

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**SENATE DRS35323-SBz-26A\* (04/24)**

Short Title: Waterfront Access Study Committee. (Public)

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Sponsors: Senator Albertson.

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Referred to:

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A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE WATERFRONT ACCESS STUDY COMMITTEE  
2 AND TO DIRECT THE COMMITTEE TO STUDY THE LOSS OF DIVERSITY  
3 OF USES ALONG THE COASTAL SHORELINE OF NORTH CAROLINA AND  
4 HOW THESE LOSSES IMPACT ACCESS TO THE PUBLIC TRUST WATERS  
5 OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE  
6 COMMISSION ON SEAFOOD AND AQUACULTURE.  
7

8 Whereas, there is a growing concern that the State may be experiencing a loss  
9 of diversity of uses along its coastal shoreline as more people seek waterfront property;  
10 and

11 Whereas, many of the State's waterfront uses such as public marinas, boat  
12 building and boat servicing companies, commercial fishing facilities, fish houses, and  
13 other commercial establishments that depend on water access are being replaced by  
14 residential properties; and

15 Whereas, the North Carolina Marine Fisheries Commission and the North  
16 Carolina Coastal Resources Commission have adopted resolutions recognizing the  
17 importance of waterfront access issues; Now, therefore,  
18 The General Assembly of North Carolina enacts:

19 **SECTION 1.** Committee Created. – There is created the Waterfront Access  
20 Study Committee.

21 **SECTION 2.** Membership. – The Committee shall be comprised of 17  
22 members as follows:

- 23 (1) The Director of the Sea Grant College Program of The University of  
24 North Carolina or the Director's designee.  
25 (2) The Senate Cochair of the Joint Legislative Commission on Seafood  
26 and Aquaculture or the Cochair's designee.

- 1 (3) The House Cochair of the Joint Legislative Commission on Seafood  
2 and Aquaculture or the Cochair's designee.  
3 (4) The Chair of the Marine Fisheries Commission or the Chair's designee.  
4 (5) The Chair of the Coastal Resources Commission or the Chair's  
5 designee.  
6 (6) The Director of the Division of Marine Fisheries or the Director's  
7 designee.  
8 (7) The Director of the Division of Coastal Management or the Director's  
9 designee.  
10 (8) A representative of a local government located in the Northeast  
11 Coastal Region, as described by G.S. 143B-289.54(b), appointed by  
12 the President Pro Tempore of the Senate.  
13 (9) A representative of a local government located in the Central Coastal  
14 Region, as described by G.S. 143B-289.54(b), appointed by the  
15 Speaker of the House of Representatives.  
16 (10) A representative of a local government located in the Southeast  
17 Coastal Region, as described by G.S. 143B-289.54(b), appointed by  
18 the President Pro Tempore of the Senate.  
19 (11) An economist appointed by the Speaker of the House of  
20 Representatives.  
21 (12) A representative from the real estate development community  
22 appointed by the President Pro Tempore of the Senate.  
23 (13) A representative of the marine trades industry appointed by the  
24 Speaker of the House of Representatives.  
25 (14) A representative of the commercial fishing industry appointed by the  
26 President Pro Tempore of the Senate.  
27 (15) A representative of the recreational fishing industry appointed by the  
28 Speaker of the House of Representatives.  
29 (16) A social scientist appointed by the President Pro Tempore of the  
30 Senate.  
31 (17) A representative of the environmental community appointed by the  
32 Speaker of the House of Representatives.

33 Members shall serve at the pleasure of the appointing authority

34 **SECTION 3.** Duties of the Committee. – The Committee, with the  
35 assistance of the Sea Grant College Program of The University of North Carolina and  
36 the North Carolina Coastal Resources Law, Planning, and Policy Center, shall study the  
37 degree of loss and potential loss of the diversity of uses along the coastal shoreline of  
38 North Carolina and how these losses impact access to the public trust waters of the  
39 State. Specifically, the Committee shall:

- 40 (1) Gather information about local land-use management and zoning,  
41 current shoreline development trends, and local tax rates, including tax  
42 assessment trends for shoreline properties.

- 1           (2)    Collect research and information from North Carolina and other states  
2                    and jurisdictions regarding incentive-based techniques and  
3                    management tools used to preserve waterfront diversity.  
4           (3)    Assess the applicability of such tools and techniques to the coastal  
5                    shoreslines of North Carolina.  
6           (4)    Prepare a draft report with a statement of the issues, a summary of the  
7                    research, and recommendations to address issues of diversity of  
8                    waterfront use and access in North Carolina.  
9           (5)    Hold three public meetings to present the draft report and  
10                    recommendations to the public and user groups. One public meeting  
11                    shall be held in each of the three coastal regions described by  
12                    G.S. 143B-289.54(b).

13           **SECTION 4.** Vacancies. – Any vacancy shall be filled by the original  
14   appointing authority.

15           **SECTION 5.** Quorum. – A quorum of the Committee shall be a majority of  
16   its members.

17           **SECTION 6.** Chair. – The Director of the Sea Grant College Program of  
18   The University of North Carolina or the Director's designee shall be the Chair of the  
19   Committee.

20           **SECTION 7.** Meetings. – The Committee shall meet upon the call of the  
21   Chair.

22           **SECTION 8.** Expenses of Members. – Members of the Committee shall  
23   receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,  
24   138-5, or 138-6, as appropriate.

25           **SECTION 9.** Report. – The Committee may submit an interim report of its  
26   study to the Joint Legislative Commission on Seafood and Aquaculture, the Marine  
27   Fisheries Commission, and the Coastal Resources Commission no later than November  
28   1, 2006. The Committee shall submit a final report of the results of its study, including  
29   any legislative recommendations, to the Joint Legislative Commission on Seafood and  
30   Aquaculture, the Marine Fisheries Commission, and the Coastal Resources Commission  
31   no later than January 15, 2007.

32           **SECTION 10.** Expiration of Committee. – The Committee shall terminate  
33   on January 31, 2007, or upon the filing of its final report, whichever occurs first.

34           **SECTION 11.** Funds. – There is appropriated from the General Fund to the  
35   Sea Grant College Program of The University of North Carolina the sum of fifty  
36   thousand dollars (\$50,000) for the 2006-2007 fiscal year for the costs of the Waterfront  
37   Access Study Committee created by this act.

38           **SECTION 12.** This act becomes effective July 1, 2006.