

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1423*

Short Title: Oregon Inlet Recommendations.

(Public)

Sponsors: Representatives Bowie; Owens and Preston.

Referred to: Appropriations.

May 25, 1998

A BILL TO BE ENTITLED

**AN ACT TO IMPLEMENT RECOMMENDATIONS CONCERNING THE OREGON
INLET.**

The General Assembly of North Carolina enacts:

PART I. SAND STUDY APPROPRIATION.

Section 1. There is appropriated from the General Fund to the Department of Environment and Natural Resources the sum of one hundred thousand dollars (\$100,000) for the 1998-99 fiscal year to fund the Shoreline Monitoring Program operated by the United States Army Corps of Engineers including six miles north of the Oregon Inlet to six miles south of the Oregon Inlet and within the inlet itself for the five months of May through September 1998.

PART II. OREGON INLET STUDY CONTINUED.

Section 2. (a) Section 32.22 of S.L. 1997-443 is repealed.

(b) There is created the Oregon Inlet Stabilization Study Commission, an independent study commission, to continue the investigations undertaken by the Legislative Research Commission's Oregon Inlet Stabilization Study Committee during the 1997-98 interim as authorized by Section 32.22 of S.L. 1997-443.

The membership and chairmanship of the Study Commission shall be the same as that of the former Study Committee. Vacancies shall be filled by the person who made

1 the initial appointment. Members of the Commission shall receive subsistence and travel
2 allowances in accordance with G.S. 120-3.1 or G.S. 138-5, as appropriate.

3 The Study Commission may hold hearings to receive public input on the
4 potential benefits and costs to the State of stabilizing the inlet and consider alternative
5 procedures and actions for the stabilization of the inlet along with the environmental,
6 economic, governmental, and cultural costs and benefits that may result from the
7 stabilization.

8 In analyzing the benefits and costs of stabilizing the Oregon Inlet, the Study
9 Commission may employ the expertise of the Departments of Environment and Natural
10 Resources, Transportation, and Justice and may solicit the assistance of the United States
11 Army Corps of Engineers and any other federal or State agencies that might assist the
12 study.

13 Upon approval of the Legislative Services Commission, the Legislative
14 Services Officer shall assign appropriate professional staff from the Legislative Services
15 Office of the General Assembly to assist with the study. The House of Representatives'
16 and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission, upon
17 the direction of the Legislative Services Commission. The Commission may meet in the
18 Legislative Building or the Legislative Office Building upon the approval of the
19 Legislative Services Commission.

20 The Study Commission may consider any of the following:

- 21 (1) Continuation of the study beyond the current biennium until the issues
22 surrounding the stabilization of the Oregon Inlet are finally resolved.
- 23 (2) Additional detailed studies of the benefits and costs of stabilizing the
24 Oregon Inlet including a long-range plan for the stabilization of the inlet
25 and a projection for the State's future costs of participation in that
26 stabilization.
- 27 (3) Necessary statutory changes needed to implement any planned inlet
28 stabilization.
- 29 (4) Alternatives to the stabilization of the Oregon Inlet.
- 30 (5) Funding sources for any stabilization projects or studies.

31 The Commission shall submit an interim or final report with any
32 recommendations to the 1999 Session of the General Assembly prior to the adjournment
33 of that session. The Commission may meet during the 1999 Session of the General
34 Assembly at any time when neither the House of Representatives nor the Senate are in
35 session.

36 The Commission shall terminate upon the issuance of its final report.

37 Section 3. There is appropriated from the General Fund to the General
38 Assembly the sum of three hundred thousand dollars (\$300,000) for the 1998-99 fiscal
39 year to be allocated by the Legislative Services Commission for the use of the Oregon
40 Inlet Stabilization Study Commission authorized by Section 2 of this act. Any funds
41 remaining unexpended at the end of the fiscal year shall remain available for the purpose
42 designated in this section.

43 PART III. DESIGNATION OF LEAD STATE AGENCY.

1 Section 4. The Department of Environment and Natural Resources is
2 designated as the lead State agency for monitoring, studying, analyzing, and making
3 recommendations for the State on the stabilization of the Oregon Inlet. The Department
4 shall carry out all duties associated with this designation using funds already appropriated
5 to the Department.

6 Section 5. G.S. 143B-279.2 reads as rewritten:
7 **"§ 143B-279.2. Department of Environment and Natural Resources – duties.**

8 It shall be the duty of the Department:

- 9 (1) To provide for the protection of the environment;
10 (1a) To administer the State Outer Continental Shelf (OCS) Task Force and
11 coordinate State participation activities in the federal outer continental
12 shelf resource recovery programs as provided under the OCS Lands Act
13 Amendments of 1978 (43 USC §§ 1801 et seq.) and the OCS Lands Act
14 Amendments of 1986 (43 USC §§ 1331 et seq.).
15 (1b) To provide for the protection of the environment and public health
16 through the regulation of solid waste and hazardous waste management
17 and the administration of environmental health programs.
18 (2) Repealed by Session Laws 1997-443, s. 11A.5.
19 (2a) To provide and keep a museum or collection of the natural history of the
20 State and to maintain the North Carolina Biological Survey; and
21 (3) To provide for the management of the State's natural resources.
22 (4) To monitor, study, analyze, and make recommendations for the State on
23 the stabilization of the Oregon Inlet."

24 PART IV. EFFECTIVE DATE.

25 Section 6. This act becomes effective July 1, 1998.