

Burgos, Alexander N

Subject: FW: RFC for CRC June 2026
Attachments: 15A NCAC 07B .0601 for Code with tech changes.docx; 15A NCAC 07B .0701 for Code with tech changes.docx; 15A NCAC 07B .0702 for Code.docx; 15A NCAC 07B .0801 for Code.docx; 15A NCAC 07B .0802 for Code with tech changes.docx; 15A NCAC 07B .0803 for Code.docx; 15A NCAC 07B .0804 for Code.docx

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Subject: RE: RFC for CRC June 2026

Hi Seth,

Attached are all the CRC rules formatted per your examples below.
Thanks.

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1 15A NCAC 07B .0601 is readopted as published with changes in 40:14 NCR 1205 as follows:

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SECTION .0600 - INTRODUCTION

5 **15A NCAC 07B .0601 AUTHORITY**

6 This Subchapter establishes the rules that local governments shall follow in developing and adopting a land use plan
7 or comprehensive plan, hereinafter referred to as "the plan", ~~that meets to meet~~ the Coastal Resources Commission's
8 (CRC) planning ~~requirements~~. requirements pursuant to G.S. 113A-110 and 113A-111.

9

10 *History Note: Authority G.S. 113A-107(a); 113A-110; 113A-124;*

11 *Eff. August 1, 2002;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22,*
13 *2015;*

14 *Amended Eff. February 1, 2016;*

15 *Readopted Eff. July 1, 2026.*

1 15A NCAC 07B .0701 is readopted as published with changes in 40:14 NCR 1206 as follows:

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3 **SECTION .0700 – LAND USE PLANNING REQUIREMENTS**
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5 **15A NCAC 07B .0701 PLANNING OPTIONS**

6 (a) Each county within the coastal area may prepare and adopt a land use plan or comprehensive plan, hereinafter
7 referred to as "the plan", that meets the planning requirements adopted by the Coastal Resources Commission (CRC).
8 The CRC shall prepare and adopt a plan that meets the CRC's planning requirements as set forth in Rule .0702 of this
9 Section for each county that chooses not to prepare and adopt a plan. Municipalities may develop individual plans
10 that meet the CRC's requirements if:

- 11 (1) the county delegates this authority to the municipality; or
12 (2) the CRC grants this authority upon written request from a municipality that is enforcing its zoning
13 ordinance, its subdivision ~~regulations~~ regulations, and the State Building Code within its
14 jurisdiction.

15 (b) A county shall accept a municipality's locally adopted policies and implementation actions for inclusion in the
16 county plan for the municipality's jurisdiction if requested to do so by any municipality not preparing its own plan.
17 Inclusion of a municipality's adopted policies and implementation actions shall occur either at the time of county plan
18 preparation or a subsequent county plan amendment. The municipality's policies and implementation actions are
19 limited to its jurisdiction and may differ from the county's policies and implementation actions.

20 (c) Municipalities may seek certification as set forth in Rule .0803 of this Subchapter for these plans if all requirements
21 found in this Subchapter and G.S. 113A-110 are met.

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23 *History Note: Authority G.S. 113A-107(a); 113A-110; 113A-124;*
24 *Eff. August 1, 2002;*
25 *Readopted Eff. July 1, 2026; February 1, 2016.*

1 15A NCAC 07B .0702 is readopted as published in 40:14 NCR 1206 – 1211 as follows:

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3 **15A NCAC 07B .0702 LAND USE PLAN ELEMENTS**

4 (a) Organization of the Plan. The land use plan or comprehensive plan, hereinafter referred to as "the plan", shall
5 include a matrix that shows the location of the required elements as set forth in this Rule.

6 (b) Community Concerns and Aspirations. The purpose of this element is to provide an understanding of the
7 underlying planning needs and desires of the community to support the land use and development policies included
8 in the plan. This element shall include:

9 (1) Significant existing and emerging conditions: The plan shall describe the dominant growth-related
10 conditions that influence land use, development, water quality, and other environmental concerns in
11 the planning area.

12 (2) Key issues: The plan shall describe the land use and development topics most important to the future
13 of the planning area. This description shall include public access, land use compatibility,
14 infrastructure carrying capacity, natural hazard areas, water quality, and may also include local areas
15 of concern as described in Subparagraph (d)(2) ~~(Land Use Plan Management Topics)~~ of this Rule.

16 (3) A community vision: The vision shall describe the general physical appearance and form that
17 represents the local government's plan for the future. It shall include objectives to be achieved by
18 the plan and identify changes that may be needed to achieve the planning vision as determined by
19 the local government.

20 (c) Existing and Emerging Conditions. The purpose of this element is to provide a sound factual basis necessary to
21 support the land use and development policies included in the plan. It shall describe the following:

22 (1) Population, Housing, and Economy. The plan shall include discussion of the following data and
23 trends:

24 (A) Population: Permanent population growth trends using data from the two most recent
25 decennial Censuses; current permanent and seasonal population estimates; key population
26 characteristics, including age and income; and thirty-year projections of permanent and
27 seasonal population in five-year increments.

28 ~~(i) Permanent population growth trends using data from the two most recent~~
29 ~~decennial Censuses;~~

30 ~~(ii) Current permanent and seasonal population estimates;~~

31 ~~(iii) Key population characteristics, including age and income, and~~

32 ~~(iv) Thirty year projections of permanent and seasonal population in five year~~
33 ~~increments.~~

34 (B) Housing stock: The plan shall include an estimate of current housing stock, including
35 permanent and seasonal units, tenure, and types of units (single-family, multifamily, and
36 manufactured).

- 1 (C) Local economy: The plan shall describe employment by major sectors and community
2 economic activity.
- 3 (2) Natural systems. The plan shall describe the natural features and discuss the environmental
4 conditions of the planning jurisdiction to include:
- 5 (A) ~~Natural features as follows.~~ Areas of Environmental Concern (AECs) as set forth in 15A
6 NCAC 07H;
- 7 (B) Soil characteristics, including limitations for septic tanks, erodibility, and other factors
8 related to development;
- 9 (C) Environmental Management Commission (EMC) water quality classifications (SC, SB,
10 SA, HQW, and ORW) and related use support designations located at 15A NCAC 02B and
11 are incorporated by reference including subsequent amendments at no cost located here:
12 [http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-%20Environmental%20Quality\Chapter%2002%20-%20Environmental%20Management)
13 [%20Environmental%20Quality\Chapter%2002%20-](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-%20Environmental%20Quality\Chapter%2002%20-%20Environmental%20Management)
14 [%20Environmental%20Management](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-%20Environmental%20Quality\Chapter%2002%20-%20Environmental%20Management). And the Marine Fisheries Commission shellfish
15 growing areas in 15A NCAC 18A .0900 and 15A NCAC 18A .3400 which are incorporated
16 by reference including subsequent amendments located at no cost here:
17 [http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-%20Environmental%20Quality\Chapter%2018%20-%20Environmental%20Health)
18 [%20Environmental%20Quality\Chapter%2018%20-](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-%20Environmental%20Quality\Chapter%2018%20-%20Environmental%20Health)
19 [%20Environmental%20Health](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2015A%20-%20Environmental%20Quality\Chapter%2018%20-%20Environmental%20Health). Water quality conditions can be found on the Division of
20 Marine Fisheries website at [https://www.deq.nc.gov/about/divisions/marine-](https://www.deq.nc.gov/about/divisions/marine-fisheries/shellfish-sanitation-and-recreational-water-quality)
21 [fisheries/shellfish-sanitation-and-recreational-water-quality](https://www.deq.nc.gov/about/divisions/marine-fisheries/shellfish-sanitation-and-recreational-water-quality).
- 22 (D) Flood and other natural hazard areas;
- 23 (E) Storm surge areas;
- 24 (F) Non-coastal wetlands, including forested wetlands, shrub-scrub wetlands and freshwater
25 marshes;
- 26 (G) Water supply watersheds or wellhead protection areas;
- 27 (H) Primary nursery areas;
- 28 (I) Environmentally fragile areas, such as wetlands, natural heritage areas, areas containing
29 endangered species, prime wildlife habitats, or marine forests; and
- 30 (J) Additional natural features or conditions identified by the local government.
- 31 (i) ~~Areas of Environmental Concern (AECs) as set forth in 15A NCAC 07H;~~
- 32 (ii) ~~Soil characteristics, including limitations for septic tanks, erodibility, and other~~
33 ~~factors related to development;~~
- 34 (iii) ~~Environmental Management Commission (EMC) water quality classifications~~
35 ~~(SC, SB, SA, HQW, and ORW) and related use support designations located at~~
36 ~~<http://portal.ncdenr.org/web/q/ps/esu/classifications> and provided at no fee; and~~
37 ~~Division of Marine Fisheries (DMF) shellfish growing areas and water quality~~

1 ~~conditions located at <http://portal.ncdenr.org/web/mf/shellfish> sanitation and~~
2 ~~recreational water quality and provided at no fee;~~

3 ~~(iv) Flood and other natural hazard areas;~~

4 ~~(v) Storm surge areas;~~

5 ~~(vi) Non-coastal wetlands, including forested wetlands, shrub scrub wetlands and~~
6 ~~freshwater marshes;~~

7 ~~(vii) Water supply watersheds or wellhead protection areas;~~

8 ~~(viii) Primary nursery areas;~~

9 ~~(ix) Environmentally fragile areas, such as wetlands, natural heritage areas, areas~~
10 ~~containing endangered species, prime wildlife habitats, or maritime forests; and~~

11 ~~(x) Additional natural features or conditions identified by the local government.~~

12 ~~(B) Environmental conditions. The plan shall provide an assessment of the following~~
13 ~~environmental conditions and features:~~

14 ~~(i) Water quality:~~

15 ~~(I) Status and changes of surface water quality, including impaired streams~~
16 ~~from the most recent N.C. Division of Water Resources Basin Planning~~
17 ~~Branch Reports, Clean Water Act 303(d) List, and other comparable~~
18 ~~data;~~

19 ~~(II) Current situation and trends on permanent and temporary closures of~~
20 ~~shellfishing waters as determined by the Report of Sanitary Survey by~~
21 ~~the Shellfish Sanitation and Recreational Water Quality Section of the~~
22 ~~N.C. Division of Marine Fisheries;~~

23 ~~(III) Areas experiencing chronic wastewater treatment system malfunctions;~~
24 ~~and~~

25 ~~(IV) Areas with water quality or public health problems related to non-point~~
26 ~~source pollution.~~

27 ~~(ii) Natural hazards:~~

28 ~~(I) Areas subject to recurrent flooding, storm surges and high winds; and~~

29 ~~(II) Areas experiencing significant shoreline erosion as evidenced by the~~
30 ~~presence of threatened structures or public facilities.~~

31 ~~(iii) Natural resources:~~

32 ~~(I) Environmentally fragile areas (as defined in Sub Part (c)(2)(A)(ix) of~~
33 ~~this Rule) or areas where resource functions are impacted as a result of~~
34 ~~development; and~~

35 ~~(II) Natural resource areas that are being impacted or lost as a result of~~
36 ~~incompatible development. These may include, but are not limited to the~~
37 ~~following: coastal wetlands, protected open space, and agricultural land.~~

1 (3) Environmental conditions: The plan shall provide an assessment of the following environmental
2 conditions and features:

3 (A) Status and changes of surface water quality, including impaired streams from the most
4 recent N.C. Division of Water Resources Basin Planning Branch Reports, Clean Water Act
5 303(d) List, and other comparable data;

6 (B) Current situation and trends on permanent and temporary closures of shellfishing waters as
7 determined by the Report of Sanitary Survey by the Shellfish Sanitation and Recreational
8 Water Quality Section of the N.C. Division of Marine Fisheries;

9 (C) Areas experiencing chronic wastewater treatment system malfunctions;

10 (D) Areas with water quality or public health problems related to non-point source pollution;

11 (E) Areas subject to recurrent flooding, storm surges and high winds;

12 (F) Areas experiencing significant shoreline erosion as evidenced by the presence of threatened
13 structures or public facilities;

14 (G) Environmentally fragile areas as defined in Part (C)(2)(I) of this Rule or areas where
15 resource functions are impacted as a result of development; and

16 (H) Natural resource areas that are being impacted or lost as a result of incompatible
17 development. These may include, but are not limited to the following: coastal wetlands,
18 protected open space, and agricultural land.

19 ~~(3)~~(4) Existing Land Use and Development. The plan shall include a map and descriptions of the
20 following:

21 (A) Existing land use patterns, which may include the following categories: Residential,
22 commercial, industrial, institutional, public, dedicated open space, vacant, agriculture, and
23 forestry. Land use descriptions shall include estimates of the land area allocated to each
24 land use and characteristics of each land use category.

25 (B) Historic, cultural, and scenic areas designated by a state or federal agency or by local
26 government.

27 ~~(4)~~(5) Community Facilities. The plan shall evaluate existing and planned capacity, location, and
28 adequacy of community facilities that serve the community's existing and planned population and
29 economic base; as well as those that protect important environmental factors such as water quality;
30 and that guide land development in the coastal area. The evaluation shall include:

31 (A) Public and private water supply and wastewater systems. The plan shall describe existing
32 public and private systems, including existing condition and capacity. It shall describe any
33 documented overflows, bypasses, or other problems that may degrade water quality or
34 constitute a threat to public health as documented by the Division of Water Resources
35 (DWR). It shall indicate future needs based on population projections. The plan shall
36 include a map of existing and planned service areas.

1 (B) Transportation systems. The plan shall include a map of the existing and planned
2 multimodal systems and port and airport facilities. It shall describe any highway segments
3 deemed by the North Carolina Department of Transportation (NCDOT) as having
4 unacceptable service as documented in the most recent NCDOT Transportation and/or
5 Thoroughfare Plan. It shall describe highway facilities on the current thoroughfare plan or
6 facilities on the current transportation improvement plan. It shall describe the impact of
7 existing facilities on land use patterns.

8 (C) Stormwater systems. The plan shall describe the existing public stormwater management
9 system. It shall identify existing drainage problems and water quality issues related to
10 point-source discharges of stormwater runoff.

11 (d) Future Land Use. This element of the plan is intended to guide the development and use of land in a manner that
12 achieves the goals of the Coastal Area Management Act through local government land use and development policies,
13 including a future land use map. This element shall include:

14 (1) Policies.

15 (A) Community Concerns and Aspirations and Existing and Emerging Conditions shall be
16 considered in the development of local government plan policies as required in ~~Rule~~
17 ~~.0702(b) and (c) of this Section. Paragraphs (b) and (c) of this Rule.~~

18 (B) Policies shall be consistent with the goals of the CAMA, shall address the Land Use Plan
19 Management Topics set forth in Subparagraph (d)(2) of this Rule, and comply with all state
20 and federal rules.

21 (C) Policies that exceed use standards and permitting requirements found in Subchapter ~~7H,~~
22 07H, State Guidelines for Areas of Environmental Concern, shall be identified in the plan.

23 (2) Land Use Plan Management Topics. The purposes of the CRC management ~~topics~~ topics, public
24 access, land use compatibility, infrastructure carrying capacity, natural hazard areas, and water
25 quality, are to ensure that plans support the goals of the CAMA, define the CRC's expectations for
26 land use policies, and provide a basis for plan review and certification by the CRC. In addition to
27 the management topics outlined below, plans may also include policies to address local areas of
28 concern. Each management topic includes two components: a management goal and planning
29 objectives.

30 (A) ~~Public Access: Access Management Goal: Maximize public access to the beaches and the~~
31 public trust waters of the coastal region.

32 (B) Public Access Planning Objectives: The plan shall include policies that address access
33 needs and opportunities, with strategies to develop public access and provisions for all
34 segments of the community, including persons with disabilities. Oceanfront communities
35 shall establish access policies for beach areas targeted for nourishment.

36 (i) ~~Management Goal: Maximize public access to the beaches and the public trust~~
37 waters of the coastal region.

1 (ii) ~~Planning Objectives: The plan shall include policies that address access needs and~~
2 ~~opportunities, with strategies to develop public access and provisions for all~~
3 ~~segments of the community, including persons with disabilities. Oceanfront~~
4 ~~communities shall establish access policies for beach areas targeted for~~
5 ~~nourishment.~~

6 ~~(B)~~ (C) Land Use Compatibility: Compatibility Management Goal: Ensure that development and
7 use of resources or preservation of land balance protection of natural resources and fragile
8 areas with economic development, avoids risks to public health, safety, and welfare.

9 (D) Land Use Planning Objectives: The plan shall include policies that characterize future land
10 use development patterns and establish mitigation criteria and concepts to minimize
11 conflicts.

12 (i) ~~Management Goal: Ensure that development and use of resources or preservation~~
13 ~~of land balance protection of natural resources and fragile areas with economic~~
14 ~~development, avoids risks to public health, safety, and welfare.~~

15 (ii) ~~Planning Objectives: The plan shall include policies that characterize future land~~
16 ~~use development patterns and establish mitigation criteria and concepts to~~
17 ~~minimize conflicts.~~

18 ~~(C)~~ (E) Infrastructure Carrying Capacity: Capacity Management Goal: Ensure that public
19 infrastructure systems are sized, located, and managed so the quality and productivity of
20 AECs and other fragile areas are protected and restored.

21 (F) Infrastructure Carrying Capacity Planning Objectives: The plan shall include policies that
22 establish service criteria and ensure improvements minimizing impacts to AECs and other
23 fragile areas.

24 (i) ~~Management Goal: Ensure that public infrastructure systems are sized, located,~~
25 ~~and managed so the quality and productivity of AECs and other fragile areas are~~
26 ~~protected or restored.~~

27 (ii) ~~Planning Objectives: The plan shall include policies that establish service criteria~~
28 ~~and ensure improvements minimize impacts to AECs and other fragile areas.~~

29 ~~(D)~~ (G) Natural Hazard Areas: Areas Management Goal: Conserve and maintain barrier dunes,
30 beaches, flood plains, and other coastal features for their natural storm protection functions
31 and their natural resources giving recognition to public health, safety, and welfare issues.

32 (H) Natural Hazard Areas Planning Objectives: The plan shall include policies that establish
33 mitigation and adaptation concepts and criteria for development and redevelopment,
34 including public facilities, and that minimize threats to life, property, and natural resources
35 resulting from erosion, high winds, storm surge, flooding, and other natural hazards.

1 ~~(i) Management Goal: Conserve and maintain barrier dunes, beaches, flood plains,~~
2 ~~and other coastal features for their natural storm protection functions and their~~
3 ~~natural resources giving recognition to public health, safety, and welfare issues.~~

4 ~~(ii) Planning Objectives: The plan shall include policies that establish mitigation and~~
5 ~~adaptation concepts and criteria for development and redevelopment, including~~
6 ~~public facilities, and that minimize threats to life, property, and natural resources~~
7 ~~resulting from erosion, high winds, storm surge, flooding, or other natural~~
8 ~~hazards.~~

9 ~~(E) (I) Water Quality: Quality Management Goal: Maintain, protect, and where possible enhance~~
10 ~~water quality in all coastal wetlands, rivers, streams, and estuaries.~~

11 ~~(J) Water Quality Planning objectives: The plan shall include policies that establish strategies~~
12 ~~and practices to prevent or control nonpoint source pollution and maintain or improve water~~
13 ~~quality.~~

14 ~~(i) Management Goal: Maintain, protect, and where possible enhance water quality~~
15 ~~in all coastal wetlands, rivers, streams, and estuaries.~~

16 ~~(ii) Planning Objectives: The plan shall include policies that establish strategies and~~
17 ~~practices to prevent or control nonpoint source pollution and maintain or improve~~
18 ~~water quality.~~

19 (3) Future land use map. The plan shall include a map that depicts the policies for growth and
20 development, and the desired future patterns of land use and land development with consideration
21 given to natural system constraints and infrastructure. The plan shall include map designations with
22 descriptions of land uses and development.

23 (e) Tools for Managing Development. The purpose of this element is to describe the management tools and actions
24 the local government will use to implement the plan. This element shall include:

25 (1) Guide for land use decision-making. The plan shall describe the role of the plan policies, including
26 the future land use map, in local decisions regarding land use and development.

27 (2) Development program. The plan shall describe the community's development management
28 program, including local ordinances, codes, other plans and policies.

29 (3) Action plan and implementation schedule. The plan shall describe the actions that will be taken by
30 the local government to implement policies that meet the CRC's management topic goals and
31 objectives. It shall specify the fiscal year(s) in which each action is anticipated to start and finish.
32 It shall describe the specific steps the local government plans to take to implement the policies,
33 including the adoption and amendment of local ordinances, other plans, and special projects. The
34 action plan shall be used to prepare the implementation status report for the plan.

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36 *History Note: Authority G.S. 113A-102; 113A-107(a); 113A-110; 113A-111; 113A-124;*
37 *Eff. August 1, 2002;*

- 1 *Amended Eff. April 1, 2003;*
- 2 *Readopted Eff. July 1, 2026; February 1, 2016.*

1 15A NCAC 07B .0801 is readopted as published in 40:14 NCR 1211 as follows:

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SECTION .0800 –LAND USE PLAN AND AMENDMENT REVIEW AND CERTIFICATION

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15A NCAC 07B .0801 STATE REVIEW AND COMMENT ON DRAFT PLAN

6

The Division of Coastal Management shall review all draft land use plans or comprehensive plans, hereinafter referred to as plans, for consistency with the CRC's requirements for plans prior to local adoption, as set forth in Rule .0702 of this Subchapter. The Division shall provide written notice to the CRC, other State and Federal Agencies, and adjacent jurisdictions (including non-CAMA areas and if applicable, out of state areas) that the plan is available for review and comment. The review period shall be 30 calendar days and shall begin upon receipt of a plan accepted as complete by the Division, as set forth in Rule .0702 of this Subchapter. The Division shall provide written comments to the local government within 45 calendar days after the end of the review period.

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History Note: Authority G.S. 113A-106; 113A-107;

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Eff. February 1, 2016;

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Readopted Eff. July 1, 2026.

1 15A NCAC 07B .0802 is readopted as published with changes in 40:14 NCR 1211 as follows:

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3 **15A NCAC 07B .0802 PUBLIC HEARING AND LOCAL ADOPTION REQUIREMENTS**

4 (a) Notice of Public Hearing. The local government shall provide the Executive Secretary of the CRC or his or her
5 designee written notice of the public hearing for local adoption and a copy of the proposed land use plan or
6 comprehensive plan, hereinafter referred to as "the plan", or amendment no less than five business days prior to
7 publication of a public hearing notice. The public hearing notice shall include, as set forth in Rule .0803(a)(2) of this
8 Section, disclosure of the public's opportunity to provide written comment to the CRC's Executive Secretary or his or
9 her designee following local adoption of the plan.

10 (b) Final Plan Content. The final plan or amendment shall be adopted by the elected body of each participating local
11 government.

12 (c) Transmittal to the Division for Certification. The local government shall provide the Executive Secretary of the
13 CRC or his or her designee the locally adopted plan, a certified statement of the local government adoption action,
14 and documentation that it has followed the public hearing process required in G.S. 113A-110.

15 (d) For joint plans originally adopted by each participating jurisdiction, each government retains its sole and
16 independent authority to make amendments to the plan as it affects its jurisdiction.

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18 *History Note: Authority G.S. 113A-107(a); 113A-110; 113A-124;*

19 *Eff. August 1, 2002;*

20 *Amended Eff. January 1, 2007; February 1, 2006;*

21 *Readopted Eff. February 1, 2016;*

22 *Amended Eff. February 1, 2019;*

23 *Readopted Eff. July 1, 2026.*

1 15A NCAC 07B .0803 is readopted as published in 40:14 NCR 1211-1212 as follows:

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3 **15A NCAC 07B .0803 CERTIFICATION AND USE OF THE PLAN**

4 (a) Certification of Plans and Amendments: This Rule outlines the certification procedures and conditions for locally
5 adopted land use plans or comprehensive plans, hereinafter referred to as "the plan," or plan amendments. The
6 procedures shall be as follows:

7 (1) The Division District Planner shall submit a written report to the CRC, or qualified employee of the
8 Department pursuant to G.S. 113A-124(c)(9), on the locally adopted plan or amendment and either
9 recommend certification or identify how the plan or amendment does not meet the procedures and
10 conditions for certification as set forth in Subparagraph (a)(3) of this Rule.

11 (2) The public shall have an opportunity to submit written objections or comments on the locally
12 adopted plan or amendment prior to certification pursuant to G.S. 113A-110(e). Written objections
13 or comments shall be received by the Division no more than 30 calendar days after local adoption
14 of the plan or amendment. Written objections shall be limited to the criteria for certification as
15 defined in Subparagraph (a)(3) of this Rule, and shall identify the specific plan elements that are
16 opposed. Written objections or comments shall be sent by the Division to the local government
17 submitting the plan or amendment. Written objections or comments shall be considered in the
18 certification of the local plan or amendment.

19 (3) The CRC or qualified employee of the Department, pursuant to G.S. 113A-124(c)(9), shall certify
20 plans and amendments following the procedures and conditions specified in this Rule, and that the
21 plans and amendments meet the following conditions:

22 (A) are consistent with the Coastal Area Management Act G.S. 113A-110;

23 (B) are consistent with the rules of the CRC;

24 (C) do not violate State or federal law; and

25 (D) contain policies that address each management topic as set forth in Rule .0702(d)(2) of this
26 Subchapter.

27 (4) If the plan or amendment does not meet certification requirements, the applicant shall be informed
28 by the Division of Coastal Management within 45 calendar days regarding how the plan or
29 amendment does not meet the procedures and conditions for certification.

30 (b) Copies of the Plan. Within 90 calendar days of certification of the plan or an amendment, the local government
31 shall provide one printed and one digital copy of the plan to the Division. Amendments shall be incorporated in all
32 copies of the plan. The dates of local adoption, certification, and amendments shall be published on the cover.

33 (c) Use of the Plan. Once certified, the plan shall be utilized in the review of the CAMA permits in accordance with
34 G.S. 113A-111. Local governments shall have the option to exercise their enforcement responsibility by choosing
35 from the following:

36 (1) Local administration: The local government reviews the CAMA permits for consistency with the
37 plan;

1 (2) Joint administration: The local government identifies policies, including the future land use map
2 and implementation actions that will be used by the Division for the CAMA permit consistency
3 reviews or;

4 (3) Division administration: The Division reviews the CAMA permits for consistency with the plan
5 policies, including the future land use map and implementation actions.

6 (d) Plan updates and Amendments. Local governments shall determine the scope, timing, and frequency of plan
7 updates and amendments.

8

9 *History Note: Authority G.S. 113A-107(a); 113A-110; 113-111; 113A-124;*

10 *Eff. August 1, 2002;*

11 *Amended Eff. April 1, 2008; September 1, 2006;*

12 *Readopted Eff. February 1, 2016;*

13 *Amended Eff. February 1, 2019;*

14 *Readopted Eff. July 1, 2026.*

1 15A NCAC 07B .0804 is readopted as published in 40:14 NCR 1212 as follows:

2

3 **15A NCAC 07B .0804 REQUIRED PERIODIC IMPLEMENTATION STATUS REPORTS**

4 Jurisdictions with a locally adopted and certified land use plan shall submit an Implementation Status Report to the
5 Division of Coastal Management every two years from the date of initial certification by the CRC. This report shall
6 be based on implementation actions that meet the CRC's Management Topic goals and objectives, as indicated in the
7 action plan pursuant to Rule .0702(e)(3) of this Subchapter. The Implementation Status Report shall also identify:

8 (1) All local, state, federal, and joint actions that have been undertaken successfully to implement its
9 certified land use plan;

10 (2) Any actions that have been delayed and the reasons for the delays;

11 (3) Any unforeseen land use issues that have arisen since certification of the land use plan; and

12 (4) Consistency of existing land use and development ordinances with current land use plan policies.

13

14 *History Note: Authority G.S. 113A-106; 113A-107;*

15 *Eff. February 1, 2016;*

16 *Readopted July 1, 2026.*

Burgos, Alexander N

Subject: FW: RFC for CRC June 2026

From: Ascher, Seth M <seth.ascher@oah.nc.gov>

Sent: Friday, June 19, 2026 4:48 PM

To: Love-Adrick, Rachel A <rachel.love-adrick@deq.nc.gov>; Everett, Jennifer <jennifer.everett@deq.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Willis, Angela <angela.willis@deq.nc.gov>; Miller, Tancred <tancred.miller@deq.nc.gov>; Howell, Jonathan <jonathan.howell@deq.nc.gov>; Govoni, Daniel <daniel.govoni@deq.nc.gov>; Zambon, Sarah <szambon@ncdoj.gov>; Goebel, Christine A <Christine.Goebel@deq.nc.gov>

Subject: Re: RFC for CRC June 2026

Thanks Rachel.

Substantively, you have addressed any concerns I had with these rules.

Formatting-wise, I checked in with publications and the readoptions that are already in the code, and had no changes from publication should not be underlined. This example is buried in our formatting examples at <https://www.oah.nc.gov/rule-format-examples#RuleFormatExamplesforPublicationintheNCAdministrativeCode-6063>

- **Permanent Readoption of rules published as necessary without substantive changes:**
 - with no changes from publication - text shall be the current version of the rule in the NCAC with no underline or strike through. [Example](#)
 - with changes from publication - text that is being added shall be underlined and text that is being deleted shall be struck through. [Example](#)

Please resend me corrected formatting early next week (preferably by the end of the day Monday).

Seth Ascher

Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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Burgos, Alexander N

Subject: FW: RFC for CRC June 2026

From: Love-Adrick, Rachel A <rachel.love-adrick@deq.nc.gov>

Sent: Wednesday, June 17, 2026 6:08 PM

To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Everett, Jennifer <jennifer.everett@deq.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Willis, Angela <angela.willis@deq.nc.gov>; Miller, Tancred <tancred.miller@deq.nc.gov>; Howell, Jonathan <jonathan.howell@deq.nc.gov>; Govoni, Daniel <daniel.govoni@deq.nc.gov>; Zambon, Sarah <szambon@ncdoj.gov>; Goebel, Christine A <Christine.Goebel@deq.nc.gov>

Subject: RE: RFC for CRC June 2026

Hi Seth,

For question 2, yes the whole plan is certified following the process in .0803

Thank you,
Rachel

Rachel Love-Adrick (she/her)

Planning & Resiliency Section Chief, Division of Coastal Management

North Carolina Department of Environmental Quality

Office: (252) 515-5403

rachel.love-adrick@deq.nc.gov

Find a [Public Beach/Water Access](#) site near you

Find the [DCM Field Rep](#) in your CAMA region.



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Upcoming time off: July 3, August 5-17, 2026

Burgos, Alexander N

Subject: FW: RFC for CRC June 2026

From: Ascher, Seth M <seth.ascher@oah.nc.gov>

Sent: Wednesday, June 17, 2026 2:54 PM

To: Everett, Jennifer <jennifer.everett@deq.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Love-Adrick, Rachel A <rachel.love-adrick@deq.nc.gov>; Willis, Angela <angela.willis@deq.nc.gov>; Miller, Tancred <tancred.miller@deq.nc.gov>; Howell, Jonathan <jonathan.howell@deq.nc.gov>; Govoni, Daniel <daniel.govoni@deq.nc.gov>; Zambon, Sarah <szambon@ncdoj.gov>; Goebel, Christine A <Christine.Goebel@deq.nc.gov>

Subject: Re: RFC for CRC June 2026

Jennifer,

Two follow ups:

1. I'm going to check in with publications on the underlining situation. I certainly understand how you came to the conclusion you did, but want to double check that this is going to work in our system.
2. On 15a NCAC 07b .0701, I want to make sure I understand. If a municipality proposes something for inclusion in the plan, and the county includes, then CRC still certifies whether the whole plan (including the material proposed by the municipality) meets standard per rule .0803. Is that correct?

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

Subject: FW: RFC for CRC June 2026
Attachments: 15A NCAC 07B .0601 for Code with tech changes.docx; 15A NCAC 07B .0701 for Code with tech changes.docx; 15A NCAC 07B .0802 for Code with tech changes.docx; CRC RFC Responses.docx

From: Everett, Jennifer <jennifer.everett@deq.nc.gov>
Sent: Friday, June 12, 2026 5:13 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Love-Adrick, Rachel A <rachel.love-adrick@deq.nc.gov>; Willis, Angela <angela.willis@deq.nc.gov>; Miller, Tancred <tancred.miller@deq.nc.gov>; Howell, Jonathan <jonathan.howell@deq.nc.gov>; Govoni, Daniel <daniel.govoni@deq.nc.gov>; Zambon, Sarah <szambon@ncdoj.gov>; Goebel, Christine A <Christine.Goebel@deq.nc.gov>
Subject: RE: RFC for CRC June 2026

Hi Seth,

Attached are agency responses to your technical change requests and the re-written rules for your review. Thanks. Have a nice weekend!

Jennifer Everett
DEQ Rulemaking Coordinator
N.C. Depart. Of Environmental Quality
Office of General Counsel
1601 Mail Service Center
Raleigh, NC 27699-1601
Tele: (919)-707-8595
<https://www.deq.nc.gov/accessdeq/rules-regulations>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

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

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07B .0601

DEADLINE FOR RECEIPT: June 16, 2026

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:

Why is the text of this rule underlined?

RESPONSE: Pursuant to G.S. 150B-21.3A(c)(2)(g), rules that the agency determined to be necessary shall be readopted as though the rules were new rules. This rule was determined to be necessary and was formatted as a new rule per 26 NCAC 02C .0108(6)(a)(i).

On line 7, consider "to meet" in place of "that meets". **RESPONSE:** Done.

As written, this rule reads like an unnecessary scope rule. However, I think you can tie it to a specific statutory requirement that would avoid that potential problem. Consider adding at the end of line 8 "pursuant to G.S. 113A-110(f)."

RESPONSE: Done. Added both General Statutes as they both pertain in their entirety and not solely 113A-110(f).

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

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

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07B .0701

DEADLINE FOR RECEIPT: June 16, 2026

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:

Why is the entire text of this rule underlined?

RESPONSE: Pursuant to G.S. 150B-21.3A(c)(2)(g), rules that the agency determined to be necessary shall be readopted as though the rules were new rules. This rule was determined to be necessary and was formatted as a new rule per 26 NCAC 02C .0108(6)(a)(i).

On line 6, "coastal area" has the defined meaning from G.S. 113A-103(2), correct?

RESPONSE: Correct.

On line 7, are there any "planning requirements" that are not in the rules?

RESPONSE: No.

*On line 13, add a comma: "subdivision ~~regulations~~ **regulations**, and the".*

RESPONSE: Done.

For paragraph (b), lines 14-18, are there standards that the county is applying to a municipalities plan? As written, they would incorporate any plan submitted by a municipality and presumably the CRC would act if that element did not meet the standards. Is that your intent?

RESPONSE: No, that is not the intent. This rule addresses a situation not explicitly described in G.S. 113A-110(c), which outlines the preparation of a CAMA land use plan by a county independently or jointly with municipalities and establishes the role of municipalities in the planning process.

This rule ensures that municipalities that choose not to prepare their own land use plan have a mechanism to establish locally adopted policies and implementation actions for inclusion within the county land use plan.

Seth Ascher
Commission Counsel

Date submitted to agency: June 5, 2026

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

Seth Ascher
Commission Counsel
Date submitted to agency: June 5, 2026

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

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07B .0801

DEADLINE FOR RECEIPT: June 16, 2026

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:

Why is the entire text of this rule underlined?

RESPONSE: Pursuant to G.S. 150B-21.3A(c)(2)(g), rules that the agency determined to be necessary shall be readopted as though the rules were new rules. This rule was determined to be necessary and was formatted as a new rule per 26 NCAC 02C .0108(6)(a)(i).

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

Seth Ascher
Commission Counsel
Date submitted to agency: June 5, 2026

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

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07B .0802

DEADLINE FOR RECEIPT: June 16, 2026

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:

Why is the entire text of this rule underlined?

RESPONSE: Pursuant to G.S. 150B-21.3A(c)(2)(g), rules that the agency determined to be necessary shall be readopted as though the rules were new rules. This rule was determined to be necessary and was formatted as a new rule per 26 NCAC 02C .0108(6)(a)(i).

On lines 4 and 8 you refer to the "Secretary" but on line 11-12 you refer to the "Executive Secretary of the CRC". Are these the same? Clarify on line 4 (either by referring to Executive Secretary of the CRC or some indication of which other Secretary.)

RESPONSE: Yes. They are the same. Made changes to line 4 to make consistent.

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

Seth Ascher
Commission Counsel
Date submitted to agency: June 5, 2026

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

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07B .0803

DEADLINE FOR RECEIPT: June 16, 2026

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:

Why is the entire text of this rule underlined?

RESPONSE: Pursuant to G.S. 150B-21.3A(c)(2)(g), rules that the agency determined to be necessary shall be readopted as though the rules were new rules. This rule was determined to be necessary and was formatted as a new rule per 26 NCAC 02C .0108(6)(a)(i).

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

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

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07B .0804

DEADLINE FOR RECEIPT: June 16, 2026

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:

Why is the entire text of this rule underlined?

RESPONSE: Pursuant to G.S. 150B-21.3A(c)(2)(g), rules that the agency determined to be necessary shall be readopted as though the rules were new rules. This rule was determined to be necessary and was formatted as a new rule per 26 NCAC 02C .0108(6)(a)(i).

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

1 15A NCAC 07B .0601 is readopted as published with changes in 40:14 NCR 1205 as follows:

2
3
4

SECTION .0600 - INTRODUCTION

5 **15A NCAC 07B .0601 AUTHORITY**

6 This Subchapter establishes the rules that local governments shall follow in developing and adopting a land use plan
7 or comprehensive plan, hereinafter referred to as "the plan", ~~that meets to meet~~ the Coastal Resources Commission's
8 (CRC) planning ~~requirements~~. requirements pursuant to G.S. 113A-110 and 113A-111.

9

10 *History Note: Authority G.S. 113A-107(a); 113A-110; 113A-124;*

11 *Eff. August 1, 2002;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22,*
13 *2015;*

14 *Amended Eff. February 1, 2016;*

15 *Readopted Eff. July 1, 2026.*

1 15A NCAC 07B .0701 is readopted as published with changes in 40:14 NCR 1206 as follows:

2
3 **SECTION .0700 – LAND USE PLANNING REQUIREMENTS**
4

5 **15A NCAC 07B .0701 PLANNING OPTIONS**

6 (a) Each county within the coastal area may prepare and adopt a land use plan or comprehensive plan, hereinafter
7 referred to as "the plan", that meets the planning requirements adopted by the Coastal Resources Commission (CRC).
8 The CRC shall prepare and adopt a plan that meets the CRC's planning requirements as set forth in Rule .0702 of this
9 Section for each county that chooses not to prepare and adopt a plan. Municipalities may develop individual plans
10 that meet the CRC's requirements if:

- 11 (1) the county delegates this authority to the municipality; or
12 (2) the CRC grants this authority upon written request from a municipality that is enforcing its zoning
13 ordinance, its subdivision ~~regulations~~ regulations, and the State Building Code within its
14 jurisdiction.

15 (b) A county shall accept a municipality's locally adopted policies and implementation actions for inclusion in the
16 county plan for the municipality's jurisdiction if requested to do so by any municipality not preparing its own plan.
17 Inclusion of a municipality's adopted policies and implementation actions shall occur either at the time of county plan
18 preparation or a subsequent county plan amendment. The municipality's policies and implementation actions are
19 limited to its jurisdiction and may differ from the county's policies and implementation actions.

20 (c) Municipalities may seek certification as set forth in Rule .0803 of this Subchapter for these plans if all requirements
21 found in this Subchapter and G.S. 113A-110 are met.

22
23 *History Note: Authority G.S. 113A-107(a); 113A-110; 113A-124;*
24 *Eff. August 1, 2002;*
25 *Readopted Eff. July 1, 2026; February 1, 2016.*

1 15A NCAC 07B .0802 is readopted as published with changes in 40:14 NCR 1211 as follows:

2

3 **15A NCAC 07B .0802 PUBLIC HEARING AND LOCAL ADOPTION REQUIREMENTS**

4 (a) Notice of Public Hearing. The local government shall provide the Executive Secretary of the CRC or his or her
5 designee written notice of the public hearing for local adoption and a copy of the proposed land use plan or
6 comprehensive plan, hereinafter referred to as "the plan", or amendment no less than five business days prior to
7 publication of a public hearing notice. The public hearing notice shall include, as set forth in Rule .0803(a)(2) of this
8 Section, disclosure of the public's opportunity to provide written comment to the CRC's Executive Secretary or his or
9 her designee following local adoption of the plan.

10 (b) Final Plan Content. The final plan or amendment shall be adopted by the elected body of each participating local
11 government.

12 (c) Transmittal to the Division for Certification. The local government shall provide the Executive Secretary of the
13 CRC or his or her designee the locally adopted plan, a certified statement of the local government adoption action,
14 and documentation that it has followed the public hearing process required in G.S. 113A-110.

15 (d) For joint plans originally adopted by each participating jurisdiction, each government retains its sole and
16 independent authority to make amendments to the plan as it affects its jurisdiction.

17

18 *History Note: Authority G.S. 113A-107(a); 113A-110; 113A-124;*

19 *Eff. August 1, 2002;*

20 *Amended Eff. January 1, 2007; February 1, 2006;*

21 *Readopted Eff. February 1, 2016;*

22 *Amended Eff. February 1, 2019;*

23 *Readopted Eff. July 1, 2026.*

Burgos, Alexander N

From: Everett, Jennifer
Sent: Thursday, June 11, 2026 11:19 AM
To: Ascher, Seth M; Love-Adrick, Rachel A
Cc: Burgos, Alexander N
Subject: RE: RFC for CRC June 2026

Thanks Seth, received. Will be in touch.

Jennifer Everett
DEQ Rulemaking Coordinator
N.C. Depart. Of Environmental Quality
Office of General Counsel
1601 Mail Service Center
Raleigh, NC 27699-1601
Tele: (919)-707-8595
<https://www.deq.nc.gov/accessdeq/rules-regulations>

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, June 5, 2026 11:46 AM
To: Everett, Jennifer <jennifer.everett@deq.nc.gov>; Love-Adrick, Rachel A <rachel.love-adrick@deq.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RFC for CRC June 2026

Good afternoon,

I'm the attorney who reviewed the Rules submitted by the Wildlife Resources Commission for the June 2026 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, June 25, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Attached is my initial Request for Changes Pursuant to G.S. 150B-21.10. Please submit your responses, the revised Rules, and forms to me via email, no later than 5 p.m. on June 16, 2026.

Please let me know if you have any questions of concerns.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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