

NC COASTAL RESOURCES COMMISSION (CRC)

August 26-27, 2026

Dare County Government Center, Manteo

Present CRC Members

Renee Cahoon, Chair
Neal Andrew, 1st Vice-chair
Larry Baldwin
D.R. Bryan
Jordan Hennessy
Bonner Herring
Joseph Hollowell
Steve King
John McAdams
Lauren Salter
Steve Shuttleworth
Katherine Skinner
Robbie Yates

Present CRAC Members

Bobby Outten, Chair	David Kellam
Webb Fuller, co-Vice Chair	Kris Noble
Spencer Rogers, co-Vice Chair	Meghan Morgan
Kyle Breuer	Debbie Smith
Sandra Cross	John Spruill
Ivy Ingram	Dave Weaver
Ryan Davenport	Mike Lopazanski
David Hewett	

Present from the Office of the Attorney General

Sarah Zambon

Present from the Department of Environmental Quality, Office of the General Counsel

Christine Goebel

CALL TO ORDER/ROLL CALL

Judge Jerry R. Tillet administered the Oaths of Office to recently appointed commissioners Hollowell, Skinner, McAdams, and Herring.

CRC Chair Renee Cahoon called the meeting to order at 1:00 p.m. on August 26, 2026, reminding the Commissioners of the need to state any conflicts due to Executive Order Number 34 and the State Government Ethics Act. The State Government Ethics Act mandates that at the beginning of each meeting the Chair remind all members of their duty to avoid conflicts of interest and inquire as to whether any member knows of a conflict of interest or potential conflict with respect to matters to come before the Commission. The Chair requested that if any member knows of a conflict of interest or a potential conflict of interest, they state when the roll is called. Commissioners Andrew, Baldwin, Bryan, Hennessy, Herring, Hollowell, King, McAdams,

Salter, and Skinner read their Evaluations of Economic Interest from the NC State Ethics Commission into the record. Per an email dated August 20, 2026, from Jane Steffens, SEI Unit Analyst for the State Ethics Commission, the biennial evaluations for the CRC have been completed and Commissioners Cahoon, Shuttlesworth, and Yates will not receive an evaluation this year. Based upon this roll call Chair Cahoon declared a quorum.

CHAIR COMMENTS

Chair Cahoon thanked the new commissioners for their willingness to serve and thanked outgoing commissioners Emory, Holman, High, and Smith for their time serving on the CRC. Chair Cahoon welcomed DEQ Assistant Secretary Kathie Dello to the meeting and thanked her for her attendance on behalf of the Department.

MINUTES

Lauren Salter made a motion to approve the minutes of the June 18, 2026 Coastal Resources Commission meeting. Neal Andrew seconded the motion. The motion passed unanimously (Cahoon, Andrew, Baldwin, Bryan, Hennessy, Herring, Hollowell, King, McAdams, Salter, Shuttlesworth, Skinner, Yates).

CRAC REPORT

Bobby Outten, CRAC Chair, stated the first agenda item the CRAC covered was an update from Spencer Rogers on the Science Panel and oceanfront erosion and structures. This was a learning tool for the CRAC as the hardened structures ban and rules are being discussed. The second agenda item was the septic tank amendments the CRC is discussing (CRC 26-75). The rule has taken into consideration the input of several stakeholders regarding septic tanks on the beach that are continually failing. There was consensus amongst the stakeholders that this issue is a problem that needs to be resolved. The Dare County Health Department looked at the latest draft of the rules and thought the amendments could be interpreted as broader than what was intended. The rule can be interpreted to go two or three rows back from the beach and that was not the intention of the stakeholders or the CRAC when the rule was being drafted. This could create rows of ghost houses and does not take into account beach nourishment in considering repair or replacement of septic systems. After discussion, the CRAC requests the CRC send the rule language back to staff and have the language drafted more narrowly than they currently are to meet the goal of getting the threatened structures off the beach without impacting several rows back from the beach. Commissioner Baldwin stated the definition of maintenance does not match up with the Department of Health and Human Services' definition and that needs to be discussed as well.

EXECUTIVE SECRETARY REPORT

[DCM Director Tancred Miller's Report](#)

PUBLIC INPUT AND COMMENT

Donna Creef, Government Affairs Director of the Outer Banks Association of Realtors, requested the scope and applicability of the revised CAMA septic rules be narrowed to oceanfront septic systems for homes that are determined to be imminently threatened or de-certified from occupancy by the local government. (written comments provided)

Brett Barley, Buxton Civic Association, spoke in favor of allowing hardened structures and allowing Towns the ability to allow structures to protect their shorelines. Mr. Barley spoke against sandbags and seawalls.

VARIANCE REQUESTS

McMurray (CRC-VR-26-24), Oak Island Addition in Oceanfront Setback

Courtney Milliron, Christy Goebel/Scott & Nancy McMurray, pro-se

Courtney Milliron gave an overview of the site. Christy Goebel reviewed the stipulated facts of the variance request and stated staff and petitioners disagree on all four variance criteria which must be met in order to grant the variance request. Mr. and Mrs. McMurray reviewed the stipulated facts which petitioners contend support the granting of the variance.

Larry Baldwin made a motion to support petitioner's position that strict application of the applicable development rules, standards, or orders issued by the Commission cause the petitioner unnecessary hardship. Jordan Hennessy seconded the motion. The motion passed with eight votes in favor (Hennessy, King, Shuttleworth, Yates, McAdams, Baldwin, Herring, Hollowell) and five votes opposed (Andrew, Cahoon, Salter, Skinner, Bryan).

Larry Baldwin made a motion to support petitioner's position that hardships result from conditions peculiar to the petitioner's property. Steve Shuttleworth seconded the motion. The motion passed with eight votes in favor (Hennessy, King, Shuttleworth, Yates, McAdams, Baldwin, Herring, Hollowell) and five votes opposed (Andrew, Cahoon, Salter, Skinner, Bryan).

Larry Baldwin made a motion to support petitioner's position that hardships do not result from actions taken by the petitioner. Jordan Hennessy seconded the motion. The motion passed with eight votes in favor (Hennessy, King, Shuttleworth, Yates, McAdams, Baldwin, Herring, Hollowell) and five votes opposed (Andrew, Cahoon, Salter, Skinner, Bryan).

D.R. Bryan made a motion to support staff's position that the variance request will not be consistent with the spirit, purpose, and intent of the rules, standards, or orders issued by the Commission; will not secure the public safety and welfare; and will not preserve substantial justice. Katherine Skinner seconded the motion. The motion failed with five votes in favor (Andrew, Cahoon, Salter, Skinner, Bryan) and seven votes opposed (Hennessy, King, Shuttleworth, Yates, Baldwin, Herring, Hollowell) (McAdams abstained).

Jordan Hennessy made a motion to support petitioner's position that the variance request will be consistent with the spirit, purpose, and intent of the rules, standards, or orders issued by the Commission; will secure the public safety and welfare; and will preserve substantial justice. Steve King seconded the motion. The motion passed with seven votes in favor (Hennessy, King, Shuttleworth, Yates, Baldwin, Herring, Hollowell) and five votes opposed (Andrew, Cahoon, Salter, Skinner, Bryan) (McAdams abstained).

This variance request was granted.

CHPP UPDATE (CRC 26-78)

Charlie Deaton, Derek Deitweiler, and Jaselyn Owens of the Division of Marine Fisheries provided an update on the Coastal Habitat Protection Plan and the 2026 recommended actions. No action is requested of the CRC.

ACTION ITEMS/RULEMAKING

Consideration and Approval of Fiscal Analysis – Alternative Sandbags 15A NCAC 07H .0308 (CRC 26-66)

Gregg Bodnar

Gregg Bodnar presented the fiscal analysis for amendments to 15A NCAC 07H .0308(b)(2) to allow for alternative sandbags on public roads.

Neal Andrew made a motion to approve the fiscal analysis for amendments to 15A NCAC 07H .0308. D.R. Bryan seconded the motion. The motion passed unanimously (Hennessy, King, Shuttleworth, Yates, McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring, Hollowell).

Consideration of Approval of Fiscal Analysis – Temporary Weather Monitoring Structures 15A NCAC 07H .2800 (CRC 26-67)

Jonathan Lucas

Jonathan Lucas presented the fiscal analysis for rule changes to create a General Permit for the use of temporary weather monitoring structures on the ocean beach.

Neal Andrew made a motion to approve the fiscal analysis for the General Permit to allow the use of temporary weather monitoring structures on the beach (07H .2800) and amendments to 7H .0309(a). Lauren Salter seconded the motion. The motion passed unanimously (Hennessy, King, Shuttleworth, Yates, McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring, Hollowell).

Consideration of Approval of Fiscal Analysis – Man-Made Ditches 15A NCAC 07H .0106, .0205, .0206, .0207 (CRC 26-68)

Jonathan Lucas

Jonathan Lucas presented the fiscal analysis for rule amendments to 15A NCAC 07H .0106, .0205, .0206, and .0207 to conform with Session Law 2025-48. The primary changes were to define man-made ditches; exclude man-made ditches from the definition of estuarine waters, public trust waters, or marshland; and prohibit the CRC from designating a man-made ditch as an Area of Environmental Concern.

Neal Andrew made a motion to approve the fiscal analysis for amendments to 15A NCAC 07H .0106, .0205, .0206, and .0207. Larry Baldwin seconded the motion. The motion passed unanimously (Hennessy, King, Shuttleworth, Yates, McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring, Hollowell).

LEGISLATION UPDATE (CRC 26-69)

Daniel Govoni

Daniel Govoni provided an update on recent legislation that affects CAMA, CRC, and DCM.

FEDERAL CONSISTENCY/401/291 (CRC 26-70)

Jonathan Howell

Jonathan Howell provided a review of the joint permitting processes with the Division of Water Resources and the Corps of Engineers and the benefits of this process to applicants. Jonathan also reviewed the federal consistency process when a federal action may have a reasonably foreseeable effect on State coastal resources. Commissioner Hennessey requested that DCM look into having a Memorandum of Agreement (MOA) with US Corps of Engineers.

Meeting called to order 9:02 on August 27, 2026; all members present

OCEANFRONT EROSION DISCUSSION (CRC 26-71)

Science Panel Report, Dr. Laura Moore

Dr. Moore stated the report has been revised to address questions raised by the CRC at the June meeting and this version of the report is considered final.

Coastal States Hardened Structures Report, Daniel Govoni

Daniel Govoni highlighted each coastal state's strategy for hardened structures on the oceanfront.

Hardened Structures Laws/Sandbag History, Christy Goebel

Christy Goebel reviewed the history of North Carolina's hardened structures law NCGS 113A-115.1 and the Commission's rules and sandbag history. Additionally, Christy inventoried hardened structures that currently exist in North Carolina.

Joseph Hollowell made a motion that the Coastal Resources Commission support the effort of Senator Bob Brinson, representing Craven County, to pass his bill to do away with the hardened structures ban. Jordan Hennessy seconded the motion.

Chair Cahoon asked for consensus to ask the Collaboratory, that was created by the Legislature, to investigate and evaluate items of interest regarding hardened structures. By consensus, the Commission requested a presentation be provided by a member of the Collaboratory to explain the role of the Collaboratory.

D.R. Bryan made a motion to call the question, and Neal Andrew seconded the motion. The motion to call the question passed with eleven votes in favor (King, Shuttleworth, McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring, Hollowell) and two opposed (Hennessy, Yates).

Commissioner Hollowell's motion failed with four votes in favor (Hennessy, Yates, Baldwin, Hollowell) six opposed (McAdams, Andrew, Cahoon, Salter, Skinner, Bryan) and three abstentions (King, Shuttleworth, Herring).

Jordan Hennessy made a motion that the CRC support the position of allowing hardened structures such as groins and jetties to protect the coastal ocean shoreline and the CRC will move forward with rulemaking once the Legislature provides the authorization to do so. Joseph Hollowell seconded the motion. The motion failed with four votes in favor

(Hennessy, King, Yates, Hollowell) eight votes opposed (McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring) and one abstention (Shuttleworth).

Commissioner Baldwin requested a presentation be scheduled for the CRC from a nonprofit group that has worked on offshore barrier reefs to how they work and the types of conditions that they work in.

ELECTRONIC PERMITTING (DYNAMICS) UPDATE (CRC 26-72)

Gregg Bodnar gave a live demonstration and overview of the electronic permit application process.

ACTION ITEMS/RULEMAKING

Neal Andrew made a motion to excuse Commissioners Yates and Hollowell from the meeting at 1:00 p.m. Steve King seconded the motion. The motion passed unanimously (Hennessy, King, Shuttleworth, McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring,)

Standards for Work Plans, Processing the Application, Public Notice, Review of Major Development and Dredge and Fill Applications, and Permit Conditions (CRC 26-73) Jonathan Howell

Jonathan Howell reviewed new and updated rule language for rules that were removed from the NC Administrative Code by the Rules Review Commission. These rules have been rewritten under 07J .1400 and .1500. Many of these changes address RRC's comments and objections. These rule amendments will come back before the Commission in October in proper APA format.

Proposed Amendments to Upland Basins Marinas (CRC 26-74)

Cameron Luck

Cameron Luck reviewed amendments to 15A NCAC 07H .0208 and .0209 being proposed for consistency with Session Law 2025-48.

Neal Andrew made a motion to approve the upland basin marina language for public hearing. Katherine Skinner seconded the motion. The motion passed unanimously (Hennessy, King, Shuttleworth, McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring).

Septic Tank Rule Amendments (CRC 26-75)

Cameron Luck

Cameron Luck stated since the time the memo was written, the Division has received comments from the Septic Tank Owners Association and North Carolina Home Builders Association with feedback on the rule as currently written. There was also extensive discussion at the CRAC meeting regarding this topic. There was a stakeholder meeting in March with a field trip to Buxton to look directly at some of these systems. The proposed language is based on feedback received from that stakeholder meeting.

Following discussion, the Commission directed staff to work with the stakeholder group for further rule development. There are concerns about 2nd and 3rd row houses being affected by the

current language regarding the vegetation line. The septic system and house should be considered two separate structures. Director Miller stated the Homebuilders Association and Septic Tank Owners Association have concerns regarding the definition of maintenance and the conflict with DHHS' definition. Staff was directed to hold an additional meeting with the stakeholder group and bring updated language back to the CRC for review at the October meeting. The language should be specific to systems on the public trust beach and remove the 8-year removal timeframe and make it shorter. Commissioner Shuttleworth commented that repair or removal should take place within a year.

Pier Replacement Rule Amendments (CRC 26-76)

Cameron Luck

Cameron Luck reviewed the amendments to 15A NCAC 07J .0210 to conform with Session Law 2024-45 and 2024-53.

Neal Andrew made a motion to approve amendments to 15A NCAC 07J .0210 for public hearing. Lauren Salter seconded the motion. The motion passed unanimously (Hennessy, King, Shuttleworth, McAdams, Baldwin, Andrew, Cahoon, Salter, Skinner, Bryan, Herring).

LEGAL UPDATE

Update on Litigation of Interest to the Commission (CRC 26-77)

Sarah Zambon

Sarah Zambon reviewed the legal update as outlined in memo CRC 26-77, provided to the Commission. The CRC requested a presentation by Elly Young, lead counsel, to provide an update on CRC v. RRC once a decision is received from the Court of Appeals.

OLD/NEW BUSINESS

Chair Cahoon advised the CRC to review the proposed 2027 CRC meeting dates and be prepared to vote on them at the October meeting. The next meeting of the CRC is scheduled for October 28-29 in New Bern. Bob Emory was a CRC representative on the CHPP Steering Committee, he will be replaced by Lauren Salter to serve on that committee with Larry Baldwin.

Commissioner Baldwin asked that staff look at a clarification of structurally versus cosmetically attached structures as required by 15A NCAC .0306(a)(6).

Kelly Spivey, Washington District Manager, recognized Kent Vaughan honoring his retirement from the Governor's Office and Department of Environmental Quality. Kent now works for Hyde County Soil and Water.

With no further business, the CRC adjourned.

Respectfully submitted,

Tancred Miller, Executive Secretary

Angela Willis, Recording Secretary