

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Coastal Resources Commission

RULE CITATION: 15A NCAC 07H .2302

DEADLINE FOR RECEIPT: April 21, 2026

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:

(a), line 7: Please check this citation. Does G.S. 113A-130(5) exist? Based on my review, I found the following: “§§ 113A-130 through 113A-134. Reserved for future codification purposes.”

(b)(1): Is a “project narrative” just a written description of the project? Or does this have some other special meaning?

(c), line 32: What is an “individual” project? Is there a separate process or rules for non-individual projects?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel

Date submitted to agency: April 15, 2026

1 15A NCAC 07H .2302 is amended as published in 40:07 NCR 635 as follows:

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3 **15A NCAC 07H .2302 APPROVAL PROCEDURES**

4 (a) An applicant for a General Permit under this Subchapter shall contact the Division of Coastal Management at the
5 Regional Office indicated on the map located at
6 <https://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=1a5881ec85ca40679988982e02665b51> and
7 request approval for development as defined in G.S. 113A-130(5).

8 (b) The applicant shall provide:

9 (1) the site location, project narrative, dimensions of the project area, and ~~his or her~~ applicant's name
10 and address; and

11 ~~(2)~~ (2) a dated plat(s) showing existing and proposed development; and

12 ~~(2)(3)~~ (3) confirmation that a written statement has been ~~obtained, signed~~ obtained and signed by the adjacent
13 riparian property owners, indicating that they have no objections to the proposed work; or

14 ~~(3)(4)~~ (4) confirmation that the adjacent riparian property owners have been notified by certified mail of the
15 proposed work. The notice shall instruct adjacent riparian property owners to provide any comments
16 on the proposed development in writing to the Division of Coastal Management within 10 days of
17 receipt of the notice and indicate that no response by the adjacent riparian property owners will be
18 interpreted as the adjacent riparian property owners having no objection. Division staff shall review
19 all comments and determine, based on their relevance to the potential impacts of the proposed
20 project, if the proposed project can be approved by a General Permit. If Division staff finds that the
21 comments are worthy of more in-depth review, the Division shall notify the applicant that he or she
22 must submit an application for a major development permit.

23 (c) No work shall begin until an onsite meeting is held with the applicant and a Division of Coastal Management
24 representative to review the proposed development. A permit to proceed with the proposed development shall be
25 issued if the Division representative finds that the application meets all the requirements of this Subchapter.
26 ~~Construction permitted under this Section shall be completed within 120 days of permit issuance or such permit shall~~
27 ~~expire.~~ Construction authorized by this permit shall be completed within two years of permit issuance or the permit
28 shall expire and a new permit shall be required to begin or continue construction. If the applicant seeks a new permit
29 under this Section, the Division of Coastal Management shall re-examine the proposed development to determine if
30 the General Permit may be reissued. Pursuant to G.S. 136-44.7B, permits issued to the North Carolina Department of
31 Transportation for projects identified in the Transportation Improvement Program shall not expire. Approval of
32 individual projects shall be acknowledged in writing by the Division of Coastal Management and the applicant shall
33 be provided with a copy of this General Permit.

34 (d) Any modification or addition to the permitted project shall require approval from the Division of Coastal
35 Management.

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37 *History Note: Authority G.S. 113A-107; 113A-118.1; 113A-124;*

1 *Eff. June 1, 1996;*
2 *Amended Eff. May 1, 2010;*
3 *Readopted Eff. October 1, 2022;*
4 *Amended Eff. May 1, 2026.*