

15A NCAC 07H .1104 GENERAL CONDITIONS

(a) This permit authorizes only the construction of bulkheads and riprap revetments conforming to the standards in this Section.

(b) Individuals shall allow authorized representatives of the Department of Environmental Quality to make inspections at any time in order to ensure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no interference with the use of the waters by the public by the existence of the bulkhead or the riprap revetment authorized herein. Bulkheads and riprap revetments authorized in this Section shall not interfere with the established or traditional rights of navigation of the waters by the public.

(d) This permit shall not be applicable to proposed construction where the Division of Coastal Management has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality, air quality, coastal wetlands, cultural or historic sites, wildlife, fisheries resources, or public trust rights.

(e) This permit shall not eliminate the need to obtain any other required State, local, or federal authorization.

(f) Development carried out under permit set forth in this Section shall be consistent with all State, federal, local requirements, and local land use plans current at the time of authorization.

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History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124; 113-229; Eff. March 1, 1984; Amended Eff. May 1, 1990; December 1, 1987; RRC Objection due to ambiguity Eff. May 19, 1994; Amended Eff. July 1, 2009; August 1, 1998; July 1, 1994; Readopted Eff. April 1, 2022.