

Waterfront Access Study Committee

Final Report

April 30, 2007

Committee Background

- Legislation passed July 27, 2006; signed into law Aug. 16, 2006
- Legislation established ***Waterfront Access Study Committee (WASC)***
- WASC “shall study the degree of loss and potential loss of the diversity of uses ... and how these losses impact access to the public trust waters of the state.”

Committee Approach & Activities

- Full committee business meetings
- Staffed and facilitated by NC Sea Grant and the NC Coastal Resources Law, Planning and Policy Center (CRLPPC), under contract with the N.C. General Assembly
- Public Hearings

WASC Recommendations

- Retaining & enhancing working waterfronts
- Enhancing public access to coastal waters
- Planning/zoning approaches
- Purchase Development Rights and Transfer Development Rights
- Fishing piers
- Fees for public trust submerged lands easements

WASC Recommendations

- Provide help in meeting environmental compliance costs
- Comprehensive socioeconomic study
- Cooperative state-local partnerships / approaches
- Educational outreach
- Further study and oversight

Working Waterfronts

- Extend present use value eligibility to working waterfronts
- Establish a working waterfront trust fund, or other separate set-aside of State funds
- Endorse NC DENR *One NC Naturally* Program, particularly its development of a GIS-based database and model to identify working lands, including working waterfronts

Public Access to Coastal Waters

- Fund existing NCWRC Boating Infrastructure Program at significantly higher levels, giving priority to coastal public trust water access
- Endorse joint NCWRC-NCDOT efforts to address public access in infrastructural programs

Public Access to Coastal Waters

- Fund existing NCDCM Beach & Coastal Waterfront Access Programs at significantly higher levels
- Urge NCDWR's Water Resources Development Grant Program to give greater priority to applications seeking enhanced public access to coastal waters; urge State to fund program at higher levels

Public Access to Coastal Waters

- Allocate a reasonable share of new CRFL proceeds to public fishing access enhancements
- Support the Joint Legislative Commission on Land and Water Conservation proposal to allocate \$1B over 5 years for conservation, cultural and historic preservation activities

Public Access to Coastal Waters

- Elevate public recreational access enhancement as a criteria for awarding of grants through the State's Clean Water Management Trust Fund
- Require state coastal resource management agencies to catalog / prioritize waterfront site needs

Planning / Zoning Approaches

- Under State CAMA, require local governments to inventory / assess / develop policies regarding working waterfronts
- Provide additional funding via existing NCDCM Planning and Management Grant Program for local government public access inventories / plans

Planning / Zoning Approaches

- Amend State CAMA to authorize provision of grants to local governments to inventory / plan for retention / enhancement of working waterfronts
- Urge local governments to explore potential use of specialized zoning techniques, such as conditional zoning

Purchase / Transfer of Development Rights

- Urge enacting legislation to authorize Purchase Development Rights and Transfer Development Rights at the local level for use in working waterfront and public access retention and enhancement programs

Fishing Piers

- Grant present use value taxation eligibility to private commercial fishing piers (that provide public access)
- Assist fishing piers owners with storm damage repair, such as through low-interest loans secured by the proposed trust fund or set-aside

Fishing Piers

- Authorize and fund the NC Aquariums to pilot the design / development / operation of three public fishing piers to provide both public angling access and public educational opportunities

Public Trust Submerged Lands

- Explore new means to generate a source of State revenues for working waterfronts and public access
- Re-examine and reformulate the State's public trust submerged lands easement fee structure as means to create revenues for access development

Public Trust Submerged Lands

- Examine the nature and legality of long-term or permanent sale of docks or “dockominiums” that occupy public trust submerged lands

Environmental Compliance Costs

- Make funds available to assist working waterfront and public access facility sponsors in developing or re-developing facilities in ways that are fully compliant with environmental regulations

Socioeconomic Study

- Provide funding for a comprehensive socioeconomic study of working waterfronts and access to coastal public trust waters

State-Local Partnerships

- Encourage the establishment of locally based working waterfront and public access advisory bodies, with appropriate ex-officio State representation

Educational Outreach

- Support educational outreach programs to improve retention and enhancement of working waterfront and public access to coastal waters

Study and Oversight

- Establish a formal joint legislative commission that continues to study and guide working waterfront and public access programs

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Questions?