

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 787

Short Title: Core Sound Shellfish Leases-2.

(Public)

Sponsors: Representative Smith.

Referred to: Environment.

April 3, 1997

A BILL TO BE ENTITLED

1 AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION
2 LEASES IN CORE BANKS AND TO ESTABLISH A MORATORIUM ON
3 SHELLFISH LEASES IN THE REMAINING AREA IN CORE SOUND.
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5 The General Assembly of North Carolina enacts:

6 Section 1. (a) Notwithstanding G.S. 113-202, the Secretary of the Department
7 of Environment, Health, and Natural Resources shall not grant shellfish cultivation leases
8 for the area along Portsmouth Island and Core Banks in Carteret County.

9 (b) For purposes of this act, the area along Portsmouth Island and Core
10 Banks is the area bounded by a line beginning at the northern tip of Portsmouth Island at
11 35°03'42" N - 76°02'06" W and running 339°M to a point on North Rock at 35°06'18" N
12 - 76°04'00" W, thence 243°M to Hodges Reef Light at 35°02'42" N - 76°10'00" W,
13 thence, 229.5°M to Marker No. 37 located 0.9 miles off Bells Point at 34°43'30" N -
14 76°29'00" W, thence, 207°M to the Cape Lookout Lighthouse at 34°37'24" N - 76°31'30"
15 W, thence enclosed on the east by Core Banks and Portsmouth Island back to the point of
16 beginning.

17 Section 2. This act does not prohibit the renewal or transfer of shellfish
18 cultivation leases in Core Sound in accordance with G.S. 113-202 if the lease being
19 renewed or transferred existed prior to or on the effective date of this act.

1 Section 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish
2 cultivation leases shall be imposed in the remaining area of Core Sound not described in
3 Section 1 of this act. During the moratorium, a comprehensive study of the shellfish
4 lease program shall be conducted. The moratorium established under this section covers
5 that part of Core Sound bounded by a line beginning at a point on Cedar Island at
6 35°00'39" N - 76°17'48" W, thence 109°(M) to a point in Core Sound 35°00'00" N -
7 76°12'42" W, thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at
8 34°43'30" N - 76°29'00" W, thence 207°(M) to the Cape Lookout Lighthouse at
9 34°37'24" N - 76°31'30" W, thence 12°(M) to a point at Marshallberg at 34°43'07" N -
10 76°31'12" W, thence following the shoreline in a northerly direction to the point of
11 beginning except that the highway bridges at Salters Creek, Thorofare Bay, and the
12 Rumley Bay ditch shall be considered shoreline. The moratorium shall expire July 1,
13 1999.

14 Section 4. This act becomes effective July 1, 1997, and applies to any pending
15 shellfish cultivation application or lease.