



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

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:

1. **Rule-Making Agency:** Department of Environmental Quality

2. **Link to agency website pursuant to G.S. 150B-19.1(c):** <https://www.deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules/proposed-rules>

3. **Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:**

ADOPTION: 15A NCAC 01T. 0101-.0107; .0201-.0208; .0301-.0306

AMENDMENT:

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

4. **Proposed effective date:** February 2, 2024

5. **Is a public hearing planned?** Yes No

If yes: Public Hearing date: 12/06/2023

Public Hearing time: 10:00 AM

Public Hearing location: 943 Washington Square Mall, Washington, NC 27889.

6. **If no public hearing is scheduled, provide instructions on how to demand a public hearing:**

7. Explain Reason For Proposed Rule(s): Session Law 2022-74 (An Act to Modify the Current Operations Appropriations Act of 2021 and to Make Other Changes in the Budget Operations of the State), Section 12.1, requires the Department of Environmental Quality to adopt permanent rules to implement the policies or guidelines for the administration of funds from G.S. 143-215.73F(b1) and G.S. 143-215.73M(b1). These permanent rules are being proposed to satisfy this requirement by specifying how to apply for funds, what information is necessary to apply, and the Department's procedure for deciding fund allocation. Funds appropriated in G.S. 143-215.73F(b1) and G.S. 143-215.73M(b1) are allocated to three programs- the Shallow Draft Navigation Channel Dredging Fund for dredging projects designed to keep shallow draft navigation channels located in State waters or waters of the State located within lakes navigable and safe; the Coastal Storm Damage Mitigation Fund, which provides grants to units of local government for costs associated with beach nourishment, artificial dunes, and other projects to mitigate or remediate coastal storm damage to the ocean beaches and dune systems of the State; and the Aquatic Weed Control Fund, which provides grants for local units of government and other entities looking to control, eradicate, and regulate noxious aquatic weeds so as to protect and preserve human health, safety, and beneficial uses of State waters.

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: Kevin Hart

Address: Division of Water Resources, Archdale Building

1617 Mail Service Center

Raleigh, NC 27699-1617

Phone (optional): 919-707-3607

Fax (optional):

E-Mail (optional): Kevin.hart@deq.nc.gov

10. Comment Period Ends: January 2, 2024

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (≥\$1,000,000)
- Approved by OSBM
- No fiscal note required

12. Rule-making Coordinator: Jennifer Everett

Phone: 919-707-8595

E-Mail: Jennifer.everett@deq.nc.gov

Additional agency contact, if any:

Phone:

E-mail:

13. The Agency formally proposed the text of this rule(s) on
Date: September 19, 2023

14. Signature of Agency Head* or Rule-making Coordinator:



Typed Name: Jennifer Everett

Title: DEQ Rulemaking Coordinator

**If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.*