

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

H

D

HOUSE DRH50317-LD-84A (04/19)

Short Title: LRC to Study Protection of Masonboro Island.

(Public)

Sponsors: Representative McComas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PROTECTION OF MASONBORO ISLAND IN ORDER TO ASSURE THAT THE ECOLOGICAL SYSTEMS OF THE ISLAND ARE MAINTAINED AND PRESERVED AND TO ASSURE THAT THE PUBLIC RETAINS ACCESS TO THE ISLAND.

The General Assembly of North Carolina enacts:

SECTION 1. The Legislative Research Commission shall study the protection of Masonboro Island, an undeveloped barrier island owned by the State and located off the coast of North Carolina between Wrightsville and Carolina Beaches, in order to assure that the ecological systems of the island are maintained and preserved and to assure that the public retains access to the island. In conducting its study, the Commission shall do all of the following:

- (1) Determine what protections Masonboro Island currently receives with respect to its ecological systems and access to it by the public as an area that is included in the Coastal Reserve Program under Part 5 of Article 7 of Chapter 113A of the General Statutes.
- (2) Determine the current and appropriate roles of the Division of Coastal Management of the Department of Environment and Natural Resources, the Coastal Resources Commission, and New Hanover County regarding these protections of Masonboro Island under subdivision (1) of this section.
- (3) Consider what administrative rules and local government rules apply to the ecological protection of Masonboro Island or to its use by the public.
- (4) Consider the specific changes to the rules under subdivision (3) of this section that are being considered or discussed by the Department of Environment and Natural Resources, the Coastal Resources Commission, or New Hanover County that could result in limiting public access to Masonboro Island or closing Masonboro Island to the public completely, what specific incidents and the location of these incidents that prompted such possible rule changes, and the costs to the Department, the Coastal Resources Commission, New Hanover County, and the public of adopting such possible rule changes.
- (5) Determine how to balance the interests of protecting the ecology of Masonboro Island and making Masonboro Island available to citizens who enjoy its natural beauty and wish to participate in the protection of the sea turtles and other native species from natural predators.



1 (6) Consider whether Part 5 of Article 7 of Chapter 113A of the General
2 Statutes or any administrative rules adopted pursuant to Part 5 should be
3 amended to achieve the appropriate balance of interests as determined under
4 subdivision (5) of this section.

5 (7) Consider whether adding Masonboro Island to the State Parks System would
6 result in achieving the appropriate balance of interests as determined under
7 subdivision (5) of this section.

8 (8) Any other issue the Commission considers relevant to its study.

9 **SECTION 2.** The Legislative Research Commission may make an interim report to
10 the 2011 General Assembly when it reconvenes in 2012 and shall make its final report to the
11 2013 General Assembly. Each report shall include the findings and recommendations of the
12 study, including any legislative or administrative proposals.

13 **SECTION 3.** There is appropriated from the General Fund to the General
14 Assembly the sum of twenty-five thousand dollars (\$25,000) for the 2011-2012 fiscal year and
15 the sum of twenty-five thousand dollars (\$25,000) for the 2012-2013 fiscal year for the cost of
16 conducting the study under this act.

17 **SECTION 4.** This act becomes effective July 1, 2011.