

1 15A NCAC 07H .0508 is proposed for adoption as follows:

2
3 **15A NCAC 07H .0508 JOCKEY’S RIDGE AREA OF ENVIRONMENTAL CONCERN**

4 (a) Description. Jockey's Ridge is the tallest active sand dune (medano) along the Atlantic Coast of the United
5 States. Located within the Town of Nags Head in Dare County, between US 158 and Roanoke Sound, Jockey’s
6 Ridge represents the southern extremity of a back barrier dune system which extends north along Currituck Spit into
7 Virginia. Given the status of Jockey’ Ridge as a State Park, State Nature Preserve, complex natural area, and an area
8 containing a unique geological formation as identified by the State Geologist, the Coastal Resources Commission
9 hereby designates Jockey's Ridge as an Area of Environmental Concern pursuant to G.S. 113A-113.

10 (b) The boundaries of the Jockey’s Ridge AEC shall be as depicted on a map approved by the Coastal Resources
11 Commission on February 26, 2025, and can be found at the Division of Coastal Management, 400 Commerce Ave.,
12 Morehead City, NC 28557 or at the Division of Coastal Management’s website at
13 <https://www.deq.nc.gov/about/divisions/division-coastal-management>. The AEC includes the entire rights of way of
14 US 158 Bypass, SR 1221 (Sound Side Road), Virginia Dare Trail, and Conch Street where these roads bound this
15 area.

16 (c) Use Standards. Development within the Jockey's Ridge AEC shall be consistent with the following use
17 standards:

18 (1) Development that requires the removal of greater than ten cubic yards of sand per year from the
19 area within the AEC boundary shall require a Coastal Area Management Act permit from the
20 Division of Coastal Management or designated local official;

21 (2) All sand that is removed from the area within the AEC boundary in accordance with Subparagraph
22 (1) of this Paragraph shall be deposited at locations within the Jockey's Ridge State Park
23 designated by the Division of Coastal Management in consultation with the NC Department of
24 Natural and Cultural Resources Division of Parks and Recreation;

25 (3) Development activities within Jockey’s Ridge AEC shall not alter or retard the free movement of
26 sand except when necessary for the purpose of maintaining or constructing a road, residential or
27 commercial structure, accessway, lawn, garden, or parking area unless allowed by Jockey’s Ridge
28 State Park’s Management Plan. Jockey’s Ridge State Park’s Management Plan can be found at the
29 Division of Parks and Recreation’s website at <https://www.ncparks.gov>.

30
31 History Note: Authority G.S. 113A-107(a),(b); 113A-113(a); 113A-113(b)(4)a., e., and g.; 113A-124.

32 Eff. September 9, 1977;

33 Amended Eff. February 1, 1982; June 1, 1979;

34 RRC objection September 17, 2022 and rule returned to agency on October 5, 2023;

35 Codifier determined that agency's findings of need did not meet criteria for emergency rule
36 on December 20, 2023;

37 Emergency Adoption Eff. January 3, 2024;

- 1 Emergency Rule Expired Eff. May 13, 2024;
- 2 Adopted Eff. August 1, 2025.