

PUBLIC & INTERESTED PARTIES NOTICE

Notice of Proposed Changes to the North Carolina Coastal Management Program Pursuant to Session Law 2024-45

Notice of intended action: Pursuant to the federal Coastal Zone Management Act regulations (15 CFR §§923.80 – 923.84), The North Carolina Coastal Management Program (NCCMP) hereby provides notice that it is submitting a program change request to the National Oceanic and Atmospheric Administration, Office for Coastal Management (OCM).

Purpose of the notice: The Coastal Zone Management Act (15 C.F.R. §923.84) requires state Coastal Zone Management Programs to formally incorporate changes made to the laws, rules and policies that are used for Federal Consistency. These program changes affect the uses subject to management; however, they do not affect (1) special management areas; (2) boundaries; (3) authorities and organization or (4) coordination, public involvement and national interest components of the NCCMP. Upon concurrence by OCM, the policies below will be incorporated into the NCCMP and will be applicable in the review of federal actions for consistency.

Description of Change: Pursuant to Session Law 2024-45, the following constitutes a request by NCCMP for the National Oceanic and Atmospheric Administration (NOAA) Office for Coastal Management (OCM) to concur in the incorporation of a Program Change (PC) regarding North Carolina's Session Law 2024-45 requirements. North Carolina's federally-approved CMP includes, but is not limited to, the Coastal Area Management Act (CAMA, NC G.S. 113A-100 through 134); the State's Dredge and Fill Law (NC G.S. 113-229); and Chapter 7 of Title 15A of North Carolina's Administrative Code (NCAC). Session Law 2024-45 amends the Coastal Area Management Act to:

- exclude aquaculture from the definitions of "Development"
- authorize the replacement of certain erosion control structures and to permit the construction of a terminal groin at the intersection of Frying Pan Shoals and the Atlantic Ocean

The complete Session Law 2024-45 may be viewed online at:

<https://www.ncleg.gov/Sessions/2023/Bills/Senate/PDF/S607v7.pdf> with detailed Proposed Changes to the North Carolina Coastal Management Program outlined on pages 10 – 16.

How to Comment: Comments on these proposed program changes shall be submitted to OCM within 21 days following the date of publication of this notice. All comments should be submitted directly to NOAA Office of Coastal Management on NOAA's Program Change website under file name NC-2024-1 at: <https://coast.noaa.gov/czmprogramchange/#/public/home> . Written hard copy comments may be submitted to Joelle Gore, Office for Coastal Management, National Oceanic and Atmospheric Administration, 1305 East-West Highway, Silver Spring, MD 20910.

For additional information, please contact: Daniel Govoni, North Carolina Division of Coastal Management, 400 Commerce Avenue, Morehead City, NC 28557. Telephone: 252-515-5435; email: Daniel.govoni@deq.nc.gov.

STATE CZM CHANGE REQUEST TABLE

- Provide a section by section listing of proposed changes to the program.
- Changes should be entered in order of citation unless the changes do not pertain to particular statutes or regulations.
- To add additional rows, right click inside any cell and use the "Insert" command to insert addition rows.
- Once completed, please use the "Save as PDF" command under the File tab and return to the CZM change portal to upload. The file name should be in this format *State-YYYY-Change # (SC-2018-14)*

Legal citation <i>1000 Character Limit</i>	Title of policy, section, or other descriptor	Is the change new, revised, or deleted <i>Enter one</i>	Date effective in state <i>MM/DD/YYYY</i>	Enforceable policy <i>Y or N</i>	Enforceable mechanism citation <i>1000 Character Limit</i>
G.S. 113A-118	Permit Required	Revised	October 26, 2024	Yes	CAMA Permitting Program

STATE CZM CHANGE REQUEST TABLE

Legal citation <i>1000 Character Limit</i>	Title of policy, section, or other descriptor	Is the change new, revised, or deleted <i>Enter one</i>	Date effective in state <i>MM/DD/YYYY</i>	Enforceable policy <i>Y or N</i>	Enforceable mechanism citation <i>1000 Character Limit</i>
G.S. 113A-103	DEFENITIONS	Revised	July 9, 2024	Yes	CAMA Permitting Program
G.S. 113A-115.1	LIMITATIONS ON EROSION CONTROL STRUCTURES	Revised	October 26, 2024	yes	CAMA Permitting Program