

Fiscal Analysis Update
15A NCAC 07H .2300
Rule Amendments



General Permit for Replacement of Existing Bridges and Culverts in
Estuarine Waters, Estuarine and Public Trust Shorelines,
Public Trust Areas, and Coastal Wetlands
(*CRC-25-30*)



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N.C. Division of Coastal Management
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Update since November 2024 Meeting

- DCM received comments from OSBM to incorporate additional staff costs and benefits for DCM and DOT.
- Specific conditions under 07H .2305 were restored to the administrative code, OSBM requested the proposed rule language to be removed from the analysis.
- G.S. 143B-279.19 updated permit processing fees that became effective 7/1/25.

Rule Amendments

15A NCAC 07H .2302 APPROVAL PROCEDURES

(a) An applicant for a General Permit under this Subchapter shall contact the Division of Coastal Management at the Regional Office indicated on the map located at

<https://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=1a5881ec85ca40679988982e02665b51> and request approval for development as defined in G.S. 113A-130(5).

(b) The applicant shall provide:

(1) the site location, project narrative, dimensions of the project area, and ~~his~~ or her applicant's name and address; and

(2) a dated plat(s) showing existing and proposed development; and





(b) The applicant shall provide:

(23) confirmation that a written statement has been obtained and, signed by the adjacent riparian property owners, indicating that they have no objections to the proposed work; or

(34) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. The notice shall instruct adjacent riparian property owners to provide any comments on the proposed development in writing to the Division of Coastal Management within 10 days of receipt of the notice and indicate that no response by the adjacent riparian property owners will be interpreted as the adjacent riparian property owners having no objection. Division staff shall review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If Division staff finds that the comments are worthy of more in-depth review, the Division shall notify the applicant that he or she must submit an application for a major development permit.

15A NCAC 07H .2302 APPROVAL PROCEDURES

(c) No work shall begin until an onsite meeting is held with the applicant and a Division of Coastal Management representative to review the proposed development. A permit to proceed with the proposed development shall be issued if the Division representative finds that the application meets all the requirements of this Subchapter. Construction authorized by this permit shall be completed within two years of permit issuance or the permit shall expire and a new permit shall be required to begin or continue construction. If the applicant seeks a new permit under this Section, the Division of Coastal Management shall re-examine the proposed development to determine if the General Permit may be reissued. Pursuant to G.S. 136-44.7B, permits issued to the North Carolina Department of Transportation for projects identified in the Transportation Improvement Program shall not expire. Approval of individual projects shall be acknowledged in writing by the Division of Coastal Management and the applicant shall be provided a copy of this General Permit.



Updated Fiscal Analysis for Rule Change – 7H .2302



Overview

- The analysis considers fiscal impacts as compared to the version of 7H .2302 that was in place prior to October 1, 2022. It also considers fiscal impacts as compared to the current version of 7H .2302.
- Data included in the analysis includes numbers of permits, staff time, and permit fees for NCDOT, local governments and private property owners.

Data

- Approximately 20-40 GP .2300 are issued to NCDOT each year, approximately 5-10 GP .2300 are issued to local governments each year, and approximately 5-7 GP .2300 are issued to private property owners each year.
- The permit fee for GP .2300 is now \$474.

Results

- As compared to the version of 7H .2302 that was in place prior to October 1, 2022, there would be few changes in permitting requirements and no change to the permit fees beyond the increase by General Statute. Therefore, any fiscal impacts would be negligible.
- As compared to the version of 7H .2302 that was in place prior beginning on October 5, 2023, impacts that would result when compared to the current version of 7H .2302:
 - Estimated avoided permit fees to NCDOT of \$2,400 to \$3,200 per year plus NCDOT staff time savings of 72-96 hours per year.
 - Estimated avoided permit fees to local governments of \$400 to \$800 per year and staff time savings of 12-24 hours per year.
 - DCM would have reduced fee revenue of \$2,800 to \$4,000 per year and staff time savings of 42-120 hours per year.
 - Negligible savings to private property owners due to the limited number of GPs issued.



Overall

- The proposed rule changes are expected to be well below the threshold for being considered substantial which is defined as \$1,000,000 or more in a 12-month period.
- There would be no significant positive or negative fiscal impacts to private property owners, federal agencies, and to state agencies other than NCDOT.
- There would be a positive fiscal impact for NCDOT and local governments due to reinstating the two-year timeframe to complete construction which would provide adequate time for the authorized projects to be constructed.
- Private property owners and the traveling public will benefit from the two-year timeframe re-adoption as it is less likely to cause a delay in construction related to processing a renewal.
- Approved by OSBM on July 3, 2025



Next Steps

- Staff is happy to take any questions.
- If the commission agrees with the approved fiscal analysis, staff requests approval to move to public hearing and notice in the NC Register.

