

SUBCHAPTER 70 - NORTH CAROLINA COASTAL RESERVE

SECTION .0100 - GENERAL PROVISIONS

15A NCAC 070 .0101 STATEMENT OF PURPOSE

The principal purposes of the North Carolina Coastal Reserve and supporting programs are to:

- (1) preserve coastal ecosystems representative of the various biogeographic regions and typologies in North Carolina and to make them available for continuous future study of the processes, functions, and influences which shape and sustain the coastal ecosystems;
- (2) provide new information on coastal ecosystem processes to decisionmakers as a basis for the promotion of sound management of coastal resources;
- (3) provide a focal point for educational activities that increase the public awareness and understanding of coastal ecosystems, effects of man on them, and the importance of the coastal systems to the state and the Nation;
- (4) accommodate traditional recreational activities, commercial fishing, and other uses of the Reserve as long as they do not disturb the Reserve environment and are compatible with the research and educational activities taking place there.

*History Note: Authority G.S. 113-3; 113-8; 143B-10;
Eff. July 1, 1986;
Amended Eff. April 1, 1988.*

15A NCAC 070 .0102 DEFINITIONS AS USED IN THIS SUBCHAPTER

Definitions as used in this Subchapter are:

- (1) "Coastal Reserve" means those coastal land and water areas set aside to be maintained in their natural state for research, education and compatible recreation and enjoyment of natural and scenic beauty.
- (2) "Estuary" means that part of a river or stream or body of water having unimpaired connection with the open sea, where sea water is measurably diluted with fresh water derived from land drainage.
- (3) "Research Reserve" means a group of areas or components, each of which may include all or the key land and water portion of an estuary and adjacent transitional areas and uplands, constituting to the extent feasible a natural unit, set aside as a natural field laboratory to provide long-term opportunities for research, education, and interpretation of the ecological relationships within the area. The Coastal Reserve includes the Estuarine Research Reserve.
- (4) "Reserve" means any area designated pursuant to this Subchapter.

*History Note: Authority G.S. 113-3; 113-8; 143B-10;
Eff. July 1, 1986;
Amended Eff. April 1, 1988.*

15A NCAC 070 .0103 RESPONSIBILITIES: DUTIES OF THE COASTAL RESERVE PROGRAM

The Coastal Reserve Program of the Division of Coastal Management shall be responsible for managing and protecting the North Carolina Coastal Reserve; for promoting and coordinating research and educational programs at the components while allowing for compatible traditional uses; for maintaining a management plan for the Reserve; for maintaining cooperative agreements with scientific, educational, and resource management agencies and private citizens that will assist in the management of the Reserve; and for providing new information on coastal processes to coastal management decisionmakers.

*History Note: Authority G.S. 113-3; 113-8; 143B-10;
Eff. July 1, 1986;
Amended Eff. April 1, 1988.*

15A NCAC 070 .0104 STATE AND LOCAL COASTAL RESERVE ADVISORY COMMITTEES

Advisory committees shall be established for each individual Reserve component. The committees shall advise the Reserve coordinator. Members of the committees shall include researchers, educators, managers, and citizens that use or are affected by the Reserve. The committees shall be appointed by the Secretary of the Department of Environment, Health, and Natural Resources.

*History Note: Authority G.S. 113-3; 113-8; 143B-10;
Eff. July 1, 1986;
Amended Eff. May 1, 1990; April 1, 1988.*

15A NCAC 070 .0105 RESERVE COMPONENTS

(a) The North Carolina Coastal Reserve includes the following components:

- (1) Zeke's Island;
- (2) Rachel Carson;
- (3) Currituck Banks;
- (4) Masonboro Island;
- (5) Permuda Island;
- (6) Buxton Woods;
- (7) Bald Head Woods;
- (8) Kitty Hawk Woods;
- (9) Bird Island; and
- (10) Emily and Richardson Preyer Buckridge.

The North Carolina National Estuarine Research Reserve includes components in Subparagraphs (1) - (4) of this Rule.

(b) Detailed boundary maps for each component are maintained and available for inspection at the Division of Coastal Management, 400 Commerce Avenue, Morehead City NC 28557.

*History Note: Authority G.S. 113-3; 113-8; 143B-10;
Eff. July 1, 1986;
Amended Eff. February 1, 2006; April 1, 1999; August 1, 1991; April 1, 1988.*

SECTION .0200 - MANAGEMENT: USE AND PROTECTION OF THE NORTH CAROLINA COASTAL RESERVE

15A NCAC 070 .0201 MANAGEMENT PLAN

The Division of Coastal Management shall prepare a management plan for the Reserve. The management plan shall contain specific policies for research, education, and traditional uses at each component. The Secretary of the Department of Environment, Health, and Natural Resources shall approve the management plan and its revisions. The Division of Coastal Management shall monitor and manage the components and report to the secretary violations of the approved plan and any other situations that may be harmful to the natural resources of the Reserve.

*History Note: Authority G.S. 113-3; 113-8; 143-341; 143-342; 143B-10;
Eff. July 1, 1986;
Amended Eff. May 1, 1990; April 1, 1988.*

15A NCAC 070 .0202 RESERVE USE REQUIREMENTS

The following use requirements shall apply to all of the components of the Reserve:

- (1) The essential natural character of the Reserve shall be maintained.
- (2) Traditional recreational uses within each component shall be allowed to continue as long as the activities do not disrupt the natural integrity of the Reserve or any research or educational projects. Incompatible traditional uses shall include:
 - (a) fishing, hunting, or trapping activities not allowed by state rules;
 - (b) target shooting;
 - (c) hydraulic clam dredging within Reserve boundaries;
 - (d) use of vehicles off designated corridors at components where vehicles are allowed for upland transportation according to the management plan; and
 - (e) production of noise disruptive to local wildlife and the aesthetic enjoyment of the Reserve as a natural area.
- (3) No user shall disturb a research project or research equipment in place at the Reserve.
- (4) Camping or any form of habitation, whether on the uplands, wetlands, or waters within Reserve boundaries, shall not be allowed unless written permission is posted by the Division of Coastal Management.
- (5) Personal property not authorized by the management agency may not be placed within the boundaries of the Reserve for more than two consecutive days.
- (6) Users of the Reserve shall not disturb or remove any live animals, except those allowed by local or state hunting and fishing rules as they apply to the Reserve, or vegetation within the Reserve unless such action is part of a research or educational project approved by the management agency.
- (7) Persons wishing to engage in scientific research or collection of natural materials within the Reserve shall first secure written permission from the management agency.
- (8) No activity shall be allowed which might pollute any stream or body of water in the Reserve. Acts of pollution shall include:
 - (a) Deposition of solid materials not indigenous to the local coastal ecosystem; and
 - (b) Discharge of liquids other than uncontaminated estuarine water.
- (9) No other acts or uses which are detrimental to the maintenance of the property in its natural condition shall be allowed including, but not limited to, disturbances of the soil, mining, commercial or industrial uses, timber harvesting, ditching and draining, deposition of waste materials.

*History Note: Authority G.S. 143B-10;
Eff. July 1, 1986;
Amended Eff. April 1, 1999; December 1, 1991; April 1, 1988.*