

1 15A NCAC 07H .0509 is adopted under emergency procedures as follows:

2
3 **15A NCAC 07H .0509 SIGNIFICANT COASTAL ARCHAEOLOGICAL RESOURCES**

4 (a) Description. Significant coastal archaeological resources are defined as areas that contain archaeological remains
5 (objects, features, and/or sites) that have more than local significance to history or prehistory. Such areas shall be
6 evaluated by the Department of Natural and Cultural Resources in accordance with G.S. 113A-113.

7 (b) Significance. Significant coastal archaeological resources are important educational, scientific, or aesthetic
8 resources. Such resources would be jeopardized by uncontrolled or incompatible development. In general, significant
9 archaeological resources possess integrity of location, design, setting, workmanship, materials, and association and:

10 (1) are associated with historic events; or

11 (2) are associated with the lives of persons significant in history; or

12 (3) embody the distinctive characteristics of a type, period, or method of construction, or represent a
13 significant and distinguishable entity whose components may lack individual distinction; or

14 (4) have yielded, or may yield, information important in history or prehistory.

15 (c) Management Objectives. The CRC's objective is to conserve coastal archaeological resources of more than local
16 significance to history or prehistory that constitute important scientific sites, or are valuable educational, associative,
17 or aesthetic resources. Specific objectives for each of these functions shall be related to the following:

18 (1) development of a preservation management plan to provide long-term management of the
19 archaeological resource; and development which shall not have significant adverse impacts on the
20 archaeological resource;

21 (2) to conserve significant archaeological resources, including their spatial and structural context and
22 characteristics through in-situ preservation or scientific study;

23 (3) to ensure that the designated archaeological resource be preserved for and be accessible to the
24 scientific and educational communities for study purposes;

25 (4) to protect the values of the designated archaeological resource as expressed by the local government
26 and citizenry; these values shall be related to the educational, associative, or aesthetic qualities of
27 the resource.

28 (d) General Use Standards.

29 (1) Significant concentrations of archaeological material, reflecting a full range of human behavior,
30 shall be preserved in-situ for future research by avoidance during development activities. Areas for
31 avoidance shall be selected after archaeological investigations have been made. Subparagraph
32 (d)(2)(B) of this Rule outlines the nature, extent, conditions and significance of the cultural deposits.
33 The following avoidance measures shall be considered:

34 (A) incorporation of "no impact" spaces in construction plans such as green spaces between
35 lots;

36 (B) limiting specific types of ground disturbing activities;

1 (C) donation of preservation easements to the State or, upon approval by the Department of
2 Natural and Cultural Resources, a historic preservation agency or organization.

3 (2) Activities which would damage or destroy the contents of a designated site's surface or subsurface
4 shall be prohibited until an archaeological investigation and resource management plan has been
5 implemented by the applicant. The investigation and management plan shall be developed in
6 consultation with the Department of Natural and Cultural Resources. Such archaeological
7 investigations shall comply with the following criteria:

8 (A) archaeological investigations conducted as part of the permit review process shall be
9 implemented in three parts: Phase I, a reconnaissance level investigation to determine the
10 nature and extent of archaeological materials over the designated area; Phase II, an
11 intensive level investigation which represents a direct outgrowth of Phase I findings and
12 through systematic data recovery assesses the potential importance of identified
13 concentrations of archaeological materials; Phase III, mitigation of significant adverse
14 impacts to recognized areas of importance. Evaluations of research potential shall be made
15 and prioritized in order of importance, based upon the status of previous research in the
16 area and the integrity of the remains;

17 (B) an archaeological research design shall be required for all archaeological investigations.
18 All research designs shall be subject to the approval of the Department of Natural and
19 Cultural Resources prior to conducting the work. A research proposal shall allow at least
20 30 days for review and comment by the Department of Natural and Cultural Resources;

21 (C) data shall be collected and recorded and artifacts shall be curated according to accepted
22 standards at an approved repository in consultation with the Department of Natural and
23 Cultural Resources.

24 (e) Designations. The Coastal Resources Commission hereby designates Permuda Island as a significant coastal
25 archaeological resource area of environmental concern. Permuda Island is a former barrier island located within Stump
26 Sound in southwestern Onslow County. The island is 1.2 miles long and 1.25 miles wide. Archaeological evidence
27 indicates the earliest occupation from the Middle Woodland Period (300 B.C. - 800 A.D.) through the late Woodland
28 Period (800 A.D. - 1650 A.D.) and historic occupations predating the Revolutionary War. Archaeological remains on
29 the island consist of discrete shell heaps, broad and thick layers of shell midden, prehistoric refuse pits and postholes,
30 as well as numerous ceramic vessel fragments and well-preserved animal bone remains.

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32 History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b)(4h); 113A-124;
33 Emergency Adoption Eff. January 2, 2024.