

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

**H**

**1**

**HOUSE BILL 901**

Short Title: LRC to Study Protection of Masonboro Island. (Public)

---

Sponsors: Representative McComas (Primary Sponsor).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

---

Referred to: Rules, Calendar, and Operations of the House.

---

May 5, 2011

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY  
2 THE PROTECTION OF MASONBORO ISLAND IN ORDER TO ASSURE THAT THE  
3 ECOLOGICAL SYSTEMS OF THE ISLAND ARE MAINTAINED AND PRESERVED  
4 AND TO ASSURE THAT THE PUBLIC RETAINS ACCESS TO THE ISLAND.  
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Legislative Research Commission shall study the protection of  
8 Masonboro Island, an undeveloped barrier island owned by the State and located off the coast  
9 of North Carolina between Wrightsville and Carolina Beaches, in order to assure that the  
10 ecological systems of the island are maintained and preserved and to assure that the public  
11 retains access to the island. In conducting its study, the Commission shall do all of the  
12 following:

- 13 (1) Determine what protections Masonboro Island currently receives with  
14 respect to its ecological systems and access to it by the public as an area that  
15 is included in the Coastal Reserve Program under Part 5 of Article 7 of  
16 Chapter 113A of the General Statutes.
- 17 (2) Determine the current and appropriate roles of the Division of Coastal  
18 Management of the Department of Environment and Natural Resources, the  
19 Coastal Resources Commission, and New Hanover County regarding these  
20 protections of Masonboro Island under subdivision (1) of this section.
- 21 (3) Consider what administrative rules and local government rules apply to the  
22 ecological protection of Masonboro Island or to its use by the public.
- 23 (4) Consider the specific changes to the rules under subdivision (3) of this  
24 section that are being considered or discussed by the Department of  
25 Environment and Natural Resources, the Coastal Resources Commission, or  
26 New Hanover County that could result in limiting public access to  
27 Masonboro Island or closing Masonboro Island to the public completely,  
28 what specific incidents and the location of these incidents that prompted  
29 such possible rule changes, and the costs to the Department, the Coastal  
30 Resources Commission, New Hanover County, and the public of adopting  
31 such possible rule changes.
- 32 (5) Determine how to balance the interests of protecting the ecology of  
33 Masonboro Island and making Masonboro Island available to citizens who  
34 enjoy its natural beauty and wish to participate in the protection of the sea  
35 turtles and other native species from natural predators.



1           (6) Consider whether Part 5 of Article 7 of Chapter 113A of the General  
2 Statutes or any administrative rules adopted pursuant to Part 5 should be  
3 amended to achieve the appropriate balance of interests as determined under  
4 subdivision (5) of this section.

5           (7) Consider whether adding Masonboro Island to the State Parks System would  
6 result in achieving the appropriate balance of interests as determined under  
7 subdivision (5) of this section.

8           (8) Any other issue the Commission considers relevant to its study.

9           **SECTION 2.** The Legislative Research Commission may make an interim report to  
10 the 2011 General Assembly when it reconvenes in 2012 and shall make its final report to the  
11 2013 General Assembly. Each report shall include the findings and recommendations of the  
12 study, including any legislative or administrative proposals.

13           **SECTION 3.** There is appropriated from the General Fund to the General  
14 Assembly the sum of twenty-five thousand dollars (\$25,000) for the 2011-2012 fiscal year and  
15 the sum of twenty-five thousand dollars (\$25,000) for the 2012-2013 fiscal year for the cost of  
16 conducting the study under this act.

17           **SECTION 4.** This act becomes effective July 1, 2011.