation Channel Dredging Fund:

- (1) dredging underneath or immediately adjacent to privately owned ship berths, piers, docks, or similar facilities or businesses;
- (2) costs incurred for fines, penalties, legal fees, or litigation costs (including but not limited to litigation of a permit, penalty, enforcement action, or contract dispute);
- (3) costs incurred outside of the term of the grant contract between the Department and the local government;
- (4) purchase of equipment (including but not limited to barges and excavators);
- (5) indirect or overhead costs of the municipality, such as rent, telephone service, and general administrative support; or
- (6) salaries and other expenses of elected officials, whether incurred for purposes of project direction, execution, or legislation.

*History Note: Authority G.S. 143-215.73F;
Temporary Adoption Eff. February 8, 2023.*