**CHECK APPROPRIATE BOX:**

**Notice with a scheduled hearing**

**Notice without a scheduled hearing**

**Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.**

**Previous publication of text was published in Volume:** **Issue:**

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| **1. Rule-Making Agency:** Coastal Resources Commission | | |
| **2. Link to agency website pursuant to G.S. 150B-19.1(c):** https://deq.nc.gov/about/divisions/coastal-management/coastal-management-rules/proposed-rules | | |
| **3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:**  **ADOPTION:** | | |
| **AMENDMENT:** 15A NCAC 07H .0208, .0306, .0308, 15A NCAC 07J .1301, 15A NCAC 07K .0207, 15A NCAC 07M .0302, .0307, .0602, .0603 | | |
| **REPEAL:** 15A NCAC 07M .0301, .0306, .0308 | | |
| **READOPTION with substantive changes:** | | |
| **READOPTION without substantive changes:** | | |
| **REPEAL through READOPTION:** | | |
| **4. Proposed effective date:** September 1, 2021 | | |
| **5. Is a public hearing planned?**  **Yes**  **No**  **If yes: Public Hearing date:** May 4, 2021  **Public Hearing time:** 1:00 PM  **Public Hearing location: Virtual Meeting via WebEx**  https://ncdenrits.webex.com/ncdenrits/j.php?MTID=mb7852d1658f311a552321dc4c855a511 | | |
| **6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:** | | |
| **7. Reason For Proposed Rule(s):**  .  **15A NCAC 07H .0208 and 07M .0602-.0603**: The Coastal Resources Commission’s floating structure policies do not specifically address Floating Upweller Systems used in shellfish aquaculture operations. These amendments clarify how they may be sited in public trust waters.  **15A NCAC 07M .0300**: The Coastal Resources Commission (CRC) is proposing amendments to the CAMA Public Beach and Coastal Waterfront Access Program. These amendments are intended to address implementation aspects of the Program, as well as reorganize some of the individual rules based on grant administration, local government requirements, and project selection. These changes are consistent with G.S. 150B-19.1(b) which requires agencies to identify existing rules that are unnecessary, unduly burdensome, or inconsistent with the principles set forth in 150B-19.1(a) and modify them to reduce regulatory burden.  **15A NCAC 07H .0306 and 07J .1301**: Currently, there are specific types of development allowed oceanward of the setback line except only when a community has a CRC approved Development Line. This was not the original intent of the Coastal Resources Commission; therefore, the CRC is amending its rules to allow those exceptions oceanward of the setback line.  **15A NCAC 07H .0308 and 07K .0207**: The Coastal Resources Commission proposes to amend its administrative rules in order to provide greater flexibility to local governments and government agencies in constructing public accessways and enhanced handicap access to the beach by allowing the limited use of beach matting | | |
| **8. Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.  **Rule(s) is automatically subject to legislative review. Cite statutory reference:** | | |
| **9. The person to whom written comments may be submitted on the proposed rule(s):**  **Name:** Braxton Davis  **Address:**  400 Commerce Avenue  Morehead City, NC 28557  **Phone (optional):**  **Fax (optional):**  **E-Mail (optional):** (252)808-2808 | | |
| **10. Comment Period Ends:** June 14, 2021 | | |
| **11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**  **State funds affected** (7H .0208, 0308, 0312, 7K .0207, 7M .0302, .0307)  **Local funds affected** (7H .0308, 0312, 7K .0207, 7M .0302, .0307)  **Substantial economic impact (≥$1,000,000)**  **Approved by OSBM**  **No fiscal note required** | | |
| **12. Rule-making Coordinator:** Jennifer Everett  **Phone:** (919) 707-8614  **E-Mail:** Jennifer.Everett@ncdenr.gov  **Additional agency contact, if any:** Mike Lopazanski  **Phone**: (252) 808-2808  **E-mail**: Mike.Lopazanski@ncdenr.gov | **13. The Agency formally proposed the text of this rule(s) on**  **Date:** February 18, 2021  **14. Signature of Agency Head\* or Rule-making Coordinator:**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| **Typed Name:** Jennifer Everett  **Title:** DEQ Rulemaking Cooridator  ***\*If this function has been delegated (reassigned) pursuant to***  ***G.S. 143B-10(a), submit a copy of the delegation with this form.*** | |
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