

Burgos, Alexander N

Subject: FW: [External] Re: 15A NCAC 07H .0208 and 15A NCAC 07M .0603

From: Liebman, Brian R <brian.liebman@oah.nc.gov>

Sent: Wednesday, June 14, 2023 11:31 AM

To: chris chadwickcreek.com <chris@chadwickcreek.com>

Cc: Keith Larick <keith.larick@ncfb.org>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Everett, Jennifer <jennifer.everett@deq.nc.gov>

Subject: RE: [External] Re: 15A NCAC 07H .0208 and 15A NCAC 07M .0603

Mr. Matteo,

No, you won't have to re-submit your written comments, but it would be helpful if you would reiterate your request to speak, so that we know if you'll be present.

Thanks,
Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

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From: chris chadwickcreek.com <chris@chadwickcreek.com>

Sent: Tuesday, June 13, 2023 10:03 PM

To: Liebman, Brian R <brian.liebman@oah.nc.gov>

Cc: Keith Larick <keith.larick@ncfb.org>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Everett, Jennifer <jennifer.everett@deq.nc.gov>

Subject: RE: [External] Re: 15A NCAC 07H .0208 and 15A NCAC 07M .0603

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Thank you Brian, I appreciate the information.

I will participate by Webex in the off chance the extension is not granted.

Will I have to re-submit my comments when this issue makes its way back on the agenda after the extension?

Best,

Chris

Burgos, Alexander N

Subject: FW: [External] Re: 15A NCAC 07H .0208 and 15A NCAC 07M .0603

From: Liebman, Brian R <brian.liebman@oah.nc.gov>

Sent: Monday, June 12, 2023 9:49 AM

To: chris chadwickcreek.com <chris@chadwickcreek.com>

Cc: Keith Larick <keith.larick@ncfb.org>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Everett, Jennifer <jennifer.everett@deq.nc.gov>

Subject: RE: [External] Re: 15A NCAC 07H .0208 and 15A NCAC 07M .0603

Mr. Matteo,

The Commission will vote on whether to grant the extension at the meeting this Thursday. As I said, I anticipate that they will grant the extension. If you'd like, you can participate via Webex, so you won't need to travel but could comment if the Commission were to deny the extension. Mr. Burgos can send you a Webex invite.

Thanks,
Brian

Brian Liebman
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From: chris chadwickcreek.com <chris@chadwickcreek.com>

Sent: Saturday, June 10, 2023 8:07 PM

To: Liebman, Brian R <brian.liebman@oah.nc.gov>

Cc: Keith Larick <keith.larick@ncfb.org>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Everett, Jennifer <jennifer.everett@deq.nc.gov>

Subject: [External] Re: 15A NCAC 07H .0208 and 15A NCAC 07M .0603

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Thanks Brian. When will we know for sure? Will it be postponed prior to the meeting? Trying to figure out if I need to travel to Raleigh or not...

Thanks,

Chris

Burgos, Alexander N

From: Liebman, Brian R
Sent: Friday, June 9, 2023 12:06 PM
To: Keith Larick; chris@chadwickcreek.com
Cc: Burgos, Alexander N; Everett, Jennifer
Subject: 15A NCAC 07H .0208 and 15A NCAC 07M .0603

Good morning Mr. Larick and Mr. Matteo,

The Commission is in receipt of both of your comments in opposition to the above captioned rules, and in receipt of Mr. Matteo's request to speak at the meeting next Thursday.

First, I wanted to check with Mr. Larick whether he intended to speak at the upcoming meeting.

Second, and I guess in contravention of that question, I wanted to inform you both that the agency has asked for an extension of the period for review. I am recommending that the Commission grant the extension, and if the Commission indeed grants the extension, the agency will have an additional 70 days in which to submit responses to our requests for changes. I anticipate the Commission will grant the extension, and thus will not be receiving comments at this month's meeting.

Thank you,
Brian

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Burgos, Alexander N

From: Liebman, Brian R
Sent: Thursday, June 1, 2023 9:36 AM
To: Keith Larick
Cc: Burgos, Alexander N
Subject: RE: [External] RE: June RRC meeting agenda

Hi Keith,

Yes, the day before would be fine; under G.S. 150B-21.3(b2), letters may be sent to the Commission “no later than 5:00 P.M. of the day following the day the Commission approves the rule[.]”

Best,
Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

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From: Keith Larick <keith.larick@ncfb.org>
Sent: Thursday, June 1, 2023 9:20 AM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: June RRC meeting agenda

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Hi Brian,

One more question – when do the letters requesting legislative review and a delayed effective date need to be received? Is the day before the RRC meeting okay?

Thanks,
Keith

Keith Larick
Natural Resources Director
North Carolina Farm Bureau Federation
Phone: (919) 987-1257
Cell: (919) 749-5293
www.ncfb.org

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Tuesday, May 30, 2023 4:07 PM
To: Keith Larick <keith.larick@ncfb.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: June RRC meeting agenda

This Message Is From an External Sender

This message came from outside your organization.

Good afternoon Mr. Larick,

Mr. Burgos forwarded me your email from earlier today, as I'm the counsel working on these rules. With respect to the template on our website, you may certainly add to it to provide context, but just keep in mind that the Commission needs to be able to clearly identify the rule at issue and that the author is requesting legislative review and a delayed effective date under G.S. 150B-21.3.

As for a request to speak, or to submit written comments, you're more than welcome to do so, as long as you comply with the rules you referenced in your email. If for whatever reason you're unable to comply with those rules, please be aware that any request to speak or submit a written comment would need to be accompanied by a request to waive the rules, as found in 26 NCAC 05 .0112.

Please let me know if you have any further questions.

Best,

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

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Burgos, Alexander N

From: Burgos, Alexander N
Sent: Tuesday, May 30, 2023 11:45 AM
To: Keith Larick
Subject: RE: [External] June RRC meeting agenda

Hello Keith, those rules are posted on the agenda:

1. Coastal Resources Commission (Liebman)
[Request for Changes Pursuant to G.S. 150B-21.10](#)
[Communication with agency](#)
[Original Submission of Rules for RRC review](#)

Alexander Burgos

Paralegal
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1940
Alexander.burgos@oah.nc.gov

From: Keith Larick <keith.larick@ncfb.org>
Sent: Tuesday, May 30, 2023 11:17 AM
To: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] June RRC meeting agenda

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Hello Alexander,

I was hoping to confirm the status of Coastal Resources Commission rules 15A NCAC 07H .0208 and 15A NCAC 07M .0603 for the upcoming June meeting. I see that the CRC/DEQ submitted the rules for RRC review, but I do not see the rules on the agenda?

We intend to submit letters of objection for these rules so I want to be sure I know the timing of RRC review.

Thanks,
Keith Larick

Keith Larick
Natural Resources Director
North Carolina Farm Bureau Federation

Phone: (919) 987-1257

Cell: (919) 749-5293

www.ncfb.org

Burgos, Alexander N

From: Liebman, Brian R
Sent: Thursday, June 8, 2023 10:12 AM
To: chris@chadwickcreek.com
Cc: Burgos, Alexander N
Subject: 15A NCAC 07H .0208 and 07M .0603

Good morning Mr. Matteo,

We're in receipt of your comments in opposition to the above captioned rules, and the Commission will consider them at the upcoming meeting. I wanted to ask, since I did not see it in your email or letter, are you also intending to speak at the meeting? If so, please let me know, in accordance with 26 NCAC 05 .0105.

Thanks,
Brian

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Burgos, Alexander N

From: chris chadwickcreek.com <chris@chadwickcreek.com>
Sent: Thursday, June 8, 2023 5:28 PM
To: rrc.comments; Liebman, Brian R; Burgos, Alexander N
Cc: Everett, Jennifer; chris chadwickcreek.com
Subject: [External] RRC Meeting: Request to speak on changes to 15A NCAC 07H .0208 and 07M .0603

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Dear Commissioners,

I have submitted comments concerning the changes to 15A NCAC 07H .0208 and 07M .0603. I wish to attend the upcoming RRC meeting and speak on behalf of shellfish farmers.

Contact information:

Chris Matteo
124 Trent Shores Drive
Trent Woods, NC 28562
919-360-2278
(no fax #)
chris@chadwickcreek.com

I have CC'ed Jennifer Everett at DEQ on this email.

Thank you for your consideration,

Chris Matteo
President
North Carolina Shellfish Growers Association