



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

Donna D. Moffitt, Director

William G. Ross, Jr., Secretary

June 3, 2002

MEMORANDUM

TO: Science Panel on Coastal Hazards

FROM: Donna Moffitt

SUBJECT: Need for CRC Rulemaking to Define/Describe Terms Used in CRC Rules That Apply to Beach Nourishment

As we agreed at your last meeting, I have spoken with the counsel for the Coastal Resources Commission, Ryke Longest, about the need for rulemaking on Rule 7H.0308(a)(3). The rule currently reads:

(3) Beach Nourishment. Sand used for beach nourishment shall be compatible with existing grain size and type. Sand to be used for beach nourishment shall be taken only from those areas where the resulting environmental impacts will be minimal.

There is also language about use standards for beach nourishment in 15A NCAC 7H.0208(b)(8) subsection (D). The rule currently reads:

(D) Material placed in the water and along the shoreline shall be clean and free from pollutants and highly erodible fill material. Grain size shall be equal to or larger than that found naturally on the site.

It is my understanding that the science panel has not previously given guidance on: 1) acceptable environmental impacts to borrow sites under 7H .0308(a)(3); 2) how to determine if sand is clean and free from pollutants and highly erodible fill material under 7H.0208(b)(8); and 3) how to determine whether sand is compatible with existing grain size and type under both rules.

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Mr. Longest advised me that the Science Panel's guidance would be useful for him to be able to advise DCM staff about implementing these rules as written and to determine whether new rulemaking is needed to address issues related to sand compatibility and environmental impacts. The Science Panel can provide guidance via white papers on the three points above, or the Science Panel can develop proposed rule language for DCM staff and Mr. Longest to review. Please advise Steve Benton as to how you would like to proceed on this matter.

cc: Charles Jones
Steve Underwood
Steve Benton
Pricey Harrison
Ryke Longest
Doug Huggett