



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: Coastal Resources Commission

2. Link to agency website pursuant to G.S. 150B-19.1(c):

<https://www.deq.nc.gov/about/divisions/division-coastal-management/coastal-resources-commission/crc-proposed-rules>

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

☒ ADOPTION: 15A NCAC 07H .2801 - .2805

☒ AMENDMENT: 15A NCAC 07H .0106 .0205, .0206, .0207, .0308, .0309

☐ REPEAL:

☐ READOPTION with substantive changes:

☐ READOPTION without substantive changes:

☐ REPEAL through READOPTION:

4. Proposed effective date: May 1, 2027

5. Is a public hearing planned? ☒ Yes ☐ No

If yes: Public Hearing date: October 19, 2026

Public Hearing time: 5:00 p.m.

Public Hearing location: Division of Coastal Management, 400 Commerce Ave, Morehead City, NC

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

7. Explain Reason For Proposed Rule(s):

Rule 07H .0308 defines the use standards for development within the Ocean Hazard Area of Environmental Concern (OHA AEC). Subparagraph (b)(2) identifies temporary erosion control structures as sandbags and provides use standards for these structures within the OHA AEC. The rule further defines the color and dimensions of sandbags allowable under 07H .0308(b)(2)((L). A new subparagraph .0308(b)(2)(O) will differentiate what is allowable for color and dimensions of temporary erosion control structures for the protection of public roadways. This amendment will allow broader color and dimension criteria to the protection of public roadways by the NC Department of Transportation (NCDOT). These changes are needed due to recurring erosion events prompting NCDOT to look at alternative sandbag designs that increasingly require NCDOT to seek variances from the existing rule.

07H .0106, .0205, .0206, .0207 The CRC proposes changes to its rules to add a definition of man-made ditches, and state that man-made ditches may not be considered public waterways or marshland, or designated as an Area of Environmental Concern. These changes conform to recent amendments to the Coastal Area Management Act and the NC Dredge and Fill Law made by Session Law 2025-48.

07H .0309, 07H .2801-.2805 The CRC is proposing to create a new General permit to allow installation of temporary structures on the beach to collect meteorological data during approaching storms. The CRC proposes these rules to address limitations in existing CAMA permitting procedures, which are not designed to accommodate the rapid, location-uncertain deployment of temporary weather monitoring structures needed to collect time-sensitive data at storm landfall.

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: Tancred Miller

Address:

400 Commerce Avenue
Morehead City, NC 28557

Phone (optional):

Fax (optional):

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

10. Comment Period Ends: November 30, 2026

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** 15A NCAC 07H .0106, .0205, .0206, .0207
- ☐ **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: Angela Willis

Phone: 252-515-5410

E-mail: Angela.Willis@deq.nc.gov

13. The Agency formally proposed the text of this rule(s) on
Date: August 26, 2026

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.*