

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Coastal Resources Commission

RULE CITATION: All Rules

**DEADLINE FOR RECEIPT: Friday, December 8, 2023.**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Under G.S. 113A-119.1, the fees collected by the Commission "shall not exceed thirty three and one third percent (33 1/3%) of the total personnel and administrative costs incurred by the Department for permit processing and compliance programs within the Division of Coastal Management. Can you confirm that this remains true after the increase in fees?*

*Is there a reason why the statutes cited in the History Note change between rules? It seems to me they would all be the same.*

*In many of the History Notes, there are citations to 113A-113(b) and 113-229. Neither seems to be on point. Should these be omitted?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman  
Commission Counsel

Date submitted to agency: November 28, 2023

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07H .1103

**DEADLINE FOR RECEIPT: Friday, December 8, 2023.**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*I believe the reference to "113-119.1" should be to "113A-119.1".*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman  
Commission Counsel

Date submitted to agency: November 28, 2023

1 15A NCAC 07H .1103 is amended as published in 38:05 NCR 274 as follows:

2

3 **15A NCAC 07H .1103 PERMIT FEE**

4 The applicant shall pay a permit fee of ~~two hundred dollars (\$200.00) for riprap revetments sited at or above normal~~  
5 ~~high water or normal water level, or a permit fee of four hundred dollars (\$400.00) for riprap revetments sited below~~  
6 ~~normal high water or normal water level.~~ revetments. The applicant shall pay a permit fee of four hundred dollars  
7 (\$400.00) for bulkheads. Permit fees shall be paid by check or money order payable to the ~~Department.~~ Department  
8 of Environmental Quality.

9

10 *History Note: Authority G.S. 113A-107; 113A-113(b); 113A-118.1; 113A-119; 113-119.1; 113A-124; 113-229;*

11 *Eff. March 1, 1984;*

12 *Amended Eff. October 5, 2009; September 1, 2006; August 1, 2000; March 1, 1991;*

13 *Readopted Eff. April 1, 2022;*

14 *Amended January 1, 2024.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07H .1203

**DEADLINE FOR RECEIPT: Friday, December 8, 2023.**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*I believe the reference to "113-119.1" should be to "113A-119.1".*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman  
Commission Counsel

Date submitted to agency: November 28, 2023

1 15A NCAC 07H .1203 is amended as published in 38:05 NCR 274 as follows:

2

3 **15A NCAC 07H .1203 PERMIT FEE**

4 The applicant shall pay a permit fee of ~~two hundred dollars (\$200.00)~~ four hundred dollars (\$400.00) by check or  
5 money order payable to the ~~Department.~~ Department of Environmental Quality.

6

7 *History Note: Authority G.S. 113A-107; 113A-113(b); 113A-118.1; 113A-119; 113-119.1; 113A-124;*

8 *Eff. March 1, 1984;*

9 *Amended Eff. September 1, 2006; August 1, 2000; March 1, 1991;*

10 *Readopted Eff. December 1, 2021;*

11 *Amended Eff. January 1, 2024.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07H .1503

**DEADLINE FOR RECEIPT: Friday, December 8, 2023.**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Is there another permit for excavations over 1,000 cubic yards?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman  
Commission Counsel

Date submitted to agency: November 28, 2023

1 15A NCAC 07H .1503 is amended as published in 38:05 NCR 274as follows:

2

3 **15A NCAC 07H .1503 APPLICATION FEE**

4 The applicant shall pay a permit fee of ~~two hundred dollars (\$200.00) for maintenance excavation of 100 cubic yards~~  
5 ~~or less or~~ four hundred dollars (\$400.00) for maintenance excavation of ~~100~~ up to 1,000 cubic yards. Permit fees shall  
6 be paid by check or money order payable to the Department of Environmental Quality.

7

8 *History Note: Authority G.S. 113A-107; 113A-113(b); 113A-118.1; 113A-119; 113A-119.1; 113A-124;*

9 *Eff. July 1, 1984;*

10 *Amended Eff. September 1, 2006; August 1, 2000; March 1, 1991;*

11 *Readopted Eff. October 1, 2022;*

12 *Amended Eff. January 1, 2024.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07H .2503

**DEADLINE FOR RECEIPT: Friday, December 8, 2023.**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*In your History Note, should there not be a citation to 113A-118(f)?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman  
Commission Counsel

Date submitted to agency: November 28, 2023



1 15A NCAC 07H .2503 is amended as published in 38:05 NCR 275 as follows:

2

3 **15A NCAC 07H .2503 PERMIT FEE**

4 The standard permit fee of ~~two hundred dollars (\$200.00)~~ four hundred dollars (\$400.00) has been waived for this  
5 General Permit.

6

7 *History Note: Authority G.S. 113A-107; 113A-118.1;*

8 *Temporary Adoption Eff. October 2, 1999;*

9 *Temporary Adoption Expired on July 28, 2000;*

10 *Eff. April 1, 2001;*

11 *Amended Eff. September 1, 2006;*

12 *Readopted Eff. July 1, 2022;*

13 *Amended Eff. January 1, 2024.*