

JOSH STEIN
Governor
D. REID WILSON
Secretary
TANCRED MILLER
Director



CRC-26-59

March 25, 2026

MEMORANDUM

TO: Coastal Resources Commission
FROM: Daniel Govoni
SUBJECT: Areas of Environmental Concern Review

The Coastal Area Management Act (CAMA), G.S. § 113A-115, requires the Coastal Resources Commission (CRC) to designate, by rule, geographic areas within the coastal area as Areas of Environmental Concern (AECs). Furthermore, G.S. § 113A-115(b) clarifies that the CRC may designate AECs within any of the following categories:

- Coastal Wetlands
- Estuarine Waters
- Renewable Resources
- Fragile or Historic Areas
- Waterways and lands under or flowed by tidal waters or navigable waters
- Natural Hazard Areas
- Key Facilities
- Outstanding Resource Waters
- Primary Nursery Areas

Pursuant to G.S. § 113A-115(c), the CRC must review designated AECs at least biennially. Provided below is a summary of the AECs currently designated in rule for your consideration.

Estuarine and Ocean System

15A NCAC 07H .0201 establishes the Estuarine and Ocean System AEC, which includes the Estuarine Waters AEC, Coastal Wetlands AEC, Public Trust Waters AEC, and Coastal Shorelines AEC.

Coastal Wetlands

Defined in 15A NCAC 07H .0205, this AEC is identified during site inspections by determining the presence of coastal wetland plant species listed in 15A NCAC 07H .0205(a). These species



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

must be subject to regular or occasional flooding by tides reaching the wetlands through natural or artificial channels. Field indicators may include tidal water presence, elevation changes, periwinkle snails (*Littoraria* spp.), crab burrows, vegetation staining, and wrack lines.

Estuarine Waters

Identified in G.S. § 113A-113(b)(2) and defined in 15A NCAC 07H .0206, this AEC includes all Atlantic Ocean waters within North Carolina boundaries, including bays, sounds, rivers, and tributaries seaward of the division between coastal and inland fishing waters. Use standards mirror those applied to coastal wetlands and public trust areas.

Public Trust Areas

Identified in G.S. § 113A-113(b)(5) and defined in 15A NCAC 07H .0207, this AEC protects the public's right to use public trust waters and ensures their continued value. The AEC boundary is the normal high water mark or normal water level in both natural and artificially created waterbodies. Identification requires a site visit or a stamped survey provided by the applicant.

Coastal Shorelines

Established in 15A NCAC 07H .0209, this AEC includes Estuarine Shorelines and Public Trust Shorelines, representing the transition between upland and aquatic components of the estuarine and ocean system. Both categories generally require new development to be located at least 30 feet landward of the normal high water line, with exceptions provided in 15A NCAC 07H .0209(d)(10). The Estuarine Shorelines AEC extends 75 feet or 575 feet landward of the high water line, depending on water classification, and includes specific development standards such as impervious surface limitations.

Ocean Hazard

15A NCAC 07H .0304 defines the Ocean Hazard AEC, which encompasses natural hazard areas along the Atlantic shoreline and includes the Ocean Erodible Area AEC, Inlet Hazard Area AEC, Unvegetated Beach AEC, and State Ports Inlet Management AEC.

Ocean Erodible Area

Described in 15A NCAC 07H .0304(1), this AEC addresses areas susceptible to erosion. It extends landward from the vegetation line a distance equal to 90 times the long-term erosion rate, except where the rate is less than two feet per year, in which case the setback is 180 feet landward from the vegetation line.

Inlet Hazard Area

Defined in 15A NCAC 07H .0304(2), this AEC includes areas vulnerable to erosion and other impacts caused by proximity to inlets. The boundary extends landward from the mean low water line and encompasses statistically determined inlet migration zones.

Unvegetated Beach Area

15A NCAC 07H .0304(3) designates this AEC for areas lacking stable natural vegetation. Designation occurs following studies and approval by the CRC.



State Ports Inlet Management Area

15A NCAC 07H .0304(4) designates these AECs adjacent to Beaufort Inlet and the Cape Fear River to support the operation and access needs of the State Ports.

Public Water Supply AEC

15A NCAC 07H .0401 establishes this AEC to protect valuable small surface water supply watersheds and public water supply well fields.

Small Surface Water Supply Watersheds

15A NCAC 07H .0405(c) designates the Fresh Pond between Kill Devil Hills and Nags Head as a Small Surface Water Supply AEC and restricts the placement of septic systems and sewer infrastructure.

Public Water Supply Well Fields

15A NCAC 07H .0406(c) designates the Cape Hatteras Well Field as an AEC and establishes use standards to prevent saltwater intrusion and ensure water supply protection.

Jockey's Ridge AEC

15A NCAC 07H .0508 designates Jockey's Ridge as an AEC and includes three components:

- 07H .0508(a) – Description of the area and its significance.
- 07H .0508(b) – Boundary description and reference to the official AEC boundary map.
- 07H .0508(c) – Use standards, including requirements for permits when more than 10 cubic yards of sand are removed annually, restrictions on sand deposition locations, and limitations on development activities that may alter natural sand movement unless permitted under the Jockey's Ridge State Park Management Plan

