

#### **15A NCAC 07H .1204 GENERAL CONDITIONS**

- (a) Piers and docking facilities authorized by the general permit set forth in this Section shall be for the exclusive use of the land owner or occupant and shall not be leased, rented, or used for any commercial purpose. Piers and docking facilities shall provide docking space for no more than two boats. Docking facilities providing docking space for more than two boats shall be reviewed through the major permitting process due to their greater potential for adverse impacts and, therefore, are not authorized by this general permit, excluding the exceptions described in Rule .1205 of this Section.
- (b) Individuals shall allow representatives of the Department of Environmental Quality to make inspections at any time in order to ensure that the activity being performed under the authority of the general permit set forth in this Section is in accordance with the terms and conditions prescribed herein.
- (c) There shall be no interference with navigation or use of the waters by the public through the existence of piers and docking facilities.
- (d) The permit set forth in this Section shall not be applicable to proposed construction where the Department determines that the proposed activity will endanger adjoining properties or significantly affect historic, cultural, scenic, conservation or recreation values, identified in G.S. 113A-102 and G.S. 113A-113(b)(4).
- (e) The permit set forth in this Section does not eliminate the need to obtain any other required State, local, or federal authorization.
- (f) Development carried out under the 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.

*History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124;  
Eff. March 1, 1984;  
Amended Eff. May 1, 1990;  
RRC Objection due to ambiguity Eff. May 19, 1994;  
Amended Eff. August 1, 2014; July 1, 2009; August 1, 1998; July 1, 1994;  
Readopted Eff. December 1, 2021.*