

G.S. 150B-21.3A Report for 02 NCAC 60B, DIVISION PROGRAMS

Agency - Department of Agriculture and Consumer Services

Comment Period - January 30, 2015 - March 31, 2015

Date Submitted to APO - July 20, 2015

| 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(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|--|--------------------|--|--|---|---|-----------------------------|--|--|---|--|------------------------------------|
| SECTION .0100 - ADMINISTRATION | 02 NCAC 60B .0101 | COUNTY COOPERATION: FISCAL ASPECTS | Transferred from 15A NCAC 09C .0101 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0102 | COUNTY FOREST RANGER EMPLOYMENT | Transferred from 15A NCAC 09C .0102 Eff. May 1, 2012 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary | Rule expired - remove from Code |
| | 02 NCAC 60B .0103 | USE OF DIVISION OF FOREST RESOURCES TRAINING FACILITIES | Transferred from 15A NCAC 09C .0103 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| SECTION .0200 - FOREST FIRE CONTROL | 02 NCAC 60B .0201 | BURNING PERMITS FOR FOREST FIRE PREVENTION: CANCELLATION | Transferred from 15A NCAC 09C .0203 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0202 | SUMMONING FIRE FIGHTERS | Transferred from 15A NCAC 09C .0204 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0203 | FOREST OWNERSHIP MAPS | Transferred from 15A NCAC 09C .0205 Eff. May 1, 2012 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary | Rule expired - remove from Code |
| | 02 NCAC 60B .0204 | RURAL FIRE DEPARTMENT FUNDING | Transferred from 15A NCAC 09C .0206 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0205 | PERSONAL INJURY LIABILITY DURING FOREST FIRE CONTROL | Transferred from 15A NCAC 09C .0207 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| SECTION .0300 - PEST CONTROL | 02 NCAC 60B .0301 | DETECTION PROCEDURES | Transferred from 15A NCAC 09C .0302 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0302 | CONTROL ACTIONS AND LIMITATIONS | Transferred from 15A NCAC 09C .0304 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0303 | TECHNICAL ADVICE AND ASSISTANCE | Transferred from 15A NCAC 09C .0305 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| SECTION .0400 - FOREST MANAGEMENT | 15A NCAC 09C .0401 | REFERRALS AND LIMITATIONS | Transferred from 15A NCAC 09C .0401 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0402 | TECHNICAL SERVICES | Transferred from 15A NCAC 09C .0402 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| SECTION .0500 - FOREST TREE SEEDLINGS | 02 NCAC 60B .0501 | PURPOSE | Transferred from 15A NCAC 09C .0501 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0502 | TREE SEEDLING PRICES | Transferred from 15A NCAC 09C .0503 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0503 | PRICES OF SURPLUS SEEDLINGS AND SEED SOLD TO OTHER STATES | Transferred from 15A NCAC 09C .0505 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0504 | REDUCTION OF ORDERS AND ESTABLISHING APPLICATION DEADLINES | Transferred from 15A NCAC 09C .0506 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0505 | CUSTOM SALE OF TREE SEEDLINGS | Transferred from 15A NCAC 09C .0507 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0506 | APPLICATION FOR TREE SEEDLINGS OR SEED | Transferred from 15A NCAC 09C .0508 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0507 | PAYMENT FOR TREE SEEDLINGS | Transferred from 15A NCAC 09C .0510 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0508 | FORFEITURE OF PAYMENT FOR LATE CANCELLATION | Transferred from 15A NCAC 09C .0511 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |

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|---|-------------------|--|--|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | 02 NCAC 60B .0509 | DISPOSITION AND PROCESSING OF TREE SEEDLING ORDERS | Transferred from 15A NCAC 09C .0512 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0510 | AUTHORITY TO PRODUCE CHRISTMAS TREE SPECIES | Transferred from 15A NCAC 09C .0513 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0511 | EXCHANGED AND DISTRIBUTION OF CLONAL MATERIAL | Transferred from 15A NCAC 09C .0515 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0512 | STORAGE FEES | Transferred from 15A NCAC 09C .0516 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0513 | HUNTING | Transferred from 15A NCAC 09C .0517 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| SECTION .0600 - CUSTOM FORESTRY SERVICES | 02 NCAC 60B .0601 | DEFINITION OF TERMS | Transferred from 15A NCAC 09C .0602 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0602 | APPLICATION FOR SERVICES | Transferred from 15A NCAC 09C .0603 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0603 | FEES FOR SERVICES | Transferred from 15A NCAC 09C .0604 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0604 | CONTRACTS FOR SERVICES | Transferred from 15A NCAC 09C .0605 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0605 | AUTHORITY TO SUB-CONTRACT CUSTOM SERVICES | Transferred from 15A NCAC 09C .0606 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| SECTION .0700 - FOREST DEVELOPMENT PROGRAM | 02 NCAC 60B .0701 | ADMINISTRATION OF PROGRAM | Transferred from 15A NCAC 09C .0902 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0702 | APPROVED PRACTICES | Transferred from 15A NCAC 09C .0903 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| SECTION .0800 - URBAN AND COMMUNITY FORESTRY | 02 NCAC 60B .0801 | DEFINITIONS | Transferred from 15A NCAC 09C .1001 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0802 | OBJECTIVE | Transferred from 15A NCAC 09C .1002 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0803 | ORGANIZATION | Transferred from 15A NCAC 09C .1003 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0804 | LIMITATION OF SERVICES | Transferred from 15A NCAC 09C .1004 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0805 | PROCEDURES | Transferred from 15A NCAC 09C .1005 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0806 | TECHNICAL ASSISTANCE AND SERVICES | Transferred from 15A NCAC 09C .1006 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .0807 | AMERICA THE BEAUTIFUL GRANT PROGRAM | Transferred from 15A NCAC 09C .1007 Eff. May 1, 2012 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary | Rule expired - remove from Code |
| SECTION .0900 - N. C. PRESCRIBED BURNING ACT | 02 NCAC 60B .0901 | BURNER CERTIFICATION | Transferred from 15A NCAC 09C .1102 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .0902 | FOREST LAND | Transferred from 15A NCAC 09C .1103 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |

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|--|-------------------|---|--|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | 02 NCAC 60B .0903 | PRESCRIPTION FILING | Transferred from 15A NCAC 09C .1104 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| SECTION .1000 - DUPONT STATE FOREST | 02 NCAC 60B .1001 | SCOPE | Transferred from 15A NCAC 09C .1228 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .1002 | DEFINITIONS OF TERMS | Transferred from 15A NCAC 09C .1229 Eff. May 1, 2012 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest | Keep in Code - Update History Note |
| | 02 NCAC 60B .1003 | PERMITS | Transferred from 15A NCAC 09C .1230 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1004 | ROCK OR CLIFF CLIMBING AND REPELLING | Transferred from 15A NCAC 09C .1231 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1005 | BATHING OR SWIMMING | Transferred from 15A NCAC 09C .1232 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1006 | HUNTING | Transferred from 15A NCAC 09C .1233 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1007 | FISHING | Transferred from 15A NCAC 09C .1234 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1008 | ANIMALS AT LARGE | Transferred from 15A NCAC 09C .1235 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1009 | BOATING | Transferred from 15A NCAC 09C .1236 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1010 | CAMPING | Transferred from 15A NCAC 09C .1237 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1011 | SPORTS AND GAMES | Transferred from 15A NCAC 09C .1238 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1012 | HORSES | Transferred from 15A NCAC 09C .1239 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1013 | BICYCLES | Transferred from 15A NCAC 09C .1240 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1014 | SKATES, BLADES AND BOARDS | Transferred from 15A NCAC 09C .1241 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1015 | EXPLOSIVES | Transferred from 15A NCAC .1242 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1016 | FIREARMS | Transferred from 15A NCAC 09C .1243 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1017 | FIRES | Transferred from 15A NCAC 09C .1244 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1018 | DISORDERLY CONDUCT | Transferred from 15A NCAC 09C .1245 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1019 | INTOXICATING BEVERAGES AND DRUGS | Transferred from 15A NCAC 09C .1246 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1020 | DAMAGE TO BUILDINGS, STRUCTURES AND SIGNS | Transferred from 15A NCAC 09C .1247 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1021 | COMMERCIAL ENTERPRISES | Transferred from 15A NCAC 09C .1248 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1022 | NOISE REGULATIONS | Transferred from 15A NCAC 09C .1249 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1023 | MEETINGS AND EXHIBITIONS | Transferred from 15A NCAC 09C .1250 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1024 | ALMS AND CONTRIBUTIONS | Transferred from 15A NCAC 09C .1251 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1025 | AVIATION | Transferred from 15A NCAC 09C .1252 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1026 | EXPULSION | Transferred from 15A NCAC 09C .1253 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1027 | MOTORIZED VEHICLES | Transferred from 15A NCAC 09C .1254 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |

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|--------------|-------------------|---------------------------------|--|--|---|-----------------------------|--|--|---|--|---------------------|
| | 02 NCAC 60B .1028 | FLOWERS, PLANTS, MINERALS, ETC. | Transferred from 15A NCAC 09C .1255 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1029 | TRASH AND DEBRIS | Transferred from 15A NCAC 09C .1256 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1030 | FEES AND CHARGES | Transferred from 15A NCAC 09C .1257 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1031 | HOURS OF OPERATION | Transferred from 15A NCAC 09C .1258 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |
| | 02 NCAC 60B .1032 | ENFORCEMENT | Transferred from 15A NCAC 09C .1259 Eff. May 1, 2012 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest | Agency must readopt |