



North Carolina Department of Environment and Natural Resources

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Dee Freeman, Secretary

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CAMA PERMITS FOR POST-HURRICANE CLEANUP, BEACH STABILIZATION AND RECONSTRUCTION

In the coastal counties, most rebuilding and shoreline stabilization activity (such as installation of sandbags for temporary erosion protection) requires a Coastal Area Management Act (CAMA) permit. DENR and the Coastal Resources Commission have developed a number of exemptions and special permits to expedite cleanup and repair/rebuilding activities after a natural disaster. The exemptions and permits available are described below. We encourage property owners to contact the nearest Division of Coastal Management office or local CAMA permit officer before beginning work -- even under an exemption -- to be sure the project meets all of the conditions for approval and also to avoid violation of federal permitting requirements.

EXEMPTIONS

By statute (G.S. 113A-103):

- Work by railroads, utilities or others engaged in distribution of petroleum products, water, telephone service or electricity to repair existing substations, sewers, mains, pipes, cables, utility tunnels, lines, towers, poles, or tracks on their property or right of way.
- Maintenance or repairs (excluding replacement) necessary to repair damage to structures caused by the elements or to prevent damage to imminently threatened structures by the creation of protective sand dunes. [Note: The coastal program uses the same 50% rule used under the State Building Code to distinguish exempt repairs from replacement that requires a permit – if the cost of fixing a structure exceeds 50% of the structure's pre-storm value, the activity will be considered replacement.]

Additional exemptions are available for minor maintenance and improvement activities that would not be exempt under the statute. (Rule:15A NCAC 7K.0200). The exemptions cover activities including: reconstruction of dune walkovers, accessory buildings and single family residences located on estuarine shorelines. The exemptions are available only for construction and reconstruction activities within certain development criteria (generally related to size and location of the structure). Reconstruction activities that are not exempt can still be authorized under one of several permitting options.

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CAMA GENERAL PERMITS

Each general permit describes a category of activities that can be authorized once Division of Coastal Management staff confirms that the project meets the general permit criteria. A general permit approval can usually be issued by the permit staff on site. Activities that fall outside the scope of a general permit would require an individual CAMA permit.

15A NCAC 7H.1700 General Permit for Emergency Work Requiring a CAMA and/or Dredge and Fill Permit. The general permit covers emergency work necessary to protect against or reduce imminent danger, including reestablishing necessary public facilities or transportation corridors and installation of temporary erosion control structures.

15A NCAC 7H.1800 General Permit to Allow Beach Bulldozing Landward of the Mean High Water Mark in the Ocean Hazard Area. The general permit covers beach bulldozing needed to reconstruct or repair dunes.

15A NCAC 7H.2300 General Permit for Replacement of Existing Bridges and Culverts in Estuarine Waters, Estuarine and Public Trust Shorelines, Public Trust Areas, and Coastal Wetlands.

15A NCAC 7H.2500 Emergency General Permit to be Initiated at the Discretion of the Secretary of the Department of Environment and Natural Resource. Unlike the first three general permits, this general permit only becomes available when activated by the Secretary in response to a hurricane or tropical storm and is limited to named counties that experienced significant storm damage (based on the Division of Coastal Management's post-storm damage survey). Also unlike the other general permits, it has a limited duration and only remains in effect for a specific period of time noted in the permit.

The general permit covers replacement of damaged or destroyed structures (outside the Ocean Hazard Area); dune reconstruction; and maintenance excavation of navigation channels and marina basins). The general permit covers reconstruction of many docks and piers that would not qualify for an exemption. Under the general permit, reconstruction must be limited to the pre-storm footprint and dimensions. There is no permit fee for coverage under this general permit.

Note: The general permit does not cover reconstruction of oceanfront structures. State and local officials need to individually assess the impacts of erosion before authorizing rebuilding of an oceanfront structure. Shoreline erosion can significantly affect the area available for reconstruction and may also affect the ability to replace a damaged septic system.

CAMA MINOR DEVELOPMENT PERMITS

Individual single family homes (including those on the oceanfront) may be reconstructed under a CAMA minor development permit issued by the local CAMA permit officer or the Division of Coastal Management. In most local governments with CAMA minor development permitting programs, the building inspector or someone else on the planning and inspection staff issues the permits.

CAMA rules specifically allow nonconforming structures (those that did not meet current development standards before the storm) to be rebuilt on the estuarine shoreline as long as the replacement structure will serve the same or similar use and will not exceed the original dimensions. Again, reconstruction of

buildings in the ocean and inlet hazard areas must be individually assessed in light of storm-related erosion.

Property owners can contact the nearest CAMA field office for help in deciding which of the exemptions or general permits may meet their needs. DCM will also work closely with those needing individual permits to insure that permit decisions are made as quickly as possible.