



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRAXTON DAVIS

Director

CRC-22-22

August 31, 2022

MEMORANDUM

TO: Coastal Resources Commission
FROM: Braxton Davis
SUBJECT: Erosion-Threatened Oceanfront Structures

North Carolina has over 320 miles of oceanfront beaches, including 133 miles within the Cape Hatteras and Cape Lookout National Seashores managed by the National Park Service. As you are aware, oceanfront development activities are subject to unique federal, state, and local regulations, including the Commission's development setbacks based on local erosion rates. Still, oceanfront houses and other structures often encroach onto public beaches following years of chronic erosion and storm events. Based on a recent DCM review of 2020 imagery, over 750 of approximately 8,777 oceanfront structures were considered at risk from oceanfront erosion (no dunes or vegetation between the structure and ocean), and this situation is anticipated to worsen with increasing sea level rise and coastal storms.

When structures are imminently threatened by beach erosion, a complex web of regulatory, legal, insurance, and financial assistance measures create uncertainty for property owners and coastal managers. Some cases involve original property owners; some involve more recent property owners who were unaware of the erosion hazards and risks at the time of purchase; and some involve new property owners who make speculative investments in imminently threatened structures due to the potential profits from continuing rental incomes and insurance payouts. While permitting conflicts and legal disputes linger for these properties, structures on the beach can pose significant risks to public health and safety, impacts to aquatic species and shorebirds and their habitats, and interference with public use of the beach. Often, no action is taken until after a house collapses. Recent examples from this year in Rodanthe, NC are reminders that a single home collapse can result in debris for up to fifteen miles along the coast, potential for contamination from septic systems, injuries to beach visitors, and a range of environmental concerns. In addition, the debris associated with structure collapses requires large-scale, expensive clean-up efforts. The public harms and costs associated with recent house collapses illustrate the need for a more holistic and proactive approach to addressing erosion-threatened structures.

The N.C. Department of Environmental Quality, through DCM, is partnering with the National Park Service's Cape Hatteras National Seashore to address these issues through the creation of



North Carolina Department of Environmental Quality | Division of Coastal Management
Morehead City Office | 400 Commerce Avenue | Morehead City, North Carolina 28557
252.515.5400

an interagency work group. The Work Group will engage with partner organizations and stakeholders to identify and research policies and programs to establish a proactive, holistic, predictable, and coordinated approach to erosion-threatened structures in North Carolina. The Work Group is planning to meet regularly in the coming year and produce a report outlining short- and long-term solutions.

At an initial, interagency meeting in Manteo in August 2022, the issue of septic tank siting and repairs on ocean beaches was discussed as a high priority/short-term action. At your upcoming meeting, we will review concerns with septic tanks on oceanfront beaches, and ongoing challenges with the Commission's rules governing the siting and repairs of septic tanks in the Ocean Hazard Area of Environmental Concern. I will provide proposals for potential rule changes to address these concerns based on the discussions of the interagency Work Group.

I look forward to discussing these issues at the upcoming meeting in Wilmington.