



PAT MCCRORY
Governor

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Secretary

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Director

CRC-16-41

MEMORANDUM

TO: Coastal Resource Commission

FROM: Rachel Love-Adrick

DATE: November 10, 2016

SUBJECT: Fiscal Analysis for 15A NCAC 7L Planning and Management Grants

Summary of Rule Change

The NC Coastal Area Management Act (CAMA) requires that the 20 coastal counties prepare and update land use plans according to state guidelines (15A NCAC 7B). Municipalities have the option of preparing individual plans, if they are delegated authority by the county and meet specific community standards. There are a total of 100 local governments in coastal North Carolina with 60 individual or joint land use plans (LUP). The Division of Coastal Management (DCM) has provided both financial and technical assistance to the local governments through the CAMA Local Planning and Management Grants Program (15A NCAC 7L) for many of these plans. Technical assistance and training to local government officials and local planners includes guidance on preparing land use plan updates and amendments, LUP policy, and ordinance inquiries.

In 2015, the Commission amended the 15A NCAC 7B CAMA Land Use Planning Requirements and 15A NCAC 7L Planning & Management Grant Program rules. These amendments, focused on separating the land use plan provisions from the planning and management grant program rules. The next step in the comprehensive review of the CAMA Planning Program has been an assessment of the grants to local governments for planning related projects. The primary purpose of the amendments to the 15A NCAC 7L Local Planning and Management Grants are intended to shift the primary focus of grant funding from local land use plans to a broad variety of local projects that address coastal issues and to allow the Division of Coastal Management to focus on specific issues or areas of Coastal Resources Commission (CRC) interest in awarding grant funds. The economic impacts of these proposed rule changes are expected to be minimal. While the focus of the program will shift from primarily funding land use plans, this will remain an eligible activity under the Planning and Management Grant Program.

Specifically, the proposed amendments achieve the following major goals:

- Shift emphasis from primarily funding local land use plans to the funding of projects in support of the goals of the Coastal Area Management Act and the management topics outlined by the land use planning rules (Subchapter 15A NCAC 7B).
- Provide flexibility in the types of projects eligible for funding.
- Allow for the designation of Priority Management Topics on an annual basis following consultation with the CRC.



Summary of Fiscal Analysis

In accordance with the Administrative Procedures Act, the fiscal analysis associated with proposed rule changes must also be sent to public hearing. The attached fiscal analysis for 15A NCAC 7L has been prepared by the Division and approved by DEQ and the Office of State Budget & Management (OSBM).

Due to budget reductions, the Division of Coastal Management was unable to make funding available for planning and management grants from 2008 to 2015. In 2016, the Division revived the program, and allocated \$75,000 in federal funds to award five \$15,000 grants. While future funding of the Planning & Management Grant Program is dependent upon the availability of funds in any given fiscal year, the Division is assuming for this analysis that \$75,000 in federal funds will continue to be available. This rule change impacts how the funds are eligible to be distributed to local governments through the Planning and Management Grant Program. These funds would be spent in support of the Coastal Management program regardless of the rule change.

The economic impacts of these proposed rule changes benefit local governments by modifying the distribution of funds among local governments, and aligning the types of eligible projects with priorities relevant to the coastal area. While future funding of the Planning & Management Grant Program is dependent upon the availability of funds in any given fiscal year, the Division is assuming for this analysis that \$75,000 in federal funds will continue to be available. As the Division of Coastal Management was unable to make funding available for planning and management grants from 2008 to 2015, the Division is assuming for the purposes of this analysis that the \$75,000 in federal funds will be a positive benefit to local governments.

The amendments to 15A NCAC 7L clarify the granting of funds to local governments for planning and management projects. Since NC DOT is not eligible for this funding, there will be no direct impact on the agency.

The amendments to 15A NCAC 7L Planning and Management Grants affect the procedures for granting funds to local governments for planning and management activities. As private property owners are not eligible for this funding, they are unlikely to be directly affected by these amendments. While private property owners have an interest in projects funded through the Planning and Management Grant Program, their interest is primarily confined to the substance of the projects and not necessarily the procedures of the grant program. However, changes to the types of project eligible for funding may have an indirect impact on private property owners.

Staff recommends approval of the attached Fiscal Analysis and modified rule changes. If the Commission approves, the attached fiscal analysis may be sent to public hearing with a proposed effective date of July 1, 2017.



Fiscal Analysis

CAMA Planning and Management Grants
Amendments to 15A NCAC 7L

Prepared by

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October 26, 2016

Basic Information

Agency	DEQ, Division of Coastal Management (DCM) Coastal Resources Commission
Title	Planning and Management Grants
Citation	15A NCAC 07L
Description of the Proposed Rule	Subchapter 07L establishes the criteria for funding grants to local governments for planning and management projects within the 20 coastal counties.
Agency Contact	Rachel Love-Adrick, District Planner – Morehead City Rachel.Love-Adrick@ncdenr.gov (252) 808-2808 ext. 205
Authority	113A-112; 113A-124
Impact Summary	State government: Yes Local government: Yes Substantial impact: No Private entities: No
Necessity	The Coastal Resources Commission (CRC) is proposing amendments to the CAMA Planning & Management Grant Program. These amendments are intended to shift the primary focus of grant funding from local land use plans to a broad variety of local projects that address coastal issues and to allow the Division of Coastal Management to focus on specific issues or areas of Coastal Resources Commission (CRC) interest in awarding grant funds. 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.

Summary

The NC Coastal Area Management Act (CAMA) requires that the 20 coastal counties prepare and update land use plans according to state guidelines (15A NCAC 7B). Municipalities have the option of preparing individual plans, if they are delegated authority by the county and meet specific community standards. There are a total of 100 local governments in coastal North Carolina with 60 individual or joint land use plans (LUP). The Division of Coastal Management (DCM) has provided both financial and technical assistance to the local governments through the CAMA Local Planning and Management Grants Program (15A NCAC 7L) for many of these plans. Technical assistance and training to local government officials and local planners includes guidance on preparing land use plan updates and amendments, LUP policy, and ordinance inquiries. Plans are generally updated on a voluntary basis at seven- to ten-year intervals with locally initiated amendments at more frequent intervals. Certified plans are used in making CAMA permit decisions, as no permit may be issued that is inconsistent with the local LUP. Updated and amended land use plans are submitted to the NOAA Office of Coastal Management for approval before they may be used for federal consistency determinations.

In 2015, the Commission amended the 15A NCAC 7B CAMA Land Use Planning Program and 15A NCAC 7L Planning & Management Grant Program rules. These amendments, focused on separating the land use plan provisions from the planning and management grant program rules. The next step in the comprehensive review of the CAMA Planning Program has been an assessment of the grants to local governments for planning related projects. In the past, heavy emphasis was placed on the development of land use plans. While that will still be an eligible activity under the Planning and Management Grant Program, the Commission intends to offer more flexibility to local governments in the types of projects that could be funded.

The intent of the amendments is to shift the primary focus of grant funding from local land use plans to a broad variety of local projects that address coastal issues and to allow the Division of Coastal Management to focus on specific issues or areas of Coastal Resources Commission (CRC) interest in awarding grant funds.

While the focus of the program will shift away from primarily funding land use plans, this change is not expected to have undue financial impacts on local governments. Recent amendments to 15A NCAC 7B Land Use Planning Guidelines removed costly and time-consuming analytical requirements, and are expected to result in cost savings to local governments in the development, update, and amendment of land use plans. In addition, with 60 local governments having CRC-approved land use plans, DCM staff estimate that the number of new land use plans requiring development is expected to be minimal if any.

The amendments to 15A NCAC 7L clarify the granting of funds to local governments for planning and management projects. Since NC DOT is not eligible for this funding, there will be no direct impact on the agency.

Due to budget reductions, the Division of Coastal Management was unable to make funding available for planning and management grants from 2008 to 2015. In 2016, the Division revived the program, and allocated \$75,000 in federal funds to award five \$15,000 grants. While future

funding of the Planning & Management Grant Program is dependent upon the availability of funds in any given fiscal year, the Division is assuming for this analysis that \$75,000 in federal funds will continue to be available and therefore will not impact state funds.

The economic impacts of this proposed rule change benefit local governments by modifying the distribution of funds among local governments, and aligning the types of eligible projects with priorities relevant to the coastal area.

The proposed effective date of these amendments is July 1, 2017.

Introduction and Purpose

The Coastal Area Management Act (CAMA) established a cooperative program of coastal area management between local governments and the State, where local governments have the responsibility for developing plans, with the State acting primarily in a supportive, standard-setting, and review capacity. Permitting and enforcement responsibilities are shared between the State and local governments. Under CAMA, each of the 20 coastal counties is required to develop and adopt a land use plan. Municipalities within the 20-county jurisdiction are not required to have a land use plan; however, they may be delegated planning authority if they are currently enforcing a zoning ordinance, subdivision regulations, and the State Building Code. Otherwise, they are considered to be part of the county land use plan.

The State's coastal program employs a two-tiered approach to managing coastal resources. Critical resource areas, designated as Areas of Environmental Concern (AECs), comprise the first tier. The Division of Coastal Management (DCM) regulates activities in these areas through CAMA permits. CAMA permits are required to be consistent with an approved local CAMA land use plan. The second tier comprises non-AEC areas. These areas are managed through a coordinated effort of other state laws, local land use plans, and the requirement for state agency actions to be consistent with local land use plans. Plans are also used in the review of federal actions and federal permits. Local land use plans require approval of the Coastal Resources Commission (CRC) to become effective. Plans are reviewed for consistency with the CRC's 15A NCAC 7B land use planning guidelines and the requirements of CAMA.

The CRC has adopted standards and procedures for the development of land use plans by local governments that include public-participation requirements, analyses, and minimum issues to be addressed. Local governments are responsible for developing policies to address the minimum issues as well as those dealing with community character and traditional land use concerns. The initial planning rules came into effect in 1975 and were amended during the 1990s and 2000s. The current planning rules came into effect in 2016.

Up until the early 2000s, the CAMA Land Use Planning Program focused on providing grant funds for planning and management projects (15A NCAC 7L Local Planning and Management Grants), with the highest priority being land use plans and their updates. In addition to land use plans, funded projects included: waterfront access and revitalization plans; zoning, subdivision and development ordinances; population and housing studies; capital facilities plans; transportation

corridor studies; hurricane evacuation plans; floodplain ordinances, hazard-mitigation plans; watershed protection and management plans; and drainage master plans.

In 2015, the Commission amended 15A NCAC 7B CAMA Land Use Planning Program and 15A NCAC 7L Planning & Management Grant Program. These amendments, focused on separating the land use plan provisions from the planning and management grant program rules. The next step in the comprehensive review of the CAMA Planning Program has been an assessment of the grants to local governments for planning related projects. In the past, heavy emphasis was placed on the development of land use plans. While development of land use plans will still be an eligible activity under the Planning and Management Grant Program, the Commission would like to see more flexibility offered to local governments in the types of projects that could be funded.

Grant monies for land use plans and management projects were unavailable from 2008 to 2015. In 2016, the Division revived the program and allocated \$75,000 in federal funds to award five \$15,000 grants. The Division received ten applications, four of the applications were for updates to land use plans, the remaining six applicants proposed updates to zoning and unified development ordinances, waterfront access plans and a flood mitigation plan. The current rule structure provides the highest funding priority to land use plans and their updates. As a result, four of the five projects funded were for updates to land use plans.

The proposed amendments to the rules in 7L Planning and Management Grants are in response to evolution of the CAMA Land Use Planning Program that reflects the shift from the funding of the development of land use plans to funding of projects that assist in the implementation of land use plans. The intent of the amendments is to shift the primary focus of grant funding from local land use plans to a broad variety of local projects that address coastal issues and to allow the Division of Coastal Management to focus on specific issues or areas of Coastal Resources Commission (CRC) interest in awarding grant funds.

Specifically, the proposed amendments achieve the following major goals:

- Shift emphasis from primarily funding local land use plans to the funding of projects in support of the goals of the Coastal Area Management Act and the management topics outlined by the land use planning rules (Subchapter 15A NCAC 7B).
- Provide flexibility in the types of projects eligible for funding.
- Allow for the designation of Priority Management Topics on an annual basis following consultation with the CRC.

Description of Rule Amendment

Subchapter 15A NCAC 7L of the Coastal Resources Commission's rules establish the criteria and procedure for funding the Planning and Management Grant program. The following section outlines the proposed amendments and the intent of the changes to each section.

SUBCHAPTER 7L – LOCAL PLANNING AND MANAGEMENT GRANT

15A NCAC 7L .0101 Authority

This section provides authority for the Secretary to administer state funds and to receive and administer federal funds granted by the National Oceanic and Atmospheric Administration under the Federal Coastal Zone Management Act for the Planning and Management Grant program

15A NCAC 7L .0102 Purpose

This rule is deleted, as the purpose of the grant has been incorporated into 15A NCAC 7L .0503.

15A NCAC 7L .0503 Priorities for Funding Planning and Management Projects

This section of the rule focuses on the priorities for funding Planning and Management projects. The changes establish new criteria for the types of projects to be funded, and encourage local planning initiatives focusing on issues that are most important and unique to the jurisdictions, while maintaining a focus on coastal resource management. The amendments to this section:

- Removes the tiered priority categories, whose highest priority is land use plans and their updates.
- Shifts the focus from the funding of land use plans to the funding of projects in support of the CRCs goals and management topics.
- Allow for the designation of Priority Management Topics on an annual basis following consultation with the CRC.

Fiscal Impacts

Private Property Owners:

The amendments to 15A NCAC 7L Planning and Management Grants affect the procedures for granting funds to local governments for planning and management activities. As private property owners are not eligible for this funding, they are unlikely to be directly affected by these amendments.

NC Department of Transportation (NC DOT):

The amendments to 15A NCAC 7L Planning and Management Grants outlines the procedures for the granting of funds to local governments for planning and management activities. As NC DOT is not eligible for this funding, the agency is unlikely to be affected by these amendments.

Local Government:

The primary purpose of the amendments to the 15A NCAC 7L Local Planning and Management Grants are intended to shift the primary focus of grant funding from local land use plans to a broad variety of local projects that address coastal issues and to allow the Division of Coastal Management to focus on specific issues or areas of Coastal Resources Commission (CRC) interest in awarding grant funds. The economic impacts of these proposed rule changes are expected to be minimal. While the focus of the program will shift from primarily funding land use plans, this will remain an eligible activity under the Planning and Management Grant Program.

Furthermore, prior amendments to 15A NCAC 7B removed costly and time-consuming analytical requirements, and are expected to result in cost savings to local governments in the development, update, and amendment of land use plans. While future funding of the Planning & Management Grant Program is dependent upon the availability of funds in any given fiscal year, the Division is assuming for this analysis that \$75,000 in federal funds will continue to be available. As the Division of Coastal Management was unable to make funding available for planning and management grants from 2008 to 2015, the Division is assuming for the purposes of this analysis that the \$75,000 in federal funds will be a positive benefit to local governments.

Division of Coastal Management (DCM):

Due to budget reductions, the Division of Coastal Management was unable to make funding available for planning and management grants from 2008 to 2015. In 2016, the Division revived the program, and allocated \$75,000 in federal funds to award five \$15,000 grants. While future funding of the Planning & Management Grant Program is dependent upon the availability of funds in any given fiscal year, the Division is assuming for this analysis that \$75,000 in federal funds will continue to be available. This rule change impacts how the state funds are eligible to be distributed to local governments through the Planning and Management Grant Program. These funds would be spent in support of the Coastal Management program regardless of the rule change.

Cost/Benefits Summary

Property Owners:

While private property owners have an interest in projects funded through the Planning and Management Grant Program, their interest is primarily confined to the substance of the projects and not necessarily the procedures of the grant program. The amendments to 15A NCAC 7L Planning and Management Grants affect the procedures for granting funds to local governments for planning and management activities. It is therefore unlikely that these amendments will have a direct financial impact on private property owners. However, changes to the types of project eligible for funding may have an indirect impact on private property owners.

Local Government:

The economic and fiscal benefits of this proposed rule change take the form of increased flexibility in the types of projects eligible for funding. As the proposed amendments remove the tiered priority categories whose highest priority is land use plans and their updates, non-land use plan applications will have an equal likelihood of funding.

The economic impacts of these proposed rule changes benefit local governments by modifying the distribution of funds among local governments, and aligning the types of eligible projects with priorities relevant to the coastal area

SUBCHAPTER 7L - LOCAL PLANNING AND MANAGEMENT GRANTS

SECTION .0100 – PURPOSE AND AUTHORITY

15A NCAC 07L .0101 AUTHORITY

The rules in this Subchapter are promulgated pursuant to G.S. 113A-112 and G.S. 113A-124 by the Secretary of the Department of **Environment and Natural Resources (DENR) Environmental Quality (DEQ)** in the Secretary's capacity as executive head of the state agency designated by the Governor to administer state funds and to receive and administer federal funds granted by the National Oceanic and Atmospheric Administration under the Federal Coastal Zone Management Act.

History Note: Authority G.S. 113A-112; 113A-124;
Eff. September 1, 1978;
Amended Eff. August 1, 2002; October 1, 1991.

15A NCAC 07L .0102 PURPOSE

The purpose of the Rules in this Subchapter is to establish the criteria and procedures for funding the Department of Environmental Quality program of grants for local land use plans or comprehensive plans, hereinafter referred to as “the plan”, and coastal planning and management projects within North Carolina's coastal area. These funds are made available to assist local governments in developing and implementing plans and management strategies for their coastal resources, as mandated by the CAMA. Funds shall be used in refining and carrying out local land use planning and management programs by local governments within the 20 counties defined by the Coastal Area Management Act in G.S. 113A-103.

History Note: Authority G.S. 113A-112; 113A-124;
Eff. September 1, 1978;
Amended Eff. March 1, 2016; August 1, 2002; June 1, 1980.

SECTION .0200 – GENERAL STANDARDS

15A NCAC 07L .0201 ELIGIBLE APPLICANTS

15A NCAC 07L .0202 PRIORITIES FOR FUNDING

15A NCAC 07L .0203 ELIGIBLE PROJECTS

15A NCAC 07L .0204 PROJECT DURATION

15A NCAC 07L .0205 CONSISTENCY WITH PLANS AND GUIDELINES

15A NCAC 07L .0206 RELATION TO OTHER FUNDING

History Note: Authority G.S. 113A-112; 113A-124;
Eff. September 1, 1978;
Amended Eff. November 1, 1984; June 1, 1982; March 13, 1981; June 1, 1980;
Repealed August 1, 2002.

SECTION .0300 – APPLICATION PROCESS

15A NCAC 07L .0301 APPLICATION FORM

15A NCAC 07L .0302 SUBMITTAL

15A NCAC 07L .0303 PROCEDURE FOR PRELIMINARY APPROVAL OR DISAPPROVAL

15A NCAC 07L .0304 ASSISTANCE IN COMPLETING APPLICATIONS

History Note: Authority G.S. 113A-112; 113A-124;
Eff. September 1, 1978;
Amended Eff. October 1, 1991; May 1, 1990; November 1, 1984; June 1, 1982; March 13, 1981;
June 1, 1980;
Repealed August 1, 2002.

SECTION .0400 – GRANT ADMINISTRATION

15A NCAC 07L .0401 CONTRACT AGREEMENT

15A NCAC 07L .0402 ACCOUNTABILITY

15A NCAC 07L .0403 PAYMENT

15A NCAC 07L .0404 PROGRESS REPORTS AND GRANT MONITORING

15A NCAC 07L .0405 PROJECT COMPLETION REPORT

History Note: Authority G.S. 113A-112; 113A-124;
Eff. September 1, 1978;
Amended Eff. March 13, 1981; June 1, 1980; September 1, 1978;
Repealed August 1, 2002.

SECTION .0500 - GENERAL STANDARDS

15A NCAC 07L .0501 ELIGIBLE APPLICANTS

- (a) Applications for grants for local planning and management funds may be made by the following:
- (1) Coastal Counties as defined in CAMA; and
 - (2) Municipalities within coastal counties.
- (b) Two or more eligible applicants may submit a joint application for funds to carry out jointly sponsored or regional projects.

History Note: Authority G.S. 113A-112; 113A-124;
Eff. August 1, 2002.

15A NCAC 07L .0502 CONSISTENCY WITH PLANS AND RULES

History Note: Authority G.S. 113A-112; 113A-124;
Eff. August 1, 2002;
Repealed March 1, 2016.

15A NCAC 07L .0503 PRIORITIES FOR FUNDING LAND USE PLANS PLANNING AND IMPLEMENTATION MANAGEMENT PROJECTS

(a) The Department of Environmental Quality (DEQ) program of grants for coastal planning and management projects provides funding to assist local governments in the 20 counties as defined by the Coastal Area Management Act in the refining and implementing of plans and management strategies for their coastal resources. In funding local planning and management grants, the Department of Environmental Quality (DEQ) shall follow these general priorities for local planning and management grants:

- (1) The highest priority, Category I, includes projects mandated by statute, including initial and updated or amended land use plans or comprehensive plans, hereinafter referred to as the plan, local participation in projects initiated by DEQ, and select projects DEQ indicates urgently that need local attention in order to meet Coastal Resources Commission (CRC) management topics goals pursuant to 15A NCAC 07B .0702(d)(2), 15A NCAC 07B .0702(d)(2) or contained within this Subparagraph. Priority management topics shall be designated on an annual basis following consultation with the CRC and may include, but are not limited to, expanded education and outreach efforts, special planning efforts focused on coastal resources or issues, improvements in intergovernmental coordination, targeted research or studies, and the development of local ordinances directly related to coastal concerns and not in contradiction with state rules. Projects selected for funding shall further the CRC's goals for the designated topics outlined below. Examples of eligible projects and their associated priority category include:
 - (A) Those activities designated by DEQ on an annual basis, following consultation with the CRC and local governments, to be necessary to bring local plans into compliance with state rules for land use planning; or
 - (B) Adopting, amending, or updating plans to reflect changed conditions which may include necessary data collection, public participation, and policy development.
- (2) The second priority, Category II, includes projects related to carrying out the explicit goals of the Coastal Area Management Act (CAMA), for which DEQ indicates there is a high priority for local actions or projects which are coastally dependent (water related) or projects to implement the plan such as public facilities planning or land use regulations preparation. Examples of eligible projects and their associated priority category include:
 - (A) Adopting or amending ordinances to further secure compliance with state rules in AECs pursuant to 15A NCAC 07H;
 - (B) Beach access plans and studies which may include inventory and identification of sites, design of access improvements, acquisition plans and studies, and legal studies necessary to determine the extent of public use rights;
 - (C) Erosion control plans and studies which may include mapping, erosion rate measurement, design of protection strategies for public lands, cost benefit analysis, and relocation plans and strategies;
 - (D) Studies and planning leading to the nomination of new AECs as described in 15A NCAC 07H .0503, or locally significant environmental areas;

- (E) Waterfront redevelopment and renewal plans and studies including feasibility studies, site design studies, and plans and studies for improving or enhancing waterfront parks and public areas which may include site design, use studies, and cost analysis;
 - (F) Preparing, adopting, or amending ordinances necessary to carry out CRC certified plans, state rules, and the state coastal zone management plan which may include regulations related to zoning, subdivision, stormwater management, dune protection beyond AEC standards, sanitation, building, mobile homes, historic preservation, signs, natural area protection, and environmental impact statements.
- (3) The third priority, Category III, includes projects related to improving local coastal management and land use management capabilities. Examples of eligible projects and their associated priority category include:
- (A) Initial water and sewer plans and studies;
 - (B) Land use related capital facilities programming;
 - (C) Base mapping as a management tool;
 - (D) Other planning, studies, and data acquisition supportive of coastal planning and management which may include public education or involvement on coastal issues; solid waste planning; port planning; and sport and commercial fishing studies;
 - (E) Enforcement of ordinances adopted to carry out certified plans;
 - (F) Coordination of local coastal management activities with other local management activities which may include internal coordination, and city county coordination; or
 - (G) Other coastally related management projects.
- (A) Public Access: Maximize public access to the beaches and the public trust waters of the coastal region.
 - (B) Land Use Compatibility: Ensure that development and use of resources or preservation of land balance protection of natural resources and fragile areas with economic development, avoids risks to public health safety and welfare.
 - (C) Infrastructure Carrying Capacity: Ensure that public infrastructure systems are sized, located and managed so the quality and productivity of AECs and other fragile areas are protected or restored.
 - (D) Natural Hazards: Conserve and maintain barrier dunes, beaches, flood plains, and other coastal features for their natural storm protection function and their natural resources giving recognition to public health, safety, and welfare issues.
 - (E) Habitat Enhancement: Maintain, protect, and where possible enhance coastal habitats; for example, marsh restoration.
 - (F) Other Topics or Special Issues: developed areas and working waterfronts, urban waterfront revitalization, economic growth and development, redevelopment and revitalization, recreation and tourism, historic and cultural resources, public trust rights, water use and water quality, stormwater management, erosion control, shoreline protection and management, open space, parks and recreation, storm recovery, farmland preservation and management, historic and cultural resources, stakeholder and citizen participation, and transportation.

(b) In addition, DEQ shall take into consideration the following factors listed in order of importance to establish priorities for individual projects: projects within the general priority categories:

- (1) project's contribution towards meeting CRC CRC's prioritized management topics and associated management goals pursuant to 15A NCAC 07B .0702(d)(2); 15A NCAC 07B .0702(d)(2) or contained in Subparagraph (a)(1);
- (2) the extent to which the project includes measures of environmental protection beyond Areas of Environmental Concern (AEC) standards of Subchapter 15A NCAC 07H;
- (3) applicant's urgency of need;
- (4) past history of applicant's implementation of planning and management grant program activities;
- (5) feasibility of completion of project by the applicant;
- (6) past experience with land use planning and implementation projects as well as present management and administrative capabilities;
- (7) potential applicability of the project to other coastal area municipalities and counties; and
- (8) geographic distribution of applicants.

(c) Matching fund requirements are based on the North Carolina Department of Commerce's Tier designations, as outlined by the Lee Act (G.S. 105-129.3). Local government contributions for land use planning and management implementation projects shall be at least 25 percent of the project costs except for Tier 1 designated counties and their

respective municipalities which shall have a local government contribution of at least 10 percent of the project costs. At least one half of the local contribution shall be cash match; the remainder may be in-kind match.

(d) Any local government whose plan is not certified due to failure to meet the criteria listed in 15A NCAC 07B or that has not submitted the most recent Required Periodic Implementation Status Report as described in 15A NCAC 07B, shall not receive further funding under this program until these inconsistencies are corrected.

History Note: Authority G.S. 113A-112; 113A-124;
Eff. August 1, 2002;
Amended Eff. March 1, 2016.

15A NCAC 07L .0504 ELIGIBLE PROJECTS

15A NCAC 07L .0505 SCOPING OF PLANNING NEEDS

15A NCAC 07L .0506 PUBLIC PARTICIPATION

15A NCAC 07L .0507 MINIMUM CAMA LAND USE PLANNING AND FUNDING REQUIREMENTS

15A NCAC 07L .0508 STATE TECHNICAL ASSISTANCE, REVIEW AND COMMENT ON PRELIMINARY DRAFT PLAN

15A NCAC 07L .0509 INTERGOVERNMENTAL COORDINATION

15A NCAC 07L .0510 PUBLIC HEARING AND LOCAL ADOPTION REQUIREMENTS

15A NCAC 07L .0511 REQUIRED PERIODIC IMPLEMENTATION STATUS REPORTS

15A NCAC 07L .0512 SUSTAINABLE COMMUNITIES COMPONENT OF THE PLANNING PROGRAM

15A NCAC 07L .0513 PROJECT DURATION

15A NCAC 07L .0514 RELATION TO OTHER FUNDING

History Note: Authority G.S. 113A-112; 113A-124;
Eff. August 1, 2002;
Repealed March 1, 2016.

SECTION .0600 - APPLICATION PROCESS

15A NCAC 07L .0601 APPLICATION FORM

15A NCAC 07L .0602 ASSISTANCE IN COMPLETING APPLICATIONS AND SUBMITTAL

15A NCAC 07L .0603 PROCEDURE FOR APPROVAL OR DISAPPROVAL

History Note: Authority G.S. 113A-112; 113A-124;
Eff. August 1, 2002;
Repealed March 1, 2016.

SECTION .0700 - GRANT ADMINISTRATION

15A NCAC 07L .0701 CONTRACT AGREEMENT

15A NCAC 07L .0702 PROGRESS REPORTS AND GRANT MONITORING

15A NCAC 07L .0703 PAYMENT

15A NCAC 07L .0704 PROJECT COMPLETION REPORT

15A NCAC 07L .0705 ACCOUNTABILITY

History Note: Authority G.S. 113A-112; 113A-124;

Eff. August 1, 2002;
Repealed March 1, 2016.