

Rules Status September 1, 2023

Amendments with RRC Objections

The amendments will not appear in the code unless resolved. Most of these are related to “significant adverse impacts”.

7H .0308 Beach Mats - unclear/ambiguous

7H .0208, 7M .0603 FLUPSYs - unclear/ambiguous, failure to comply with APA, CRC does not have authority to regulate.

Upcoming amendments that will likely receive objections for similar reasons.

7H .0305 Minimum Growing Season for Planted Vegetation

CAMA General Permit Time Period Extension

7H .0309 Exception for Lots Platted Post-1979

CAMA Permit Fee Increases

Objections Related to Periodic Review Readoption

These will be in the code noting the RRC objection as they were prior to readoption. Technical changes were proposed to address the objections, but were rejected by the RRC.

7H .0501, .0502, .0503, .0505, .0506, .0507, .0508, .0509, .0510

Natural and Cultural Resource Areas – lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA

7H .2305

GP for existing bridges, culverts - ambiguity

7I .0406

Application Fees - lack of necessity

7I .0506

Local Implementation and Enforcement Plans Allocation of Authority – lack of necessity

7I .0702

Failure to Enforce and Administer a Local Enforcement and Implementation Enforcement Plan, When an action exceed the Local Authority - lack of statutory authority and lack of necessity

7J .0203

Application Process: Preparation of Work Plats – lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA

7J .0204

Processing the Application - ambiguity

7J .0206

Public Notice of the Proposed Development - lack of statutory authority, ambiguity, and lack of necessity

7J .0207

Agency Review/Comments: Major Development/Dredge and Fill - lack of statutory authority

7J .0208

Permit Conditions - lack of statutory authority

7J .0312 Settlement - lack of statutory authority

7M .0201 Shoreline Erosion Policies: Declaration of General Policy - ambiguity

7M .0202

Policy Statements - lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA

7M .0401

Coastal Energy Policies: Declaration of General Policy - lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA

7M .0402 Definitions - ambiguity

7M .0403

Policy Statements - lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA

7M .0701

Mitigation Policy: Declaration of General Policy -lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA

7M. 0703 Mitigation Candidacy - ambiguity

7M .0704 Policy Statements - lack of statutory authority and ambiguity

7M .1001

Policies on Water and Wetland Based Target Areas for Military Training Activities: Declaration of General Policy - lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA

7M .1002 Policy Statements - lack of statutory authority and ambiguity

7M .1101

Policies on Beneficial Use and Availability of Materials Resulting from the Excavation or Maintenance of Navigational Channels: Declaration of General Policy - lack of statutory authority, ambiguity, lack of necessity, and failure to comply with the APA