

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Monday, November 3, 2025 2:32 PM
To: Avery, Jonathan; Julie B. Eddins
Cc: Burgos, Alexander N
Subject: RE: Periodic Review 07 NCAC 04M, 04N, 04O, 04P, 04Q, 04R and 04T

Follow Up Flag: Follow up
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Thank you, Mr. Avery.

I'm satisfied with the proposed readoption timeline submitted by your agency. The RRC will plan to vote on the agreed readoption deadline of **November 1, 2030** at its meeting on November 20, 2025 at 10am.

Please let me know if you have any questions.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Avery, Jonathan <jonathan.avery@dncr.nc.gov>
Sent: Monday, November 3, 2025 11:32 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 07 NCAC 04M, 04N, 04O, 04P, 04Q, 04R and 04T

Hi Travis,

After further discussion with DNCR management, I'd like to propose to move the readoption deadline for 07 NCAC 04M, 04N, 04O, 04P, 04Q, 04R, and 04T back to November 1, 2030. This additional time is necessary for DNCR because these rules are the most voluminous and complicated rules that DNCR has, many have not been updated since the 1980's, and they will likely take a significant amount of staff time and review to complete. Additionally, I've never done a fiscal note, so I'd like to build in some additional time for me to figure out how to do that, if they are necessary.

As requested, please see the proposed readoption timeline below for 07 NCAC 04M, 04N, 04O, 04P, 04Q, 04R, and 04T rules, based on this new proposed deadline. The dates noted on the timeline refer to a deadline, and not a specific date, as the meeting dates for the NC Historical Commission beyond 2025 have not yet been established. The timeline is based on previous meeting dates typical of the Commission's schedule.

Presentation of rules at Commission meeting: March 2030
Publication of Notice of Text: June 2030
Public Hearing: July 2030

Public Comment Period: June – September 2030
Commission meeting for final adoption: September 2030
Submission of rules to OAH for RRC consideration: October 2030
Rules Review Commission review: No later than November 2030
Earliest Effective Date of Rules: January 1, 2030

Please let me know if you need anything further and if this new proposed deadline is acceptable.

Best,
Jonathan

Jonathan Avery
Assistant General Counsel
N.C. Department of Natural and Cultural Resources
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From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, September 8, 2025 4:10 PM
To: Julie B. Eddins <julie.eddins@oah.nc.gov>; Avery, Jonathan <jonathan.avery@dncr.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 07 NCAC 04L, 04M, 04N, 04O, 04P, 04Q, 04R

Good afternoon,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the “Necessary” rules. Pursuant to G.S. 150B-21.3A and 26 NCAC 05 .0212, the RRC sets this deadline after consultation with the agency, and this email serves as the RRC’s request for that consultation. Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC, and the deadlines for doing so.

The deadline for your agency to provide this information is **November 7, 2025**. As a starting point, I would recommend a **November 1, 2028**, readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Please reply to confirm receipt of this email. Let me know if you have any questions. Thank you.

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
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Email: travis.wiggs@oah.nc.gov

From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Monday, September 8, 2025 10:52 AM
To: Avery, Jonathan <jonathan.avery@dncr.nc.gov>

Cc: Wiggs, Travis C <travis.wiggs@oah.nc.gov>

Subject: Periodic Review 07 NCAC 04L, 04M, 04N, 04O, 04P, 04Q, 04R

Good afternoon,

The determinations in the attached periodic review reports for 07 NCAC 04L, 04M, 04N, 04O, 04P, 04Q, 04R were effective 07/30/2025. Commission Counsel Seth Ascher will reach out to you to discuss setting the readoption date for the rules in the report designated necessary.

The rules designated, as unnecessary expired effective August 1, 2025.

Let me know if you have any questions.

Julie B. Eddins

Publications Coordinator

NC Office of Administrative Hearings

Phone 984-236-1937 (direct) – new number effective March 14, 2025

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