

NC COASTAL RESOURCES COMMISSION (CRC)

August 6, 2024

Special Meeting via Webex

Present CRC Members

Renee Cahoon, Chair
Neal Andrew, Vice-chair
Larry Baldwin
D.R. Bryan
Bob Emory
Jordan Hennessy (present beginning 1:07 p.m.)
Robert High
Sheila Holman, 2nd Vice-chair
Steve King
Lauren Salter
Steve Shuttleworth
Earl Smith
James “Robbie” Yates (present beginning 1:18 p.m.)

Present from the Office of the Attorney General

Mary Lucasse

Present from the Department of Environmental Quality, Office of the General Counsel

Christine Goebel

CALL TO ORDER/ROLL CALL

CRC Chair Renee Cahoon called the meeting to order at 1:00 p.m. on August 6, 2024, reminding the Commissioners of the need to state any conflicts due to Executive Order Number 34 and the State Government Ethics Act. The State Government Ethics Act mandates that at the beginning of each meeting the Chair remind all members of their duty to avoid conflicts of interest and inquire as to whether any member knows of a conflict of interest or potential conflict with respect to matters to come before the Commission. The Chair requested that if any member knows of a conflict of interest or a potential conflict of interest, they state when the roll is called. No conflicts were reported, and based upon this roll call Chair Cahoon declared a quorum.

CHAIR’S COMMENTS

Chair Cahoon stated consideration of the fiscal analysis for 15A NCAC 07H .0313 Installation and Maintenance of Wheat Straw Bales is still under review by the Office of State Budget and Management (OSBM) and has been pulled from this meeting’s agenda.

ACTION ITEMS

Consideration of Permanent Rulemaking 15A NCAC 07J .1405 – Permit Fee

Jonathan Howell

Jonathan Howell reviewed the timeline for the rulemaking under consideration. Since the Commission approved the rule language at the April 2024 meeting, the rule numbers have

changed to conform to the requirements of the NC Administrative Code, but there are no substantive changes to the rule language from what was approved in April. Since the rules under consideration were removed from the NCAC, these proposed rules are considered “new” rules, and any fee would be a “new” fee. The Division was informed by OSBM that rules that included fees require a request for consultation with the Joint Legislative Commission on Governmental Operations (GovOps). In order to not delay rulemaking, fees were removed from the previously approved rules and are in a separate rule, 15A NCAC 07J .1405. Incorporating the fees into its own rule is consistent with the format for General Permits and will make it easier for the Commission to make changes to the fees in the future.

Neal Andrew made a motion to approve 15A NCAC 07J .1405 for public hearing. Sheila Holman seconded the motion. The motion passed unanimously (Cahoon, Andrew, Baldwin, Bryan, Emory, Hennessy, High, Holman, King, Salter, Shuttleworth, Smith)(Yates absent for vote).

**Consideration of Approval of Fiscal Analysis (CRC 24-07)
15A NCAC 07J .1401-.1405, .1501-.1503 Permit Application Processing
Jonathan Howell**

Jonathan Howell stated since the Commission’s April meeting, the rule numbers have changed but the titles and rule language have remained the same. After review by OSBM, it was determined that the rule adoptions will have little to no fiscal impacts. Following the public hearing and the 60-day comment period, the CRC can consider adoption at their November meeting.

Neal Andrew made a motion to approve the fiscal analysis for 07J .1401-.1405 and .1501 - .1503 for public hearing. Larry Baldwin seconded the motion. The motion passed unanimously (Cahoon, Andrew, Baldwin, Bryan, Emory, Hennessy, High, Holman, King, Salter, Shuttleworth, Smith)(Yates absent for vote).

**15A NCAC 07H .0508 Jockey’s Ridge Area of Environmental Concern Fiscal Analysis
Daniel Govoni**

Daniel Govoni stated to the CAMA provides the authority to the CRC to designate Areas of Environmental Concern (AEC). CAMA states the CRC can designate an area as an AEC if it is an existing national or State Park, forest, wilderness area, a State Nature and Historic Preserve, or public recreation area. Also, if it is a complex natural area or an area containing unique geological formations identified by the state geologist. Jockey’s Ridge is a State Park, is dedicated as a Nature Preserve, is considered a complex natural area, and has been identified by the state geologist as a unique geological formation. The proposed rule designates Jockey’s Ridge as an AEC, describes the boundaries, and has use standards for this area. The Jockey’s Ridge AEC has been in place since 1984. The OSBM approved fiscal analysis indicates that there will be no fiscal impact to state, local or federal governments, private entities, or DCM permit receipts. The proposed rule is a benefit to the state and local governments as well as the public by ensuring the protection of Jockey’s Ridge.


Neal Andrew made a motion to approve the fiscal analysis for 07H .0508 for public hearing. Larry Baldwin seconded the motion. (Cahoon, Andrew, Baldwin, Bryan, Emory, Hennessy, High, Holman, King, Salter, Shuttleworth, Smith, Yates).

Neal Andrew made a motion for the Commission go into closed section pursuant to North Carolina General Statute Section 143-318.11(a)(3) to consult with its attorney regarding a settlement proposal received in CRC v. RRC (File No. 23CV031533-910). Sheila Holman seconded the motion. The motion passed unanimously (Cahoon, Andrew, Baldwin, Bryan, Emory, Hennessy, High, Holman, King, Salter, Shuttleworth, Smith, Yates).

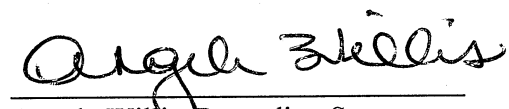
The Commission returned to open session.

With no further business, the CRC adjourned.

Respectfully submitted,



Tancred Miller, Executive Secretary



Angela Willis, Recording Secretary