



North Carolina Living Shoreline Permitting



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Field Representative
Washington Regional Office





Marsh Sills (Living Shorelines)

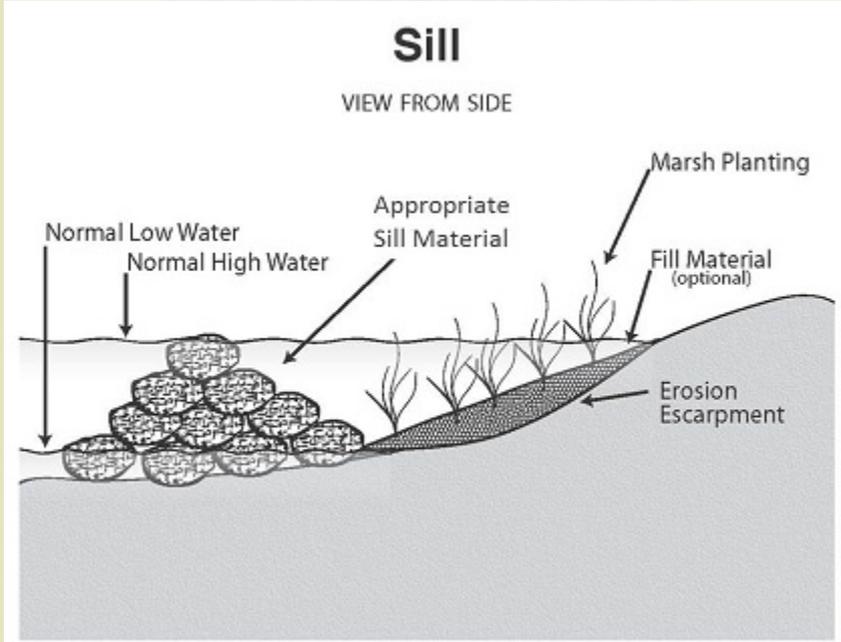
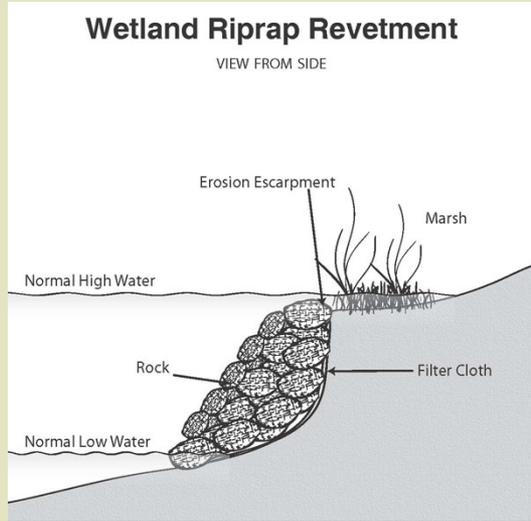
- Constructed out of sloping riprap stone including granite, marl, oyster shell or broken concrete placed offshore and parallel to shore to reduce wave energy to protect existing and or newly planted wetland/marsh grasses.





Shoreline Stabilization Permitting

- Categories:
 - General Permits (GPs): issued by DCM field staff and are streamlined major permits for routine projects (permit issuance averages 5 days)
 - Major permits: reviewed by 10 state & 4 federal agencies and are issued at the Division headquarters (permit issuance averages 75 days)



- General Permits
 - Riprap revetment for Wetland Protection GP (.2400)
 - Riprap Sill for Wetland Enhancement GP (.2700) – **AKA Living Shoreline GP**



General Permit Procedures

SECTION .2700 – GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT IN ESTUARINE AND PUBLIC TRUST WATERS

15A NCAC 7H .2701 PURPOSE

A general permit pursuant to this Section shall allow for the construction of riprap sills for wetland enhancement in estuarine and public trust waters as set out in Subchapter 7J .1100 and according to the rules in this Section.

History Note: Authority G.S. 113A-107; 113A-118.1;
Temporary Eff. June 15, 2004;
Eff. April 1, 2005.

15A NCAC 07H .2702 APPROVAL PROCEDURES

(a) An applicant for a General Permit under this Subchapter shall contact the Division of Coastal Management and request approval for development. The applicant shall provide information on site location, dimensions of the project area, and applicant name and address.

(b) The applicant shall provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. The notice shall instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within 10 days of receipt of the notice, and, indicate that no response will be interpreted as no objection.

(c) DCM staff shall review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit.

- Neighbor notifications
- Permit fee (\$200)



Proposed Amendments to Living Shoreline General Permit

Amendments to 15A NCAC .2700 GP for Construction of Marsh Sills

- Removes coordination with DMF, DWR, and USACE
- No backfilling of the sill structure through GP
- Sills shall not be constructed within any habitat that includes oyster reefs or shell banks. All sills shall have a minimum setback of 10 feet from any oysters, oyster beds, or shell banks
- Sills shall not be constructed within any native submerged aquatic vegetation. All sills shall have a minimum setback of 10 feet from any native submerged aquatic vegetation
- Sill material shall consist of clean rock, marl, oyster shell, or masonry materials such as granite or clean broken concrete or other materials that are approved by the N.C. Division of Coastal Management



Major CAMA/Dredge and Fill Permit for Living Shorelines

- **DCM and USACE permit coordination**

USACE has the ability to use their USACE 291 Programmatic General Permit for CAMA Major Permits which is unique to North Carolina and more efficient than other coastal states.

Division of Coastal Management



Permit Class
NEW

Permit Number
27-15

STATE OF NORTH CAROLINA
Department of Environment and Natural Resources
and
Coastal Resources Commission

Permit

for

Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

Excavation and/or filling pursuant to NCGS 113-229

Issued to N.C. Coastal Federation, 128 Greenville Street, Manteo, NC 27954

Authorizing development in Dare County adj. to Pamlico Sound, Shallowbag Bay, and Broad Creek, as requested in the permittee's application dated 10/28/14, including the attached workplan drawings (12), 6 dated received in MHD City on 12/18/14 and 6 dated 10/27/14

This permit, issued on February 26, 2015, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

- 1) In accordance with the permittee's email dated 2/26/15, the proposal to create an oyster reef structure located in Scarborough Creek is hereby removed from this project. Any reference to the proposed oyster reef structure in the attached application is hereby null and void.

Oyster Reefs

- 2) Unless specifically altered herein, this permit authorizes the construction the oyster reef structures that are depicted on the attached workplan drawings.
- 3) The alignment of the oyster reef structures shall be staked by the permittee and approved on site by a representative of the Division of Coastal Management within a maximum of 30 days prior to the start of any construction.

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date.

This permit shall be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work shall cease when the permit expires on

December 31, 2018

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.

 Braxton C. Davis, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

Signature of Permittee

- Living Shorelines currently go through the major permitting process.
- DCM provides coordination with other agencies on behalf of the applicant.



Major Permit

used for Living Shorelines

- Reviewed by 10 state & 4 federal agencies
- Permit issuance averages 75 days but can be issued within 30-45 days
- Application Requirements:

Adjacent Property owner notification

Deed (or other legal instrument)

Top view drawing

Cross section drawing

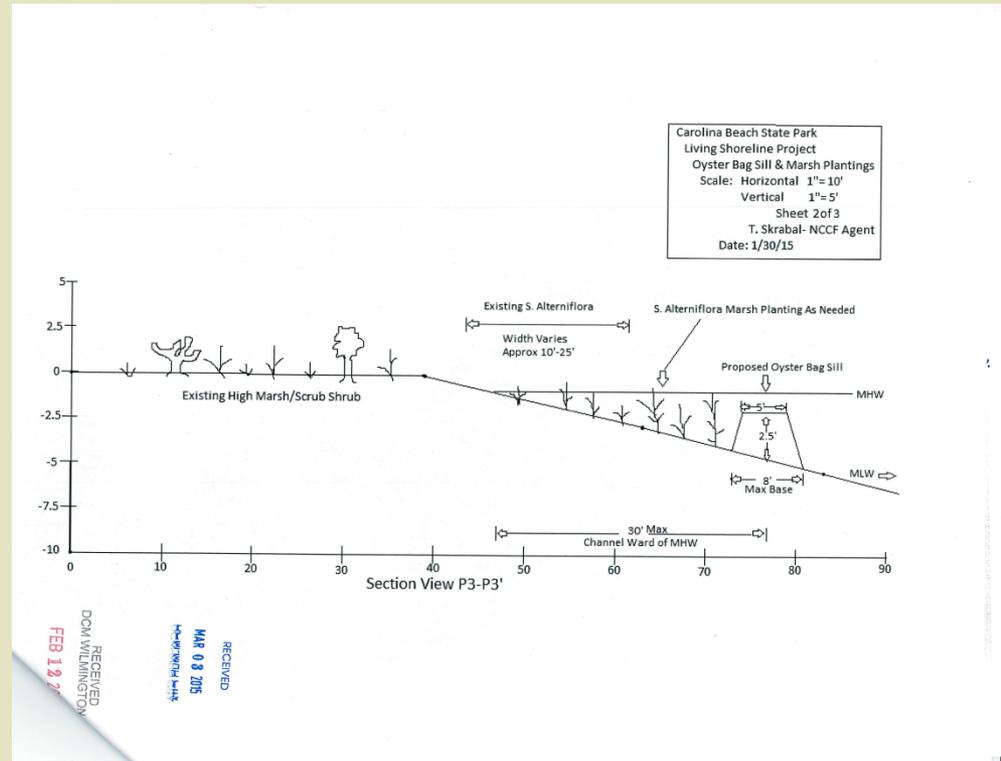
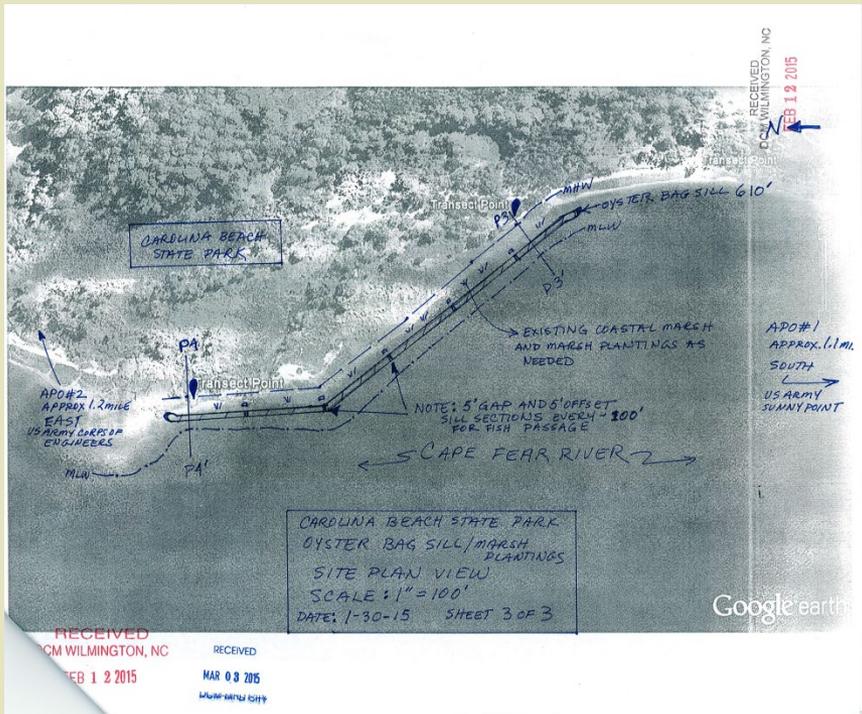
Application forms (MP-1 and MP-2)

\$400.00 permit fee

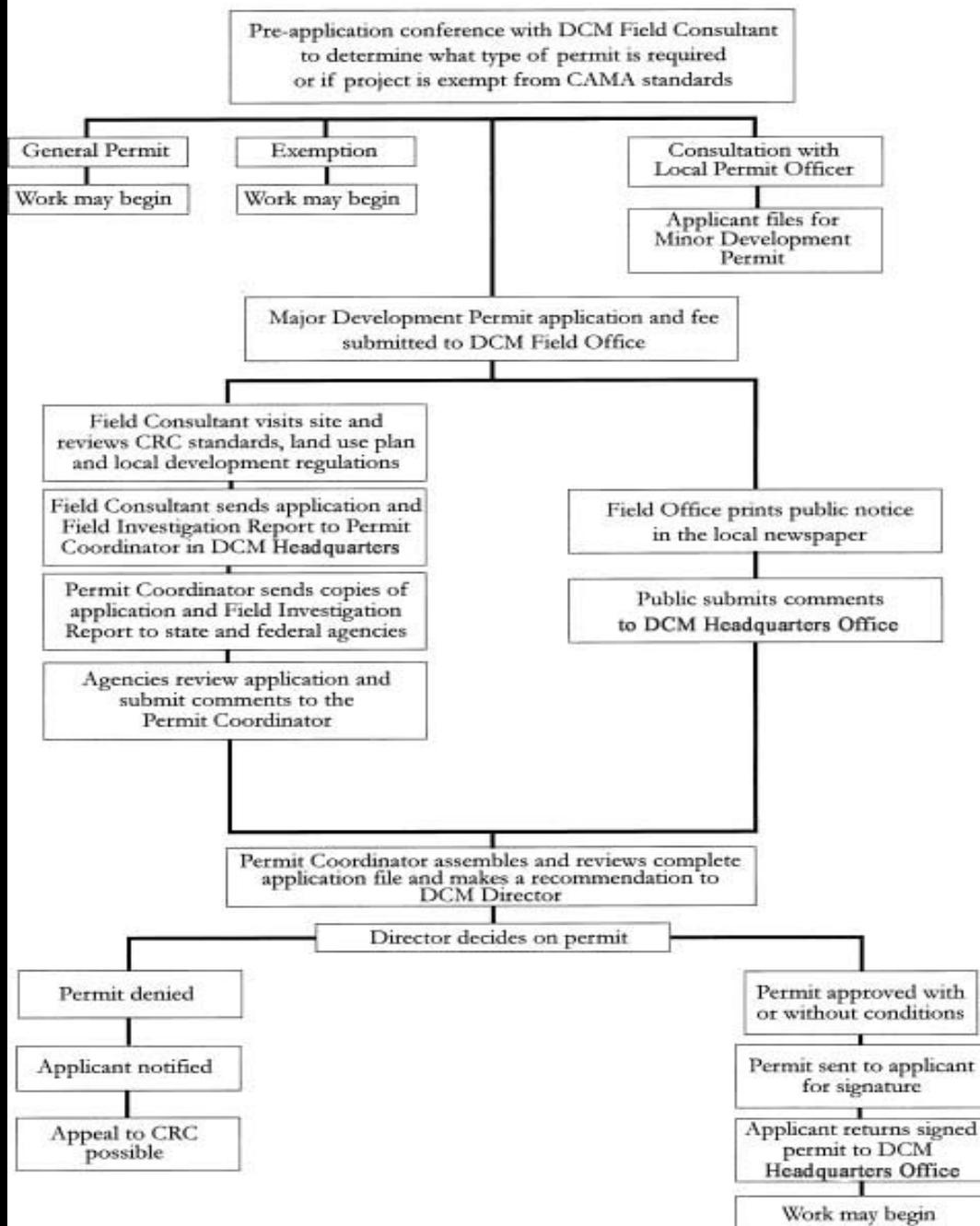


Major Permit Drawings

- Do not require surveyed or engineered drawings and can be hand drawn but must be able to clearly photocopy, preferably to scale or with dimensions shown.



MAJOR DEVELOPMENT PERMIT PROCESS





Quick tips for expedited applications

- Navigational impacts
- Marking (reflectors)
- Submerged aquatic vegetation (SAV) impacts
- Oyster growing potential
- Open or closed to shellfish
- Bottom type (mud or sand bottom)
- Gaps for marine animal movement



Questions?



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