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Fiscal Analysis 15A NCAC 07J .0210 Replacement of Docks and Piers (CR-26-86)

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Session Laws 2024-45 & 2024-53

- Session Law 2024-45 established new CAMA permit exemptions for the repair and replacement of certain docks, piers, and walkways.
- Session Law 2024-53 subsequently amended the legislation, including additional department requirements to provide mapping materials to the public.
- These amendments created a statutory exception to the CRC's repair/replacement criteria for qualifying structures damaged by natural elements, fire, or normal deterioration.
- The new legislation is currently being implemented by DCM

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Permit Exemption Criteria in CAMA

What is allowed if CAMA exemption applies:

- May rebuild to pre-damaged condition and dimensions
- May increase length/width by ≤ 5 ft or 5%, whichever is less
- May increase height
- No limit on % of structural components replaced

Exemption Does NOT Apply to:

- Docks > 6 ft wide
- Platforms > 800 sq. ft. platform area
- Facilities adjacent to a federal navigation channel
- Facilities not damaged from natural elements, fire, or normal deterioration

Other applicable State & federal laws still apply

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NCAC 07J .0210 – Replacement of Ext. Structures

Repair and Replacement – 07J .0210

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(2) WATER DEPENDENT STRUCTURES. The proposed work is considered replacement if it enlarges the existing structure in any dimension, except where G.S. 113A-118(g) applies for dock and pier replacement. The proposed work is also considered replacement if:

(a) ~~in~~In the case of fixed docks, piers, platforms, boathouses, boatlifts, and free standing ~~moorings,~~moorings that do not meet G.S. 113A-118(g), more than 50 percent of the framing and structural components (beams, girders, joists, stringers, or pilings) must be rebuilt in order to restore the structure to its pre-damage condition. Water dependent structures that are structurally independent from the principal pier or dock, such as boatlifts or boathouses, are considered as separate structures for the purpose of this ~~Rule;~~Rule. Maps for determining whether a property is adjacent to a federal navigation channel can be found at XXXX;

Fiscal Analysis – Impact of Amendments

Overall Impact: Minimal fiscal impacts anticipated, as amendments align CRC rules with statutory allowances already in effect.

State Government: No significant fiscal impact. Minor administrative costs can be handled with existing staff and resources.

Local Government: No anticipated fiscal impact or changes to permitting workload.

Private Sector: Minimal benefits from clearer exemption criteria, potentially avoiding unnecessary permit applications and the associated $474 permit fee.

<u>Fiscal analysis has been approved by OSBM.</u>

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Next Steps



Questions?

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