

15A NCAC 07H .1904 GENERAL CONDITIONS

- (a) Temporary structures for the purpose of this general permit are those which are constructed or installed within the estuarine and ocean system AECs and because of their dimensions or functions cannot be authorized by another General Permit within this Subchapter.
- (b) There shall be no encroachment oceanward of the first line of stable vegetation within the ocean hazard AEC except for the placement of auxiliary structures such as signs, fences, posts, or pilings.
- (c) There shall be no fill or excavation activity below normal high water or normal water level.
- (d) This permit shall not be applicable to proposed development where the Division of Coastal Management determines that the proposed activity would endanger adjoining properties or significantly affect historic, cultural, scenic, conservation, or recreation value, identified in G.S. 113A-102 and G.S. 113A-113(b)(4).
- (e) Individuals shall allow authorized representatives of the Department of Environmental Quality to make periodic inspections at any time necessary to ensure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.
- (f) This permit does not eliminate the need to obtain any other state, local or federal authorization, nor, to abide by rules or regulations adopted by any federal, state, or local agency.
- (g) Development carried out under this permit shall be consistent with all local requirements and local land use plans current at the time of authorization.

History Note: Authority G.S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1;
Eff. March 1, 1989;
Amended Eff. May 1, 1990; March 1, 1990;
RRC Objection due to ambiguity Eff. May 19, 1994;
Amended Eff. April 1, 2020; August 1, 1998; July 1, 1994;
Readopted Eff. July 1, 2022.