

Burgos, Alexander N

Subject: FW: [External] MFC Rule 03M .0101

From: Reynolds, Phillip <PREynolds@ncdoj.gov>

Sent: Wednesday, June 7, 2023 9:22 AM

To: Duke, Lawrence <lawrence.duke@oah.nc.gov>

Cc: Everett, Jennifer <jennifer.everett@deq.nc.gov>; Zmuda, Tamara S <tzmuda@ncdoj.gov>

Subject: [External] MFC Rule 03M .0101

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Lawrence,

I hope this email finds you doing well. As we discussed, please find attached revisions for the MFC's mutilated finfish rule, 15A NCAC 03M .0101. I've also attached the issue paper developed for this rule in case it is useful to you in any way. The issue paper discusses the development of the rule and the circumstances leading to the proposed changes.

I've also copied Tamara Zmuda, Special Deputy AG and counsel to the WRC. She and I worked together on this rule, but I understand that her client continues to have concerns with the rule.

Please let me know if you need any additional information.

Thanks,
Phillip



Phillip T. Reynolds

Special Deputy Attorney General

Environmental Division

Commissions, Coastal and Administrative Section

Phone: (919) 716-6971

Email: preynolds@ncdoj.gov

114 W. Edenton St., Raleigh, NC 27603

www.ncdoj.gov

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Burgos, Alexander N

From: Duke, Lawrence
Sent: Tuesday, May 16, 2023 5:30 PM
To: Everett, Jennifer
Cc: Quinlan, Katherine L; Nelson, Bradley W; Kountis, Elizabeth; Blum, Catherine; Lopazanski, Mike; Burgos, Alexander N; Reynolds, Phillip T
Subject: RE: May RRC Meeting - EMC, MFC, & CRC Rules

Thank you.

Lawrence Duke

Counsel, NC Rules Review Commission
Office of Administrative Hearings
(984) 236-1938

From: Everett, Jennifer <jennifer.everett@deq.nc.gov>
Sent: Tuesday, May 16, 2023 4:17 PM
To: Duke, Lawrence <lawrence.duke@oah.nc.gov>
Cc: Quinlan, Katherine L <katherine.quinlan@ncdenr.gov>; Nelson, Bradley W <bradley.nelson@deq.nc.gov>; Kountis, Elizabeth <elizabeth.kountis@deq.nc.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>; Lopazanski, Mike <mike.lopezanski@ncdenr.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Reynolds, Phillip T <preynolds@ncdoj.gov>
Subject: RE: May RRC Meeting - EMC, MFC, & CRC Rules

Lawrence,

See my notes in red below.
Let me know if you have any questions.

Jennifer

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)-707-8614
<https://deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules>

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From: Duke, Lawrence <lawrence.duke@oah.nc.gov>
Sent: Tuesday, May 16, 2023 12:01 PM
To: Everett, Jennifer <jennifer.everett@deq.nc.gov>
Cc: Quinlan, Katherine L <katherine.quinlan@ncdenr.gov>; Nelson, Bradley W <bradley.nelson@deq.nc.gov>; Kountis,

Elizabeth <elizabeth.kountis@deq.nc.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>; Lopazanski, Mike <mike.lopezanski@ncdenr.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Reynolds, Phillip T <preynolds@ncdoj.gov>

Subject: May RRC Meeting - EMC, MFC, & CRC Rules

Jennifer,

In preparation for the Rules Review Commission meeting on Thursday, May 18, I wanted to make sure we are on the same page for the rules you are shepherding through the process.

- Coastal Resources: 15A NCAC 07H .2305 has had no changes and no agency action. This Rule will remain a no action item. **Correct.**
- Environmental Management: 15A NCAC 02B .0315 has had no changes and will continue to be a no action item. The extension of time continues until the June meeting, at which time this rule must be reviewed. **Got it.**

15A NCAC 02D .0516 has gone through the process and will be reviewed at this May meeting. Please make sure the final version has been submitted to oah.rules@oah.nc.gov and that this version is reflected correctly in the online agenda for the May meeting. **The final version was submitted to oah.rules@oah.nc.gov on May 5, 2023 and is reflected in the online agenda correctly.**

- Marine Fisheries: 15A NCAC 03M .0101 has outstanding issues related to jurisdiction overlap with Wildlife Resources. I have spoken with Phillip Reynolds about changes to the language that will hopefully resolve these issues. If we are unable to work this out before the meeting, this Rule will continue to be a no action item. The extension of time continues until the June meeting, at which time this rule must be reviewed. **Got it.**

15A NCAC 18A .0911 has gone through the process and will be reviewed at this May meeting. Please make sure the final version has been submitted to oah.rules@oah.nc.gov and that this version is reflected correctly in the online agenda for the May meeting. **The final version was submitted to oah.rules@oah.nc.gov on May 11, 2023 and is reflected in the online agenda correctly.**

As always, if you have any questions, please feel free to reach out.

Thank you,

Lawrence Duke



Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
Lawrence.Duke@oah.nc.gov
(919) 738-1938

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Burgos, Alexander N

From: Duke, Lawrence
Sent: Tuesday, May 16, 2023 12:01 PM
To: Everett, Jennifer
Cc: Quinlan, Katherine L; Nelson, Bradley W; Kountis, Elizabeth; Blum, Catherine; Lopazanski, Mike; Burgos, Alexander N; Reynolds, Phillip T
Subject: May RRC Meeting - EMC, MFC, & CRC Rules

Jennifer,

In preparation for the Rules Review Commission meeting on Thursday, May 18, I wanted to make sure we are on the same page for the rules you are shepherding through the process.

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As always, if you have any questions, please feel free to reach out.

Thank you,

Lawrence Duke



Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
Lawrence.Duke@oah.nc.gov
(919) 236-1938

Burgos, Alexander N

Subject: FW: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review

From: Duke, Lawrence <lawrence.duke@oah.nc.gov>

Sent: Monday, May 15, 2023 11:39 AM

To: Everett, Jennifer <jennifer.everett@deq.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>

Subject: RE: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review

Jennifer,

NC Wildlife Resources Commission has submitted comments regarding 15A NCAC 03M .0101. As questioned in my initial change requests regarding joint or overlapping jurisdiction, does the Marine Fisheries Commission wish to respond to MFC's encroachment on WRC's jurisdiction over finfish regulation in inland, joint, and coastal fishing waters? I tend to agree with WRC that this Rule is overly expansive, beyond the statutory authority of MFC – or at least vague and ambiguous enough to not clearly delineate where and to what species this Rule would apply. As written, this is sufficiently problematic to draw an objection.

Let me know how you would like to proceed on this. As a reminder, this Rule is operating under an extension of time that allows for another month to get this corrected.

Lawrence Duke

Counsel, NC Rules Review Commission

Office of Administrative Hearings

(984) 236-1938

Burgos, Alexander N

Subject: FW: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review
Attachments: 15A NCAC 18A 0911.docx

From: Everett, Jennifer <jennifer.everett@deq.nc.gov>
Sent: Thursday, May 11, 2023 12:58 PM
To: Duke, Lawrence <lawrence.duke@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>
Subject: RE: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review

Lawrence,

Attached is the rewritten 15A NCAC 18A .0911.
No further changes were made to 15A NCAC 03M .0101.

Jennifer

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)-707-8614
<https://deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules>

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icial.

1 15A NCAC 18A .0911 is readopted with changes as published in 37:07 NCR 541-542 as follows:

2
3 **15A NCAC 18A .0911 ~~MARINAS; MARINAS, DOCKING FACILITIES; FACILITIES, AND OTHER~~**
4 **~~MOORING AREAS~~**

5 ~~Classification of shellfish [Shellfish]~~ **The Division of Marine Fisheries shall classify shellfish** growing waters with
6 respect to marinas, docking facilities, and other mooring areas **shall be done [classified]** **in accordance with the**
7 **following as follows:**

- 8 (1) **All the Division shall classify all** waters within the immediate vicinity of a marina **shall be classified**
9 as prohibited to the harvesting of shellfish for human **consumption; and**
10 ~~Excluded from this classification are marinas with less than 30 slips, having no boats over 24 feet~~
11 ~~in length, no boats with heads and no boats with cabins. Marinas permitted prior to the effective~~
12 ~~date of this Rule may continue to have boats up to 21 feet in length with cabins and not be subject~~
13 ~~to the mandatory water classification of prohibited in the immediate vicinity of the marina.~~
14 (2) ~~Owners of marinas conforming to the exclusion provisions in Item (1) of this Rule shall make~~
15 ~~quarterly reports to the Division. These reports shall include the following information:~~
16 (a) ~~number of slips;~~
17 (b) ~~number and length of boats;~~
18 (c) ~~number and length of boats with cabins;~~
19 (d) ~~number of boats with heads; and~~
20 (e) ~~number of boats with "porta potties."~~

21 ~~Reports to the Division shall cover the occupancy of the marina on the fifth day of the first month of each quarter of~~
22 ~~the calendar year and shall be post marked on or before the fifteenth day of the reporting month.~~

- 23 (3) ~~The minimum requirement for the prohibited area beyond the marina shall be based on the number~~
24 ~~of slips and the type of marina (open or closed system). The prohibited area shall extend beyond~~
25 ~~the marina from all boat slips, docks, and docking facilities, according to the following:~~

Number of Slips in Marina	Size of Prohibited Area (Feet)	
	Open System	Closed System
11—25	100	200
26—50	150	275
51—75	175	325
76—100	200	400

34
35 ~~Open system marinas exceeding 100 slips shall require an additional 25 feet for each 25 slips or portion thereof over~~
36 ~~100. A closed system marina shall require 50 feet for each 25 slips or portion thereof over 100. Closed system private~~
37 ~~or residential marinas with more than 75 slips shall require a prohibited area of the number of feet determined above,~~

1 or 100 feet outside the entrance canal, whichever is greater. Closed system commercial marinas with more than 50
2 slips shall require a prohibited area of the number of feet determined above, or 100 feet outside the entrance canal,
3 whichever is greater.

4 (2) the Division [~~of Marine Fisheries~~] shall conduct a dilution [~~analysis~~] analysis, in the form of a
5 volumetric calculation or in-field hydrographic study, to determine [the minimum extent of the area
6 adjacent to a marina that shall be classified as prohibited to the harvesting of shellfish for human
7 consumption. The prohibited area shall be sized]the volume of water necessary to dilute the
8 concentration of fecal coliform bacteria to less than 14 [MPN, as determined by the dilution analysis.
9]MPN. The Division shall classify the water area determined by this dilution analysis as prohibited
10 to the harvesting of shellfish for human consumption. The Division shall conduct the dilution
11 analysis [shall be conducted] yearly and shall incorporate the following:

12 (a) the findings of the shoreline survey, including the presence of a sewage pumpout system
13 or dump station; [~~and~~]

14 (b) the physical factors influencing the dilution and dispersion of human wastes; and

15 (c) for marinas, docking facilities, and mooring areas in close proximity to one another, slip
16 counts and services shall be combined for the purposes of the dilution analysis. Marinas,
17 docking facilities, and mooring areas, each with three slips or more, shall be considered to
18 be in close proximity to one another if the dilution analysis for each individual facility
19 indicates that the dilution areas meet or overlap.

20 (4) [~~3~~] After a marina is put in use water quality impacts of marina facilities may require a change in
21 classification. In determining if a change in classification is necessary, marina design, marina usage,
22 dilution, dispersion, bacteriological, hydrographic, meteorological, and chemical factors will be
23 considered. [~~slip counts and services for marinas, docking facilities, and mooring areas in close~~
24 proximity to one another shall be combined for the purposes of determining the necessary prohibited
25 area as required in Items (1) and (2) of this Rule. Docking facilities and mooring areas each with
26 three slips or more and marinas shall be considered to be in close proximity to one another if the
27 dilution analysis indicates that the necessary dilution areas meet or overlap.]

28 (5) Areas, other than marinas, where boats are moored or docked may be considered on a case by case
29 basis with respect to sanitary significance relative to actual or potential contamination and
30 classification shall be made as necessary.

31 (6) The cumulative impacts of multiple marinas, entrance canals, or other mooring areas, in close
32 proximity to each other are expected to adversely affect public trust waters. When these situations
33 occur the Division will recommend closures exceeding those outlined in Item (3) of this Rule. The
34 following guides will be used in determining close proximity:

35 (a) marina entrance canals within 225 feet of each other;

36 (b) open system marinas within 450 feet of each other (Mooring areas shall be considered open
37 system marinas);

- 1 (e) ~~where closure areas meet or overlap; and~~
- 2 (d) ~~open system marinas within 300 feet of a marina entrance canal.~~

3

4 *History Note: Authority G.S. ~~130A-230; 113-134; 113-182; 113-221.2; 143B-289.52;~~*
5 *Eff. June 1, 1989;*
6 *Amended Eff. July 1, 1993;*
7 *Readopted Eff. June 1, 2023.*

Burgos, Alexander N

Subject: FW: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review

From: Duke, Lawrence <lawrence.duke@oah.nc.gov>

Sent: Thursday, May 11, 2023 10:27 AM

To: Everett, Jennifer <jennifer.everett@deq.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>

Subject: RE: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review

Jennifer,

Only the responses to the request for changes file was attached to your email. The responses imply that there were changes made to the rule text. If this is true, can you please forward any rewritten rules?

Thank you,

Lawrence Duke

Counsel, NC Rules Review Commission

Office of Administrative Hearings

(984) 236-1938

al.

Burgos, Alexander N

Subject: FW: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review
Attachments: MFC - 04.2023 - 15A NCAC 03M .0101 18A .0911 - Change Requests_MFC Responses.docx

From: Everett, Jennifer <jennifer.everett@ncdenr.gov>
Sent: Friday, May 5, 2023 12:26 PM
To: Duke, Lawrence <lawrence.duke@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>
Subject: RE: MFC 15A NCAC 03M .0101 & 18A .0911 - Letter of Extension of the Period of Review

Lawrence,

Attached are responses to your technical change requests for 15A NCAC 03M .0101 and 15A NCAC 18A .0911 from the Marine Fisheries Commission.

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)-707-8614
<https://deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules>

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REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03M .0101 & 18A .0911

DEADLINE FOR RECEIPT: Tuesday, April 11, 2023

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:

Do either of these rules implicate the joint jurisdiction of Marine Fisheries and the Wildlife Resources Commission? If not, why not? If so, were they adopted concurrently with WRC?

These rules do not implicate the joint jurisdiction of the Marine Fisheries Commission and the Wildlife Resources Commission. Per N.C.G.S. 113-132, the agencies may make joint regulations governing the responsibilities of each agency. The joint regulations are found in 15A NCAC 03Q .0100 and 10C .0100 and were readopted effective September 1, 2022 and March 15, 2023 (15A NCAC 03Q .0107).

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke
Commission Counsel
Date submitted to agency: April 3, 2023

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03M .0101

DEADLINE FOR RECEIPT: Tuesday, April 11, 2023

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:

Line 8 could be clarified. Is “engaged in fishing” different from simply using “fishing”? Is “any” necessary? Would it not be clearer to begin the Rule: “It shall be unlawful to possess, aboard a vessel or while fishing, finfish species that are subject to...”?

The phrase "engaged in fishing" occurs in numerous Marine Fisheries Commission rules and authorizing statutes and is familiar to regulated stakeholders and enforcement. It is used to set requirements for commercial fishing operations, for-hire operations, and recreational fishing. The phrase addresses the direct action of fishing, not operations before or immediately after the occurrence of removing a fish species from fishing waters, which are activities defined as "To Take" in G.S. 113-130. The term "any" is necessary to indicate that possession of a single finfish species (not multiple finfish species) that has a possession limit is sufficient to subject a person to the requirements of the rule.

Is “including” necessary on line 9 to modify “size limit”?

The word "including" is not modifying "size limit". It is introducing four examples of possession limits that include size limit, recreational bag limit, commercial trip limit, or season.

Both Subparagraphs listed above lack a clear method or procedure for “the determination of emissions” or “the determination of Btu input”. Is there a way to clarify this if this language is to be included?

This request is unclear to the agency and may be from a request for technical change for another agency.

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke
Commission Counsel

Date submitted to agency: April 3, 2023

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 18A .0911

DEADLINE FOR RECEIPT: Tuesday, April 11, 2023

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:

Please use active verbs. "The Division of Marine Fisheries shall classify shellfish growing waters with respect to marinas, docking facilities, and other mooring areas as follows:"

Completed

Please change the period at the end of Item (1) to a semicolon.

Completed

What is the "dilution analysis" in Item (2)? What is the procedure or method by which this analysis is conducted? Will the prohibition extend to the "minimum extent"? This is unclear and ambiguous.

The methodology for conducting a dilution analysis has been added to Item (2), consistent with National Shellfish Sanitation Program (NSSP) standards. The elements of Item (2) have been rearranged and additional details have been added to address the apparent ambiguity. North Carolina is part of the NSSP, which is a federal/state cooperative program designed to promote and improve the sanitation of shellfish (oysters, clams, mussels, and scallops) moving in interstate commerce. N.C. Division of Marine Fisheries staff work together with representatives from other states, the federal government, and industry through the Interstate Shellfish Sanitation Conference to develop guidelines for all state shellfish programs that are summarized in the NSSP Guide for the Control of Molluscan Shellfish (Guide). North Carolina must meet the minimum standards included in this Guide for North Carolina shellfish to be able to be sold through interstate commerce. The inclusion of this dilution analysis for determining the necessary buffer size around marinas adds a scientific rationale to the decision-making process and helps ensure that the health of shellfish consumers is protected by encompassing any waters that could potentially be impacted by overboard discharges of waste within the closed area.

Item (3) should begin like Item (2), "the Division of Marine Fisheries shall". For clarity, it should continue: "shall determine the prohibited areas required in Items (1) and (2) by..." Instead of "in close proximity to", use "close to". Instead of "for the purposes of determining", use "to determine". Words like "necessary" and "each" should be removed or defined more clearly. A phrase like "marinas shall be considered to be in close proximity to" is excessive. Use "marinas considered close to". Also, "if the dilution analysis indicates..." is unclear. How would it indicate? How would this be calculated and, when calculated, what would be the

Lawrence R. Duke
Commission Counsel

Date submitted to agency: April 3, 2023

numerical indication of “necessary dilution areas”? This needs to be clearly explained in rule to be used.

The phrase "in close proximity to" has a specific geographic implication and is a term that is in the current rule, so it is familiar to the regulated stakeholders. To replace the phrase with alternate language would actually reduce the clarity of what the rule amendments are intended to achieve. The phrase is also explained within the rule and the use of other language in its place would create awkward sentences throughout the rule. The word "each" is important to retain in the explanation of "in close proximity" because it clarifies that two or more separate facilities that each have three slips or more are being evaluated, not facilities that cumulatively have three slips or more. Without using the word "each", the rule would have a different meaning. Item (3) has been incorporated as Sub-Item (2)(c) for clarity. Please see the previous response regarding the methodology for conducting a dilution analysis. The remainder of the requests have been incorporated into the rewritten rule.

Please retype the rule accordingly and resubmit it to our office electronically.

Burgos, Alexander N

Subject: FW: MFC - 15A NCAC 03M .0101 & 18A .0911 - Change Requests

From: Duke, Lawrence <lawrence.duke@oah.nc.gov>

Sent: Thursday, April 6, 2023 3:10 PM

To: Everett, Jennifer <jennifer.everett@ncdenr.gov>; Rules, Oah <oah.rules@oah.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>

Subject: RE: MFC - 15A NCAC 03M .0101 & 18A .0911 - Change Requests

Jennifer,

Thank you for letting me know. I will present that to the RRC and recommend the extension.

Lawrence Duke

Counsel, NC Rules Review Commission

Office of Administrative Hearings

(984) 236-1938

Burgos, Alexander N

From: Everett, Jennifer
Sent: Wednesday, April 5, 2023 2:19 PM
To: Duke, Lawrence; Rules, Oah
Cc: Burgos, Alexander N; Blum, Catherine
Subject: RE: MFC - 15A NCAC 03M .0101 & 18A .0911 - Change Requests

Lawrence,

The Marine Fisheries Commission is requesting an extension for the period of review. This extension will allow additional time for staff to address your technical change requests.

Jennifer

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)-707-8614
<https://deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules>

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From: Duke, Lawrence <lawrence.duke@oah.nc.gov>
Sent: Monday, April 3, 2023 11:27 AM
To: Everett, Jennifer <jennifer.everett@ncdenr.gov>; Blum, Catherine <catherine.blum@ncdenr.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: MFC - 15A NCAC 03M .0101 & 18A .0911 - Change Requests

Jennifer,

Please see attached requests for changes to the Marine Fisheries Commission's two rules submitted for review at the RRC's April 2023 meeting. If you have any questions please let me know.

Thanks,

Lawrence Duke



Council to the North Carolina Rules Review Commission
Office of Administrative Hearings
Lawrence.Duke@oah.nc.gov
(919) 236-1938

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