

15A NCAC 07H .2504 GENERAL CONDITIONS

- (a) This permit shall only become available following a written statement by the Secretary that, based upon hurricane or tropical storm related damage, implementation of the provisions of this Section are warranted.
- (b) Based upon an examination of the specific circumstances following a specific hurricane or tropical storm, the Secretary may choose to activate any or all of the components of this Section. The Secretary may also limit the geographic service area of this permit.
- (c) This permit authorizes only the replacement of damaged or destroyed structures, the reconstruction of frontal or primary dunes, and maintenance excavation activities conforming to the standards described in this Section.
- (d) This permit does not authorize the replacement of any structure within any Ocean Hazard Area of Environmental Concern, with the exception of those portions of shoreline within the Ocean Hazard AEC that feature characteristics of Estuarine Shorelines. Such features include the presence of wetland vegetation, lower wave energy, and lower erosion rates than in the adjoining Ocean Erodible Area.
- (e) Individuals shall allow authorized representatives of the Department of Environmental Quality to make inspections at any time in order to be sure that the activity being performed under authority of the general permit set forth in this Section is in accordance with the terms and conditions prescribed herein.
- (f) The permit set forth in this Section shall not be applicable to proposed construction where the Department determines that the proposed activity would endanger adjoining properties or significantly affect historic, cultural, scenic, conservation, or recreational values identified in G.S. 113A-102 and G.S. 113A-113(b)(4).
- (g) This permit does not eliminate the need to obtain any other required State, local, or federal authorization.
- (h) This permit does not preclude an individual from applying for other authorizations for structure replacement that may be available under the Coastal Area Management Act and the Rules of the Coastal Resources Commission. However, application fees for any such authorization shall not be waived or deferred.

*History Note: Authority G.S. 113A-107; 113A-118.1;
Temporary Adoption Eff. October 2, 1999;
Temporary Adoption Expired on July 28, 2000;
Eff. April 1, 2001;
Readopted Eff. July 1, 2022.*