



Steve Troxler
Commissioner

**North Carolina Department of Agriculture
and Consumer Services**

Ray Starling
General Counsel

April 3, 2012

Molly Masich
Office of Administrative Hearings
Rules Division
6714 Mail Service Center
Raleigh, NC 27699-6714

Dear Ms. Masich:

Re: Recodification of Forestry Service Rules

I write to you today to request the recodification of several Forest Services rules from Title 15A to Title 02 of the North Carolina Administrative Code. It is necessary to recodify these rules because the 2011 Appropriations Bill, S.L. 2011-145, transferred the Division of Forest Resources from the Department of Environment and Natural Resources to the Department of Agriculture and Consumer services. S.L. 2011-145 § 13.25.(a), *et seq.* This recodification would create a new Chapter 60 entitled "Division of Forest Resources" under Title 02 of the NCAC. Because of the large number of rules and subchapters to be recodified in this new chapter, I am emailing you an electronic version of a recodification table outlining the citations to the existing rules, the recodified citations, and the statutory authorities for the recodified citations.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Ray A. Starling
General Counsel and Rulemaking Coordinator, NCDA&CS



| Legend | |
|--------|--|
| | Repealed |
| | Contain NCAC references that will need to be updated |
| | Contain NCGS references that will need to be updated |

NC Forest Service Rules

| NCAC > Title 15A - Environment and Natural Resources > Chapter 09 - Division of Forest Resources | | NCAC > Title 02 - Agriculture and Consumer Services > Chapter 60 - Division of Forest Resources | | |
|--|---|---|---------------------|---|
| SubChapter A | DIVISION ORGANIZATION | BECOMES Under the authority of | SubChapter A | DIVISION ORGANIZATION |
| 15A NCAC 09A .0101 | NAME AND ADDRESS | G.S. 106-22, 143B-10(j) | 02 NCAC 60A .0101 | NAME AND ADDRESS |
| 15A NCAC 09A .0102 | GENERAL PURPOSE OF THE DIVISION | G.S. 106-22, 106-895, 106-920, 106-1001 143B-10 | 02 NCAC 60A .0102 | GENERAL PURPOSE OF THE DIVISION |
| 15A NCAC 09A .0103 | REPEALED - FORESTRY COUNCIL AND COMMITTEES | | N/A | |
| 15A NCAC 09A .0104 | DEFINITIONS | G.S. 106-22, 143B-10(j) | 02 NCAC 60A .0103 | DEFINITIONS |
| SubChapter B | DELEGATION | N/A | SubChapter B | DIVISION PROGRAMS |
| 15A NCAC 09B .0101-.0102 | REPEALED | | N/A | |
| 15A NCAC 09B .0103 | REPEALED - DELEGATION FROM THE DIRECTOR TO OTHERS | | N/A | |
| SubChapter C | DIVISION PROGRAMS | BECOMES Under the authority of | SubChapter B | DIVISION PROGRAMS |
| 15A NCAC 09C .0101 | COUNTY COOPERATION: FISCAL ASPECTS | G.S. 106-22, 106-898, 143B-10(j) | 02 NCAC 60B .0101 | COUNTY COOPERATION: FISCAL ASPECTS |
| 15A NCAC 09C .0102 | COUNTY FOREST RANGER EMPLOYMENT | G.S. 106-22, 106-898, 143B-10(j) | 02 NCAC 60B .0102 | COUNTY FOREST RANGER EMPLOYMENT |
| 15A NCAC 09C .0103 | USE OF DIVISION OF FOREST RESOURCES TRAINING FACILITIES | G.S. 106-22, 143B-10(j) | 02 NCAC 60B .0103 | USE OF DIVISION OF FOREST RESOURCES TRAINING FACILITIES |
| 15A NCAC 09C .0201-.0202 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0203 | BURNING PERMITS FOR FOREST FIRE PREVENTION: CANCELLATION | G.S. 106-22, 106-944, 143B-10 | 02 NCAC 60B .0201 | BURNING PERMITS FOR FOREST FIRE PREVENTION: CANCELLATION |
| 15A NCAC 09C .0204 | SUMMONING FIRE FIGHTERS | G.S. 106-22, 106-899, 143B-10(j) | 02 NCAC 60B .0202 | SUMMONING FIRE FIGHTERS |
| 15A NCAC 09C .0205 | FOREST OWNERSHIP MAPS | G.S. 106-22, 143B-10 | 02 NCAC 60B .0203 | FOREST OWNERSHIP MAPS |
| 15A NCAC 09C .0206 | RURAL FIRE DEPARTMENT FUNDING | G.S. 106-22, 143B-10 | 02 NCAC 60B .0204 | RURAL FIRE DEPARTMENT FUNDING |
| 15A NCAC 09C .0207 | PERSONAL INJURY LIABILITY DURING FOREST FIRE CONTROL | G.S. 106-22, 106-899, 143B-10(j) | 02 NCAC 60B .0205 | PERSONAL INJURY LIABILITY DURING FOREST FIRE CONTROL |
| 15A NCAC 09C .0208 | REPEALED - CONTROL OF EXISTING FIRES | | N/A | REPEALED - CONTROL OF EXISTING FIRES |
| 15A NCAC 09C .0301 | REPEALED - STATEMENT OF PURPOSE | | N/A | REPEALED - STATEMENT OF PURPOSE |
| 15A NCAC 09C .0302 | DETECTION PROCEDURES | G.S. 106-22, 106-920, 143B-10 | 02 NCAC 60B .0301 | DETECTION PROCEDURES |
| 15A NCAC 09C .0303 | REPEALED - CONTROL ZONE OF INFESTATION | | N/A | REPEALED - CONTROL ZONE OF INFESTATION |
| 15A NCAC 09C .0304 | CONTROL ACTIONS AND LIMITATIONS | G.S. 106-22, 106-920, 143B-10 | 02 NCAC 60B .0302 | CONTROL ACTIONS AND LIMITATIONS |
| 15A NCAC 09C .0305 | TECHNICAL ADVICE AND ASSISTANCE | G.S. 106-22, 106-920, 143B-10 | 02 NCAC 60B .0303 | TECHNICAL ADVICE AND ASSISTANCE |
| 15A NCAC 09C .0401 | REFERRALS AND LIMITATIONS | G.S. 106-22, 106-1002, 143B-10 | 02 NCAC 60B .0401 | REFERRALS AND LIMITATIONS |
| 15A NCAC 09C .0402 | TECHNICAL SERVICES | G.S. 106-22, 106-1001, 143B-10 | 02 NCAC 60B .0402 | TECHNICAL SERVICES |
| 15A NCAC 09C .0501 | PURPOSE | G.S. 106-22, 106-1011, 143B-10 | 02 NCAC 60B .0501 | PURPOSE |
| 15A NCAC 09C .0502 | REPEALED - DEFINITION OF TERMS | | N/A | REPEALED - DEFINITION OF TERMS |
| 15A NCAC 09C .0503 | TREE SEEDLING PRICES | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0502 | TREE SEEDLING PRICES |
| 15A NCAC 09C .0504 | REPEALED - SALE OF SURPLUS TREE SEEDLINGS OR SEED | | N/A | REPEALED - SALE OF SURPLUS TREE SEEDLINGS OR SEED |
| 15A NCAC 09C .0505 | PRICES OF SURPLUS SEEDLINGS AND SEED SOLD TO OTHER STATES | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0503 | PRICES OF SURPLUS SEEDLINGS AND SEED SOLD TO OTHER STATES |
| 15A NCAC 09C .0506 | REDUCTION OF ORDERS AND ESTABLISHING APPLICATION DEADLINES | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0504 | REDUCTION OF ORDERS AND ESTABLISHING APPLICATION DEADLINES |
| 15A NCAC 09C .0507 | CUSTOM SALE OF TREE SEEDLINGS | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0505 | CUSTOM SALE OF TREE SEEDLINGS |
| 15A NCAC 09C .0508 | APPLICATION FOR TREE SEEDLINGS OR SEED | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0506 | APPLICATION FOR TREE SEEDLINGS OR SEED |
| 15A NCAC 09C .0509 | REPEALED - DISTRIBUTION OF TREE SEEDLING APPLICATION FORMS | | N/A | REPEALED - DISTRIBUTION OF TREE SEEDLING APPLICATION FORMS |
| 15A NCAC 09C .0510 | PAYMENT FOR TREE SEEDLINGS | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0507 | PAYMENT FOR TREE SEEDLINGS |
| 15A NCAC 09C .0511 | FORFEITURE OF PAYMENT FOR LATE CANCELLATION | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0508 | FORFEITURE OF PAYMENT FOR LATE CANCELLATION |
| 15A NCAC 09C .0512 | DISPOSITION AND PROCESSING OF TREE SEEDLING ORDERS | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0509 | DISPOSITION AND PROCESSING OF TREE SEEDLING ORDERS |
| 15A NCAC 09C .0513 | AUTHORITY TO PRODUCE CHRISTMAS TREE SPECIES | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0510 | AUTHORITY TO PRODUCE CHRISTMAS TREE SPECIES |
| 15A NCAC 09C .0514 | REPEALED - AUTHORITY TO PRODUCE GENETICALLY IMPROVED TREE SEEDLINGS | | N/A | REPEALED - AUTHORITY TO PRODUCE GENETICALLY IMPROVED TREE SEEDLINGS |
| 15A NCAC 09C .0515 | EXCHANGED AND DISTRIBUTION OF CLONAL MATERIAL | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0511 | EXCHANGED AND DISTRIBUTION OF CLONAL MATERIAL |
| 15A NCAC 09C .0516 | STORAGE FEES | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0512 | STORAGE FEES |
| 15A NCAC 09C .0517 | HUNTING | G.S. 106-22, 106-878(c), 143B-10 | 02 NCAC 60B .0513 | HUNTING |
| 15A NCAC 09C .0601 | REPEALED - PURPOSE | | N/A | REPEALED - PURPOSE |
| 15A NCAC 09C .0602 | DEFINITION OF TERMS | G.S. 106-22, 106-1001, 143B-10 | 02 NCAC 60B .0601 | DEFINITION OF TERMS |
| 15A NCAC 09C .0603 | APPLICATION FOR SERVICES | G.S. 106-22, 106-1001, 143B-10 | 02 NCAC 60B .0602 | APPLICATION FOR SERVICES |
| 15A NCAC 09C .0604 | FEES FOR SERVICES | G.S. 106-22, 106-1001, 143B-10 | 02 NCAC 60B .0603 | FEES FOR SERVICES |
| 15A NCAC 09C .0605 | ONTRACTS FOR SERVICES | G.S. 106-22, 106-1001, 143B-10 | 02 NCAC 60B .0604 | CONTRACTS FOR SERVICES |
| 15A NCAC 09C .0606 | AUTHORITY TO SUB-CONTRACT CUSTOM SERVICES | G.S. 106-22, 106-1001, 143B-10 | 02 NCAC 60B .0605 | AUTHORITY TO SUB-CONTRACT CUSTOM SERVICES |

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| 15A NCAC 09C .0607 | REPEALED - PRACTICES | | N/A | REPEALED - PRACTICES |
| 15A NCAC 09C .0608 | REPEALED - FREE SERVICES | | N/A | REPEALED - FREE SERVICES |
| 15A NCAC 09C .0701 | REPEALED - PURPOSE | | N/A | REPEALED - PURPOSE |
| 15A NCAC 09C .0702 | REPEALED - DEFINITION OF TERMS | | N/A | REPEALED - DEFINITION OF TERMS |
| 15A NCAC 09C .0703 | REPEALED - CONSTRUCTION | | N/A | REPEALED - CONSTRUCTION |
| 15A NCAC 09C .0704 | REPEALED - TERRITORIAL SCOPE | | N/A | REPEALED - TERRITORIAL SCOPE |
| 15A NCAC 09C .0705 | REPEALED - PERMITS | | N/A | PERMITS |
| 15A NCAC 09C .0706 | REPEALED - FOREST FIRES | | N/A | REPEALED - FOREST FIRES |
| 15A NCAC 09C .0707-.0713 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0714 | REPEALED - BUILDINGS: SIGNS: STRUCTURES: ETC. | | N/A | REPEALED - BUILDINGS: SIGNS: STRUCTURES: ETC. |
| 15A NCAC 09C .0715 | REPEALED - LIABILITY | | N/A | REPEALED - LIABILITY |
| 15A NCAC 09C .0716-.0718 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0719-.0720 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0721 | REPEALED - WARMING FIRES | | N/A | REPEALED - WARMING FIRES |
| 15A NCAC 09C .0722-.0725 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0726-.0727 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0728 | REPEALED - CRIMINAL PENALTY | | N/A | REPEALED - CRIMINAL PENALTY |
| 15A NCAC 09C .0801 | REPEALED - GENERAL | | N/A | REPEALED - GENERAL |
| 15A NCAC 09C .0802-.0805 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0806-.0813 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0814-.0823 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0824 | REPEALED - FOREST FIRES | | N/A | REPEALED - FOREST FIRES |
| 15A NCAC 09C .0825 | REPEALED - DISORDERLY CONDUCT | | N/A | REPEALED - DISORDERLY CONDUCT |
| 15A NCAC 09C .0826 | REPEALED - GAMBLING | | N/A | REPEALED - GAMBLING |
| 15A NCAC 09C .0827-.0828 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0829-.0830 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0831 | REPEALED - LIABILITY | | N/A | REPEALED - LIABILITY |
| 15A NCAC 09C .0832-.0835 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .0901 | REPEALED - DEFINITIONS | | N/A | REPEALED - DEFINITIONS |
| 15A NCAC 09C .0902 | ADMINISTRATION OF PROGRAMS | G.S. 106-22, 106-1010, 106-1018, 143B-10(j) | 02 NCAC 60B .0701 | ADMINISTRATION OF PROGRAMS |
| 15A NCAC 09C .0903 | APPROVED PRACTICES | G.S. 106-22, 106-966, 106-1011, 106-1013, 106-1018, 143B-10(j) | 02 NCAC 60B .0702 | APPROVED PRACTICES |
| 15A NCAC 09C .1001 | DEFINITIONS | G.S. 106-22, 106-1001, 143B-10(j) | 02 NCAC 60B .0801 | DEFINITIONS |
| 15A NCAC 09C .1002 | OBJECTIVE | G.S. 106-22, 106-1001, 143B-10(j) | 02 NCAC 60B .0802 | OBJECTIVE |
| 15A NCAC 09C .1003 | ORGANIZATION | G.S. 106-22, 106-1001, 143B-10(j) | 02 NCAC 60B .0803 | ORGANIZATION |
| 15A NCAC 09C .1004 | LIMITATION OF SERVICES | G.S. 106-22, 106-1001, 143B-10(j) | 02 NCAC 60B .0804 | LIMITATION OF SERVICES |
| 15A NCAC 09C .1005 | PROCEDURES | G.S. 106-22, 106-1001, 143B-10(j) | 02 NCAC 60B .0805 | PROCEDURES |
| 15A NCAC 09C .1006 | TECHNICAL ASSISTANCE AND SERVICES | G.S. 106-22, 106-1001, 143B-10(j) | 02 NCAC 60B .0806 | TECHNICAL ASSISTANCE AND SERVICES |
| 15A NCAC 09C .1007 | AMERICA THE BEAUTIFUL GRANT PROGRAM | G.S. 106-22, 143B-10(j) | 02 NCAC 60B .0807 | AMERICA THE BEAUTIFUL GRANT PROGRAM |
| 15A NCAC 09C .1101 | PURPOSE - EXPIRED TEMPORARY RULE | G.S. 106-22, 106-969, 143B-10 | N/A | PURPOSE |
| 15A NCAC 09C .1102 | BURNER CERTIFICATION | G.S. 106-22, 106-969, 106-1001, 143B-10 | 02 NCAC 60B .0901 | BURNER CERTIFICATION |
| 15A NCAC 09C .1103 | FOREST LAND | G.S. 106-22, 106-969, 106-1001, 143B-10 | 02 NCAC 60B .0902 | FOREST LAND |
| 15A NCAC 09C .1104 | PRESCRIPTION FILING | G.S. 106-22, 106-969, 106-1001, 143B-10 | 02 NCAC 60B .0903 | PRESCRIPTION FILING |
| 15A NCAC 09C .1201-.1223 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .1224 | REPEALED - EXPULSION | | N/A | REPEALED - EXPULSION |
| 15A NCAC 09C .1225-.1226 | REPEALED | | N/A | REPEALED |
| 15A NCAC 09C .1227 | REPEALED - FEES AND CHARGES | | N/A | REPEALED - FEES AND CHARGES |
| 15A NCAC 09C .1228 | SCOPE | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1001 | SCOPE |
| 15A NCAC 09C .1229 | DEFINITIONS OF TERMS | G.S. 106-22, 106-900 | 02 NCAC 60B .1002 | DEFINITIONS OF TERMS |
| 15A NCAC 09C .1230 | PERMITS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1003 | PERMITS |
| 15A NCAC 09C .1231 | ROCK OR CLIFF CLIMBING AND REPELLING | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1004 | ROCK OR CLIFF CLIMBING AND REPELLING |
| 15A NCAC 09C .1232 | BATHING OR SWIMMING | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1005 | BATHING OR SWIMMING |
| 15A NCAC 09C .1233 | HUNTING | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1006 | HUNTING |
| 15A NCAC 09C .1234 | FISHING | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1007 | FISHING |
| 15A NCAC 09C .1235 | ANIMALS AT LARGE | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1008 | ANIMALS AT LARGE |
| 15A NCAC 09C .1236 | BOATING | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1009 | BOATING |
| 15A NCAC 09C .1237 | CAMPING | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1010 | CAMPING |
| 15A NCAC 09C .1238 | SPORTS AND GAMES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1011 | SPORTS AND GAMES |
| 15A NCAC 09C .1239 | HORSES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1012 | HORSES |
| 15A NCAC 09C .1240 | BICYCLES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1013 | BICYCLES |

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| 15A NCAC 09C .1241 | SKATES, BLADES AND BOARDS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1014 | SKATES, BLADES AND BOARDS |
| 15A NCAC 09C .1242 | EXPLOSIVES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1015 | EXPLOSIVES |
| 15A NCAC 09C .1243 | FIREARMS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1016 | FIREARMS |
| 15A NCAC 09C .1244 | FIRES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1017 | FIRES |
| 15A NCAC 09C .1245 | DISORDERLY CONDUCT | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1018 | DISORDERLY CONDUCT |
| 15A NCAC 09C .1246 | INTOXICATING BEVERAGES AND DRUGS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1019 | INTOXICATING BEVERAGES AND DRUGS |
| 15A NCAC 09C .1247 | DAMAGE TO BUILDINGS, STRUCTURES AND SIGNS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1020 | DAMAGE TO BUILDINGS, STRUCTURES AND SIGNS |
| 15A NCAC 09C .1248 | COMMERCIAL ENTERPRISES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1021 | COMMERCIAL ENTERPRISES |
| 15A NCAC 09C .1249 | NOISE REGULATIONS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1022 | NOISE REGULATIONS |
| 15A NCAC 09C .1250 | MEETINGS AND EXHIBITIONS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1023 | MEETINGS AND EXHIBITIONS |
| 15A NCAC 09C .1251 | ALMS AND CONTRIBUTIONS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1024 | ALMS AND CONTRIBUTIONS |
| 15A NCAC 09C .1252 | AVIATION | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1025 | AVIATION |
| 15A NCAC 09C .1253 | EXPULSION | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1026 | EXPULSION |
| 15A NCAC 09C .1254 | MOTORIZED VEHICLES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1027 | MOTORIZED VEHICLES |
| 15A NCAC 09C .1255 | FLOWERS, PLANTS, MINERALS, ETC. | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1028 | FLOWERS, PLANTS, MINERALS, ETC. |
| 15A NCAC 09C .1256 | TRASH AND DEBRIS | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1029 | TRASH AND DEBRIS |
| 15A NCAC 09C .1257 | FEES AND CHARGES | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1030 | FEES AND CHARGES |
| 15A NCAC 09C .1258 | HOURS OF OPERATION | G.S. 106-22, 106-870, 106-877 | 02 NCAC 60B .1031 | HOURS OF OPERATION |
| 15A NCAC 09C .1259 | ENFORCEMENT | G.S. 106-22, 106-900 | 02 NCAC 60B .1032 | ENFORCEMENT |