

## **SECTION .0600 - DEVELOPMENT STANDARDS APPLICABLE TO ALL AECS**

### **15A NCAC 07H .0601 NO VIOLATION OF ANY RULE**

No development shall be allowed in any AEC which would result in a contravention or violation of any rules, regulations, or laws of the State of North Carolina or of local government in which the development takes place.

*History Note: Authority G.S. 113A-107(a),(b); 113A-124;  
Eff. September 9, 1977.*

### **15A NCAC 07H .0602 POLLUTION OF WATERS**

No development shall be allowed in any AEC which would have a substantial likelihood of causing pollution of the waters of the state in which shellfishing is an existing use to the extent that such waters would be officially closed to the taking of shellfish. This rule shall also apply to development adjacent to or within closed shellfish waters when a use attainability study of those waters documents the presence of a significant shellfish resource in an area that could be expected to be opened for shellfishing given reasonable efforts to control the existing sources of pollution.

*History Note: Authority G.S. 113A-107(a),(b); 113A-124;  
Eff. September 9, 1977;  
Amended Eff. July 1, 1987.*

### **15A NCAC 07H .0603 MINIMUM ALTITUDES**

No development involving airspace activity shall be allowed in any AEC which would result in violation of minimum altitude standards adopted by the Federal Aviation Administration and codified at 14 CFR Part 91.79. Future amendments by the Federal Aviation Administration shall be deemed to be incorporated into this Rule pursuant to G.S. 150B-14(c) unless the Commission objects within 90 days of publication of the action in the Federal Register. Upon objection by the Commission to a change, the Commission shall initiate rule-making proceedings on incorporation of the amendment into this Rule. The amendment will not be incorporated into this Rule pending a rule-making hearing and final action by the Commission on the proposed amendment.

*History Note: Authority G.S. 113A-107(a),(b);  
Eff. March 1, 1990.*

### **15A NCAC 07H .0604 NOISE POLLUTION**

Except as required for safe aircraft takeoff and landing operations, airspace activity associated with coastal development shall not impose an increase in average noise exceeding 10 dBA above background levels. Noise measurements shall be normalized Ldn as set forth by the Environmental Protection Agency in its report 550/9-74-004 entitled Information on Levels of Environmental Noise Requisite to Protect the Public Health and Welfare with an Adequate Margin of Safety. The maximum noise level associated with any single event shall not exceed 85 dBA. These limits shall not apply where noise impacts are confined to surface areas owned or controlled by the project's proponent. Any noise monitoring required to ensure compliance with this Rule shall be the responsibility of the proponent.

*History Note: Authority G.S. 113A-107(a),(b);  
Eff. March 1, 1990.*