**Section 150B-21.3A Report for 07 NCAC 13C, STATE LAKES REGULATIONS**

Agency: Department of Natural and Cultural Resources

**Comment Period:** May 2, 2017 - July 3, 2017

**Issue Submitted by OAH:** March 19, 2018

<table>
<thead>
<tr>
<th>Subchapter</th>
<th>Rule Section</th>
<th>Rule Citation</th>
<th>Rule Name</th>
<th>Date and Last Agency Action on the Rule</th>
<th>Agency Determination - 150B-21.3A(g)(1)</th>
<th>Implement or Conform to Federal Regulation - 150B-21.3A(h)(1)</th>
<th>Federal Regulation Citation</th>
<th>Public Comment Received (150B-21.3A(g)(2))</th>
<th>Agency Determination Following Public Comment (150B-21.3A(g)(3))</th>
<th>ARC Determination of Public Comments (150B-21.3A(g)(4))</th>
<th>OAH Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTION 1808 - GENERAL PROVISIONS</td>
<td>07 NCAC 13C .0101</td>
<td><strong>MONITORING</strong></td>
<td>Amended Eff. October 1, 1988</td>
<td>Necessary without substantive public interest</td>
<td>No</td>
<td>Necessary without substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary without substantive public interest</td>
<td>No comments with merit</td>
<td>Keep in Code - Update History Note</td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0102</td>
<td><strong>DEFINITIONS</strong></td>
<td>Amended Eff. August 1, 1988</td>
<td>Necessary without substantive public interest</td>
<td>No</td>
<td>Necessary without substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary without substantive public interest</td>
<td>No comments with merit</td>
<td>Keep in Code - Update History Note</td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0105</td>
<td><strong>PERMITS</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and should remain in effect without further action</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACTION 1809 - COMMERCIAL ENTERPRISES</td>
<td>07 NCAC 13C .0201</td>
<td><strong>COMMERCIAL ENTERPRISES</strong></td>
<td>Amended Eff. April 4, 1979</td>
<td>Necessary without substantive public interest</td>
<td>No</td>
<td>Necessary without substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0202</td>
<td><strong>COMMERCIAL ENTERPRISES NONCOMMERCIAL ACTIVITIES</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0203</td>
<td><strong>COMMERCIAL ACTIVITIES N.B. UPON STATE LAKES</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACTION 1809 - CONSTRUCTION OF PIERs AND OTHER STRUCTURES ON STATE LAKES</td>
<td>07 NCAC 13C .0301</td>
<td><strong>PERMITS</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0302</td>
<td><strong>STRUCTURES PERMITTED ON CERTAIN STATE LAKES</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0303</td>
<td><strong>STRUCTURES PERMITTED ON CERTAIN STATE LAKES</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0304</td>
<td><strong>PERMITS FOR STRUCTURES ETC.</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0305</td>
<td><strong>PERMITS FOR STRUCTURES EXISTING AS OF FEBRUARY 1, 1976</strong></td>
<td>Amended Eff. April 6, 1979</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0306</td>
<td><strong>Drij</strong></td>
<td>Amended Eff. March 15, 1982</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0307</td>
<td><strong>ELEVATOR ESCALATORS</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0308</td>
<td><strong>ELEVATOR ESCALATORS</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0309</td>
<td><strong>ELEVATOR ESCALATORS</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0310</td>
<td><strong>STAIRS ROC SYSTEMS ETC.</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0311</td>
<td><strong>STAIRS ROC SYSTEMS ETC.</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0312</td>
<td><strong>STAIRS ROC SYSTEMS ETC.</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0313</td>
<td><strong>STAIRS ROC</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0314</td>
<td><strong>STAIRS ROC</strong></td>
<td>Amended Eff. February 1, 1976</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>07 NCAC 13C .0315</td>
<td><strong>SPECIAL BUILDING ROOM TO HAVING HEARING HOSPITALS APPEAL</strong></td>
<td>Amended Eff. October 1, 1988</td>
<td>Necessary with substantive public interest</td>
<td>No</td>
<td>Necessary with substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary with substantive public interest and must be readopted</td>
<td>Agency must readopt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
- **OAH Next Steps**
  - Keep in Code - Update History Note
  - Agency must readopt
  - Necessary without substantive public interest and must be readopted

**Keep in Code - Update History Note:**
- Necessary without substantive public interest and should remain in effect without further action
- Necessary with substantive public interest and must be readopted
- Necessary with substantive public interest and should remain in effect without further action

**Agency Determination Following Public Comment:**
- Necessary without substantive public interest
- Necessary with substantive public interest

**Implementation or Conformity to Federal Regulation:**
- Necessary without substantive public interest
- Necessary with substantive public interest

**Public Comment Received:**
- Necessary without substantive public interest
- Necessary with substantive public interest

**Federal Regulation Citation:**
- Necessary without substantive public interest
- Necessary with substantive public interest

**Date Submitted to APO:** March 19, 2018

**Comment Period:** May 3, 2017 - July 3, 2017

**G.S. 150B-21.3A Report for 07 NCAC 13C, STATE LAKES REGULATIONS**

Subchapter:
- GENERAL PROVISIONS
- COMMERCIAL ENTERPRISES
- CONSTRUCTION OF PIERs AND OTHER STRUCTURES ON STATE LAKES

Rule Section:
- 07 NCAC 13C .0101
- 07 NCAC 13C .0102
- 07 NCAC 13C .0105
- 07 NCAC 13C .0201
- 07 NCAC 13C .0202
- 07 NCAC 13C .0203
- 07 NCAC 13C .0301
- 07 NCAC 13C .0302
- 07 NCAC 13C .0303
- 07 NCAC 13C .0304
- 07 NCAC 13C .0305
- 07 NCAC 13C .0306
- 07 NCAC 13C .0307
- 07 NCAC 13C .0308
- 07 NCAC 13C .0309
- 07 NCAC 13C .0310
- 07 NCAC 13C .0311
- 07 NCAC 13C .0312
- 07 NCAC 13C .0313
- 07 NCAC 13C .0314
- 07 NCAC 13C .0315

Rule Name:
- MONITORING
- DEFINITIONS
- PERMITS
- COMMERCIAL ENTERPRISES
- COMMERCIAL ACTIVITIES N.B. UPON STATE LAKES
- STRUCTURES PERMITTED ON CERTAIN STATE LAKES
- PERMITS FOR STRUCTURES EXISTING AS OF FEBRUARY 1, 1976
- Drij
- ELEVATOR ESCALATORS
- STAIRS ROC SYSTEMS ETC.
- STAIRS ROC
- SPECIAL BUILDING ROOM TO HAVING HEARING HOSPITALS APPEAL
- WATER LEVELS

Public Comment:
- Necessary without substantive public interest
- Necessary with substantive public interest

Revision History:
- Implements or Conforms to Federal Regulation 150B-21.3A(c)(1)
- Keep in Code - Update History Note
### 150B-21.3A Report for 07 NCAC 13C, STATE LAKES REGULATIONS

**Agency:** Department of Natural and Cultural Resources  
**Date Submitted to APO:** March 19, 2018

<table>
<thead>
<tr>
<th>Subchapter</th>
<th>Rule Section</th>
<th>Rule Citation</th>
<th>Rule Name</th>
<th>Date and Last Agency Action on the Rule</th>
<th>Agency Determination (150B-21.3A)(c)(1)a</th>
<th>Implements or Conforms to Federal Regulation (150B-21.3A)(c)(1)</th>
<th>Federal Regulation Citation</th>
<th>Public Comment Received (150B-21.3A)(c)(3)</th>
<th>Agency Determination Following Public Comment (150B-21.3A)(c)(3)</th>
<th>RRC Determination of Public Comments (150B-21.3A)(c)(3)</th>
<th>RRC Final Determination of Status of Rule for Report to APO (150B-21.3A)(c)(3)</th>
<th>OAH Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>07 NCAC 13C</strong></td>
<td>.0407</td>
<td><strong>MOORING BUOYS</strong></td>
<td>Eff. February 1, 1976</td>
<td>Necessary without substantive public interest</td>
<td>No</td>
<td>No</td>
<td>Necessary without substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary without substantive public interest and should remain in effect without further action</td>
<td>Keep in Code - Update History Note</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>07 NCAC 13C</strong></td>
<td>.0408</td>
<td><strong>STATE PARKS</strong> REGULATIONS</td>
<td>Eff. February 1, 1976</td>
<td>Necessary without substantive public interest</td>
<td>No</td>
<td>No</td>
<td>Necessary without substantive public interest</td>
<td>No comments with merit</td>
<td>Necessary without substantive public interest and should remain in effect without further action</td>
<td>Keep in Code - Update History Note</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>07 NCAC 13C</strong></td>
<td>.0409</td>
<td><strong>INFORMATION</strong></td>
<td>Amended Eff. April 4, 1979</td>
<td>Unnecessary</td>
<td>No</td>
<td>No</td>
<td>Unnecessary</td>
<td>No comments with merit</td>
<td>Unnecessary and should expire on the first day of the month following the consultation</td>
<td>Rule expired - remove from Code</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>