

G.S. 150B-21.3A Report for 15A NCAC 07J, PROCEDURES FOR PROCESSING AND ENFORCEMENT OF MAJOR AND MINOR DEVELOPMENT PERMITS, VARIANCE REQUESTS, APPEALS FROM PERMIT DECISIONS, DECLARATORY RULINGS, AND STAT

Agency - Coastal Resources Commission

Comment Period - February 14 - April 24, 2017

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0100 - DEFINITIONS	15A NCAC 07J .0101	STATUTORY DEFINITIONS	Amended Eff. November 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .0102	GENERAL DEFINITIONS	Amended Eff. June 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0200 - APPLICATION PROCESS	15A NCAC 07J .0201	PERMIT REQUIRED	Amended Eff. November 1, 1984	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		15A NCAC 07J .0202	PERMIT APPLICATIONS	Amended Eff. December 1, 1985	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest
		15A NCAC 07J .0203	PREPARATION OF WORK PLATS	Amended Eff. July 1, 1989	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		15A NCAC 07J .0204	PROCESSING THE APPLICATION	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0206	PUBLIC NOTICE OF THE PROPOSED DEVELOPMENT	Amended Eff. January 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0207	AGENCY REVIEW/COMMENTS: MAJOR DEVELOPMENT/DREDGE AND FILL	Amended Eff. July 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0208	PERMIT CONDITIONS	Amended Eff. March 1, 1985	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0209	ISSUANCE OF PERMITS	Amended Eff. October 1, 1988	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0210	REPLACEMENT OF EXISTING STRUCTURES	Amended Eff. August 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0211	NON-CONFORMING DEVELOPMENT	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0300 - HEARING PROCEDURE	15A NCAC 07J .0301	WHO IS ENTITLED TO A CONTESTED CASE HEARING	Amended Eff. June 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0302	PETITION FOR CONTESTED CASE HEARING	Amended Eff. June 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0303	CONTESTED CASE HEARING PROCEDURES	Amended Eff. January 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .0305	BURDEN OF PROOF	Amended Eff. October 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .0306	ACTION PENDING FINAL DISPOSITION	Amended Eff. July 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .0312	SETTLEMENT	Amended Eff. July 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0400 - FINAL APPROVAL AND ENFORCEMENT	15A NCAC 07J .0401	FINAL DECISION	Amended Eff. October 1, 1988	Unnecessary	No		No	Unnecessary
		15A NCAC 07J .0402	CRITERIA FOR GRANT OR DENIAL OF PERMIT APPLICATIONS	Amended Eff. January 1, 1992	Unnecessary	No		No	Unnecessary

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		15A NCAC 07J .0403	DEVELOPMENT PERIOD/COMMENCEMENT/C ONTINUATION	Amended Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0404	DEVELOPMENT PERIOD EXTENSION	Amended Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0405	PERMIT MODIFICATION	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0406	PERMIT ISSUANCE AND TRANSFER	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0407	PROJECT MAINTENANCE: MAJOR DEVELOPMENT/DREDGE AND FILL	Amended Eff. June 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0409	CIVIL PENALTIES	Amended Eff. February 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0410	RESTORATION/MITIGATION	Eff. July 1, 1985	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 - GENERAL PERMITS	15A NCAC 07J .0501	DEVELOPMENT INITIATED PRIOR TO MARCH 1, 1978	Amended Eff. December 1, 1991	Unnecessary	No		No	Unnecessary
	SECTION .0600 - DECLARATORY RULINGS AND PETITIONS FOR RULEMAKING	15A NCAC 07J .0601	DECLARATORY RULINGS: GENERALLY	Amended Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .0602	PROCEDURE FOR REQUESTING DECLARATORY RULINGS	Amended Eff. June 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0603	PROCEDURES: CONSIDERING REQUESTS FOR DECLARATORY RULINGS	Amended Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0604	FEDERAL ACTIVITIES	Eff. November 30, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0605	PETITIONS FOR RULEMAKING	Amended Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0700 -- PROCEDURES FOR CONSIDERING VARIANCE PETITIONS	15 NCAC 07J .0701	VARIANCE PETITIONS	Amended Eff. March 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0702	STAFF REVIEW OF VARIANCE PETITIONS	Amended Eff. July 3, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .0703	PROCEDURES FOR DECIDING VARIANCE PETITIONS	Amended Eff. March 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .1100 - GENERAL PERMIT PROCEDURE	15A NCAC 07J .1101	PURPOSE	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .1102	CATEGORIES OF DEVELOPMENT	Eff. September 1, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .1103	DESIGNATION PROCEDURES	Eff. September 1, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		15A NCAC 07J .1104	PERMIT MODIFICATION	Eff. September 1, 1983	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 07J .1105	APPLICATION PROCEDURES	Eff. September 1, 1983	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1106	PERMIT CONDITIONS	Eff. September 1, 1983	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1107	PERMIT COMPLIANCE	Amended Eff. March 1, 1985	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1108	GENERAL PERMIT REVIEW	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1200 – STATIC AND VEGETATION LINE EXCEPTION PROCEDURES	15A NCAC 07J .1201	REQUESTING THE STATIC LINE EXCEPTION	Amended Eff. April 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1202	REVIEW OF THE STATIC LINE EXCEPTION REQUEST	Eff. March 23, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1203	PROCEDURES FOR APPROVING THE STATIC LINE EXCEPTION	Eff. March 23, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1204	REVIEW OF THE LARGE-SCALE BEACH-FILL PROJECT AND APPROVED STATIC LINE EXCEPTIONS	Eff. March 23, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1205	REVOCATION AND EXPIRATION OF THE STATIC LINE EXCEPTION	Eff. March 23, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1206	LOCAL GOVERNMENTS AND COMMUNITIES WITH STATIC VEGETATION LINES AND STATIC LINE EXCEPTIONS	Eff. March 23, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .1300 – DEVELOPMENT LINE PROCEDURES	15A NCAC 07J .1301	REQUESTING THE DEVELOPMENT LINE	Amended Eff. September 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1302	PROCEDURES FOR APPROVING THE DEVELOPMENT LINE	Eff. April 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 07J .1303	LOCAL GOVERNMENTS AND COMMUNITIES WITH DEVELOPMENT LINES	Eff. April 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest

15A NCAC 07J .0201 PERMIT REQUIRED

Commenter Name: ANONYMOUS
Company/Organization:

Comments received on website:

Do I agree with the Agency's determination? Yes
I would determine this rule's classification as: undefined
Do I want to submit a written comment on this rule? No
My comment type on this rule is: undefined
Do I want to enter a comment, or submit a file? undefined

Agency response: Agree.

15A NCAC 07J .0202 PERMIT APPLICATIONS

Commenter Name: ANONYMOUS
Company/Organization:

Comments received on website:

Do I agree with the Agency's determination? Yes

I would determine this rule's classification as: undefined
Do I want to submit a written comment on this rule? No
My comment type on this rule is: undefined
Do I want to enter a comment, or submit a file? undefined

Agency response: Agree.

15A NCAC 07J .0203 PREPARATION OF WORK PLATS

Commenter Name: Theron Jackson
Company/Organization: Guilford County

Comments received on website:

Do I agree with the Agency's determination? Yes
I would determine this rule's classification as: undefined
Do I want to submit a written comment on this rule? No
My comment type on this rule is: undefined
Do I want to enter a comment, or submit a file? undefined

Agency response: Agree.