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) 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 DENR program of grants for local Coastal Area Management Act (CAMA) land use plans 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 CAMA land use plans and management strategies for their coastal resources, as mandated and encouraged by the CAMA. Funds are to be used in refining and carrying out local land use planning and management programs by local governments within the 20 counties defined by the CAMA.

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

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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Repealed August 1, 2002.

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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Repealed August 1, 2002.

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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Repealed August 1, 2002.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

All proposed projects must be consistent with, CAMA, state rules and standards implementing CAMA, local CAMA land use plans certified by the Coastal Resources Commission (CRC), and the state's federally approved coastal management program.

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

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

(a) In funding local planning and management grants, DENR shall follow the general priorities set out in 15A NCAC 07L .0503(b). Examples of the types of eligible projects are listed and have been placed in the appropriate priority category. Any applications for project funding not specifically identified and placed in a priority category shall be assigned the appropriate priority category by DENR upon receipt of the application. Funding priorities and eligibility for the Sustainable Communities Component of the planning program are described in 15A NCAC 07L .0512.

(b) General priority categories for local planning and management grants are as follows:

(1) The highest priority includes projects directly mandated by statute, including initial and updated CAMA land use plans, local participation in projects initiated by DENR, and projects DENR indicates urgently need local attention in order to meet CRC management topics. In general, grants for projects in this priority category, except CAMA Workbook land use plans, shall be funded for no more than 85 percent of the total project cost, although lower funding percentages may be awarded. The type of CAMA land use plan to be funded and the corresponding percentage of funding shall be based on community characteristics as determined during the scoping process described in 15A NCAC 07L .0505 to be held prior to project application.

(2) The second priority includes projects directly related to carrying out the explicit goals of CAMA, for which DENR indicates there is a high priority for local actions or projects which are coastally dependent (water-related) or projects to implement the CAMA land use plan such as public facilities planning or land use regulations preparation. Grants for projects in this category shall be for no more than 65 percent of the total project cost, although lower funding percentages may be awarded.

(3) The third priority includes projects related to improving local coastal management and land use management capabilities. Grants for projects in this priority category shall be for no more than 50 percent of the total project cost, although lower funding percentages may be awarded.

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

(1) project's contribution towards meeting CRC management topics;

(2) the extent to which the project includes measures of environmental protection beyond Areas of Environmental Concern (AEC) standards;

(3) applicant's urgency of need;

(4) past history of applicant's implementation of CAMA planning and management activities;

(5) feasibility of successful completion of project by the applicant;

(6) past experience with this program 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.

(d) In priority categories two and three, the proportion of the grant award to total project costs shall be the same for all similar projects. For example, if one waterfront access plan is funded at a 60 percent level, all waterfront access plans shall be funded at a 60 percent level. The only exception to this involves multi-year projects which may receive a lower level of funding within a given priority category after the initial year.
(e) Generally, available funds shall first be allocated to projects in priority category one; then, if there are funds remaining, grants shall be made to projects in priority category two; and then, if there are funds remaining, grants may be made to projects in priority category three. However, the factors listed in Paragraph (c) of this Rule shall also be considered in funding decisions. Sustainable Communities projects shall be funded as described in 15A NCAC 07L .0512.
(f) Any local government whose CAMA land use plan is not certified by the CRC due to failure to meet the criteria listed in 15A NCAC 07B .0803 shall not receive further funding under this program until these inconsistencies are corrected.
(g) Any local government that is not implementing its certified CAMA land use plan shall not receive additional funding under this program. CAMA land use plan implementation shall be documented through periodic Implementation Status Reports provided to the Division of Coastal Management (DCM), as described in 15A NCAC 07L .0511 (Required Periodic Implementation Status Reports). A local government that is deemed by the DCM Planner to not have implemented its current CAMA land use plan may seek a review by the Director of the DCM to determine if the current CAMA land use plan implementation is acceptable to receive future funding.
(h) All funding decisions shall be based on availability and amount of state and federal appropriations.

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

15A NCAC 07L .0504 ELIGIBLE PROJECTS
(a) The lists in Paragraph (b) of this Rule constitute types of projects that will be considered for funding. Each type of project listed has been assigned to one of the priority categories described in 15A NCAC 07L .0503 (Priorities For Funding CAMA Land Use Plans and Implementation Projects.) These lists are not intended to be exhaustive or restrictive. Local governments may apply for funds for any related projects that will improve local planning and management capabilities.
(b) Examples of eligible projects and their associated priority category include:
- (1) Priority Category-Type 1
  - (A) Those activities specifically designated by DENR 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;
  - (B) Adopting, amending, or updating CAMA land use plans to reflect changed conditions (these may include, but are not limited to: necessary data collection, public participation, policy development).
- (2) Priority Category-Type 2
  - (A) Adopting or amending ordinances to further secure compliance with state rules in AECs;
  - (B) Beach access plans and studies (these may include, but are not limited to: inventory and identification of sites, design of access improvements, acquisition plans and studies, legal studies necessary to determine the extent of public use rights);
  - (C) Erosion control plans and studies (these may include, but are not limited to: mapping, erosion rate measurement, design of protection strategies for public lands, cost-benefit analysis, 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 water-front parks and public areas (these may include, but are not limited to: site design, use studies, cost analysis);
  - (F) Preparing, adopting, or amending ordinances necessary to carry out certified CAMA land use plans, state rules, and the state coastal zone management plan (including but not limited to regulations on or for zoning, subdivision, stormwater management, dune protection beyond AEC standards, sanitation, building, mobile homes, historic preservation, signs, natural area protection, environmental impact statements);

(G) Hazard mitigation plans.

(3) Priority Category-Type 3

(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 including but not limited to public education or involvement on coastal issues; solid waste planning; port planning; sport and commercial fishing studies;

(E) Enforcement of ordinances adopted to carry out certified CAMA land use plans;

(F) Coordination of local coastal management activities with other local management activities (these may include, but are not limited to: internal coordination, city-county coordination);

(G) Other coastally related management projects.

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

15A NCAC 07L .0505 SCOPING OF PLANNING NEEDS

(a) If a local government intends to request funding from DENR for the development or update of a CAMA land use plan a scoping meeting shall occur between the local government and the DCM. This meeting shall occur prior to the submission of a grant application. The scoping meeting shall determine the extent of planning needs and the type of plan to be produced and funded.

(b) The discussion and recommendations from the scoping meeting shall be presented at a regular meeting of the local governing board where action shall be taken to accept or modify the recommendations. Standard public meeting notification procedures common to the local government in question are sufficient public notice for these purposes, provided the notification specifically states that the scoping recommendations shall be discussed and acted upon. In addition, notification of the public meeting shall be provided to the DCM District Planner. Public input shall be accepted and considered at this meeting.

(c) Assuming federal and state appropriations remain at or close to the 2001-02 fiscal year appropriations, DENR intends to provide funds for local governments to update their CAMA land use plans every six years. In the case of existing plans, the scoping process shall take place during the fourth year after the last certification. The local government may request scoping before the fourth year if special circumstances are identified in the Implementation Status Report described in 15A NCAC 07L .0511 -Required Periodic Implementation Status Reports.

(d) The community characteristics to be discussed during the scoping process to help determine the type of plan to be prepared shall include:

(1) The capacity of the local government to administer the planning process;

(2) Population growth rate as projected by the State Planning Office;

(3) Development trends, such as number and type of building permits issued, number of lots subdivided, number of CAMA permits issued since certification of the current CAMA land use plan, and new and proposed industry;

(4) Extent of AECs;

(5) Water quality considerations including: Division of Water Quality (DWQ) classifications (outstanding resource waters, high quality waters) and current conditions (as per Basinwide Water Quality Plans, Use Support Designations.); and Division of Marine Fisheries (DMF) primary nursery areas and current conditions (as per Coastal Habitat Protection Plans); and shellfishing waters and their current conditions;

(6) Natural and manmade hazards and other issues affecting land use; and

(7) Natural and environmental constraints (these may include, but are not limited to: hydric soils and well head protection areas) which affect land use.

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

15A NCAC 07L .0506 PUBLIC PARTICIPATION

(a) Local Governments receiving DENR funding for CAMA land use plan preparation shall be responsible for the development and implementation of a Citizen Participation Plan. Local governments shall employ a variety of

educational efforts and participation techniques to assure that all socioeconomic segments of the community and non-resident property owners have opportunities to participate during plan development.

(b) Extent of Required Effort. Prior to the start of CAMA land use plan development, the local governing board shall develop and adopt a Citizen Participation Plan. Interested citizens shall have an opportunity to participate in the development of the CAMA land use plan through oral and written comments as provided for in the Citizen Participation Plan. Copies of informational CAMA land use plan materials shall be provided at all meetings of the planning group. The Citizen Participation Plan shall be available to the public throughout the planning process. At a minimum, the Citizen Participation Plan shall include the following:

(1) Designation of the principal local board, agency, department or appointed group that shall take the lead role in preparing or updating the CAMA land use plan, including a contact name, address, and telephone number.

(2) A specific date and time for an initial public information meeting or series of meetings.

(A) During the meeting(s) a local government updating its plan shall discuss the statements of local policy in the current CAMA land use plan, the effect of those policies on the community, and the ways the plan has been used to guide development during the past planning period. The local government shall explain the process by which it will report to the public and solicit the views of a wide cross-section of citizens in the development of updated policy statements.

(B) Written notice of the public information meeting(s) shall be published in a newspaper of general circulation in the planning jurisdiction twice prior to the public information meeting(s). The first notice shall appear not less than 30 days prior to the public information meeting(s). The second notice shall appear not less than 10 days prior to the meeting. Notice of the meeting shall also be conveyed to local Coastal Resources Advisory Council (CRAC) member(s) and to the appropriate DCM District Planner.

(C) The local government shall offer an opportunity for public comment during the public information meeting(s).

(D) The tools to be used to report planning progress to the public during CAMA land use plan development, such as newspaper reports, local government newsletters, radio or television announcements or other reporting methods shall be described at the initial public meeting. More than one means is required.

(3) A description of the methods and techniques that shall be used to solicit public participation and input, such as citizen surveys, questionnaires, informational brochures, community outreach, town meetings or other pro-active methods. The Citizen Participation Plan shall describe the results that are expected from the methods and techniques that are used. More than one means is required and at least one effort shall be made to solicit input from non-resident landowners.

(4) A general outline of the meeting schedule for the group developing the CAMA land use plan, as designated in Subparagraph (b)(1) of this Rule.

(c) All regular meetings of the designated planning group where the CAMA land use plan is discussed shall offer time on the agenda for public comment. A list of the names of speakers offering public comment and a copy of any written comments provided shall be kept on file by the local government and provided to the DCM staff for use in the CAMA land use plan review process.

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

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

(a) Each year DCM shall develop a list of local governments with whom DCM shall initiate a scoping process during the upcoming five years and the year in which DENR expects to have funds available for each local government desiring to seek DENR funding.

(b) To receive funding from DENR, counties shall, at a minimum, prepare a CAMA Core land use plan, as described in 15A NCAC 07B.

(c) To receive funding under this grant program for CAMA Core land use plan development, municipalities must have AECs within their jurisdiction and meet the population and growth rate thresholds as shown in Figure 1. To receive funding under this grant program, municipalities with Ocean Hazard AECs must, at a minimum, prepare a CAMA Core land use plan. Additionally, municipalities with non-Ocean Hazard AECs shall at a minimum prepare a CAMA Core

land use plan if they meet the population and growth rate thresholds as shown in Figure 1. Municipalities with only non-Ocean Hazard AECs that are at or below the population and growth rate thresholds shown in Figure 1 may prepare a CAMA Core land use plan or a Workbook Plan as described in 15A NCAC 07B. In addition, community characteristics other than those listed in Figure 1, such as extent of growth and resource protection issues (such as water quality concerns) being addressed by the municipality, shall be considered during the scoping process described in 15A NCAC 07L .0505 when determining the final planning option to be funded.

(d) Municipalities that do not meet the minimum plan-making authority of G.S. 113A-110(c) or those with no AECs within their planning jurisdiction shall not be funded for individual plans except under special circumstances and if funds are available. Examples of special circumstances include: the existence of non-AEC fragile areas (such as federally regulated wetlands, historic and cultural resources, critical wildlife habitats and scenic areas), land use compatibility problems or unexpected growth pressures, such as the relocation of major industry to the area.

(e) Figure 1 illustrates the criteria DENR shall use to determine the minimum types of plans that shall be expected and funded for municipalities.

Figure 1: PRESUMED MINIMUM FUNDING FOR MUNICIPAL CAMA LAND USE PLANS

		AREAS OF ENVIRONMENTAL CONCERN (AECs)		
POPULATION	GROWTH RATE*	OCEAN HAZARD AREAS	NON-OCEAN HAZARD AREAS**	AECs NOT PRESENT OR DO NOT MEET 113A-110 (c)***
≥ 5,000	N/A			
≥ 2,500	HIGH			
>1,000 and < 2,500	HIGH			
<1,000	HIGH			
≥ 2,500	MODERATE			
< 2,500	MODERATE			
≥ 2,500	LOW			
< 2,500	LOW			

Core Plan — Core or Workbook plan- to be determined in the scoping process — No Funding

(f) CAMA Land Use Plans shall be funded as follows:

(1) The North Carolina Department of Commerce's Tier designations, as outlined by the Lee Act (G.S. 105-129.3), shall be used to determine the economic status of counties. Counties designated as Tier 1 and Tier 2 shall be considered economically distressed. Economically distressed counties that prepare a CAMA Core land use plan shall be funded at no more than 75 percent of the project costs, although lower percentages of funding may be provided. Counties that prepare a CAMA Core land use plan and do not have a Tier 1 or Tier 2 designation shall be funded at no more than 65 percent of the project cost, although lower percentages of funding may be provided.

(2) Municipalities preparing CAMA Core land use plans shall be funded at no more than 60 percent of the project cost, although lower percentages of funding may be provided.

(3) Counties and municipalities preparing CAMA Advanced Core land use plans, as described in 15A NCAC 07B, shall be funded at no more than 75 percent, except for Tier 1 and Tier 2 designated counties preparing CAMA Advanced Core land use plans. If so designated, these County plans shall

be funded at no more than 85 percent, although lower funding percentages may be provided. Eligibility for funding to prepare a CAMA Advanced Core land use plan shall be determined during the scoping process and shall be based on the level of planning proposed by the local government. To be considered for funding to prepare a CAMA Advanced Core land use plan, the proposal must demonstrably maintain or improve local environmental conditions and advance the local government towards implementation of its currently certified CAMA land use plan.

(4) Municipalities preparing CAMA Workbook land use plans may receive no more than three thousand dollars ($3,000.00) for map preparation only.

(5) Local governments that choose to combine individual plans into joint or regional plans shall be eligible for funding not to exceed the amount that would have been provided for individual plans.

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

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

(a) Educating Local Officials: At the beginning of the planning process, DCM shall provide opportunities for educating local officials about the CAMA land use planning rules, through such means as workshops and training videos.

(b) Maps and Data: DCM shall provide maps and data to assist with developing the CAMA land use plan. This data may include population, natural resources, water quality, economic activity and transportation infrastructure for counties, and where available, for municipalities. Local governments may supplement this data with additional, or more recent, data from federal, state, local, and other sources.

(c) Procedures for Agency Review and Comment: DCM shall review all draft CAMA land use plans for technical accuracy and consistency with the CRC's requirements for CAMA land use plans and shall provide notice to the CRC and other State and Federal Agencies that the plan is available for review and comment.

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

15A NCAC 07L .0509 INTERGOVERNMENTAL COORDINATION

(a) Notification of Adjacent Jurisdictions (including non-CAMA areas, and if applicable, out of state areas): Each local government receiving funding for CAMA land use planning from DENR shall solicit comments on its preliminary draft CAMA land use plan or updates submitted for state review from adjacent jurisdictions and applicable regional planning entities. Solicitation shall be made in writing and a copy of the draft CAMA land use plan shall accompany the request. The review period shall be, at a minimum, 45 calendar days. After the review period ends, any comments from the adjacent planning jurisdictions and regional planning entities shall be provided to the local governing body and to the applicable DCM District Planner. Additionally, within 90 days after CRC certification of a CAMA land use plan, the local government shall provide one copy of its plan to each jurisdiction with which it shares a common border and with the regional planning entity.

(b) Coordination of Policies: Where watershed(s) that contain an AEC fall within more than one planning jurisdiction, the jurisdictions shall coordinate the development of land use policies affecting shared AECs to the greatest extent practical.

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

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

(a) Public Hearing Requirements For Local Governments Receiving Funding From DENR For Land Use Planning. Local adoption of the CAMA land use plan requires a public hearing. Notice of the hearing shall state the date, time, place, proposed action, and that copies of the document may be reviewed at a particular office in the county courthouse, county office building, or town hall during designated hours. Any other public facility where the document can be reviewed such as a library or community center shall be designated in the notice. The notice must appear at least twice in a newspaper of general circulation in the planning jurisdiction. The first notice must appear not less than 30 days prior to the hearing. The second notice must appear not less than 10 days prior to the hearing. Written notice of the public hearing shall be posted on the local government's principal bulletin board 30 days prior to the hearing or, if there is no

such bulletin board, at the door of the governing body's usual meeting room. If possible, an electronic hearing notice shall be provided on the World Wide Web at the time of the original notice.
(b) 30-Day Local Review Period. Copies of the proposed CAMA land use plan or update (final draft) shall be available for public review at the time the first notice is provided and in the place(s) listed in the notice. At least one copy of the draft plan shall be available for checkout for a 24-hour period by residents and property owners of the planning jurisdiction.
(c) Minor editorial changes after the public hearing are acceptable without re-advertising the notice. Substantive changes such as re-wordings that alter the basic intent of policy statements or changes in timelines for actions in the original notice shall require a new public hearing. This notice shall be advertised in the same manner as the original.

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

15A NCAC 07L .0511 REQUIRED PERIODIC IMPLEMENTATION STATUS REPORTS
(a) To be eligible for future funding each local government engaged in CAMA land use planning shall complete a CAMA land use plan Implementation Status Report every two years as long as the current plan remains in effect. DCM shall provide a standard implementation report form to local governments. This report shall be based on the action plan and schedule provided in 15A NCAC 07B -Tools for Managing Development.
(b) The Implementation Status Report shall identify:
(1) All local, state, federal, and joint actions that have been undertaken successfully to implement its certified CAMA land use plan;
(2) Any actions that have been delayed and the reasons for the delays;
(3) Any unforeseen land use issues that have arisen since certification of the CAMA land use plan;
(4) Consistency of existing land use and development ordinances with current CAMA land use plan policies; and
(5) Current policies that create desired land use patterns and protection of natural systems.
(c) Results shall be made available to the public and shall be forwarded to DCM.

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

15A NCAC 07L .0512 SUSTAINABLE COMMUNITIES COMPONENT OF THE PLANNING PROGRAM
(a) Sustainable Communities Component: Under conditions outlined in this rule, DENR may provide additional financial support for plans that exceed the minimum requirements of 15A NCAC 07B. This Rule establishes a Sustainable Communities Component of the planning program, which provides funds to selected communities to support actions to implement the CRC-certified CAMA land use plans of selected local governments.
(b) The Sustainable Communities Component brings current techniques in coastal management and sustainability to the North Carolina coast. Local governments designated as Sustainable Communities shall execute multi-year, land/water projects that are consistent with CRC management topics and the CRC-certified CAMA local land use plan. Examples of sustainable projects include but are not limited to, oyster re-seeding projects, establishment of greenway systems, and eco-tourism projects.
(c) The CRC may identify priority issue areas and goals on which Sustainable Communities projects shall focus. These focus areas shall be provided in the Notice of Availability of Funds and Request for Proposals.
(d) The following factors shall be considered by DENR in the selection of Sustainable Communities: merit of proposal and its relevance to CRC management topics; proposed education and public participation throughout the life of the project; financial and administrative capacity of the local government to implement the project; and past history of CAMA land use plan implementation by that local government.
(e) DENR shall accept applications for the Sustainable Communities Component once every three years from counties and municipalities whose CAMA land use plans have been certified within the past three years. During the first year the Sustainable Communities Component is offered, local governments with CAMA land use plans older than three years will be eligible to apply. DENR shall make final selections of no more than four communities per funding cycle, based on recommendations of the CRC and the CRAC. Every effort shall be made to select local governments on an equitable geographic distribution throughout the coastal area.

(f) Selected communities shall document their methodology and progress throughout the length of the planning program and provide yearly progress reports to DENR.
(g) Sustainable Communities shall receive the following assistance: planning grant funds for the initial phase of the project and a local CAMA land use plan addendum for up to 80 percent of the project costs, not to exceed forty thousand dollars ($40,000); priority funding consideration for Planning and Management Grant Funds for related projects for two of the following three years, provided funds are available for priority two and priority three projects, for a maximum of twenty thousand dollars ($20,000) for each grant, and DCM support for all grant applications to other agencies for project funding.
(h) DCM will catalog, advertise and distribute summary reports on projects funded under this program to other local governments in the coastal area.

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

15A NCAC 07L .0513 PROJECT DURATION
(a) CAMA Core and Advanced Core land use plans may be funded over a two-year period. Funding during the first year will be to prepare background material, with second year funding primarily used for policy development.
(b) Other planning and management projects may be approved for up to three years. However, individual grants will usually be for a period of one year. Where the project exceeds one year, the annual grant application shall set forth annual objectives, products and budgetary requirements. If a project requires more than one year to complete, and is funded for its first year, this action does not commit DENR to subsequent funding throughout the estimated duration of the project, except that multi-year CAMA land use plans will be given priority funding for Phase II.
(c) In the event that any local planning and management funds remain or become available after the initial disbursement of funds, DENR may provide additional grants to local governments to supplement existing projects or to initiate new projects based on need and ability of the local government to initiate a new project. All previous unfunded applications will be considered for available supplemental funding. In addition, applications for supplemental funding may be submitted by local governments at specified times during the year.

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

15A NCAC 07L .0514 RELATION TO OTHER FUNDING
Applicants may combine these funds with other local, state, and federal funds to finance appropriate projects. However, these funds may not be used as "local matching funds" for other state or federal grants, except that Sustainable Community funds may be used for match if allowed by other state or federal programs.

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

SECTION .0600 - APPLICATION PROCESS

15A NCAC 07L .0601 APPLICATION FORM

(a) At least 30 days prior to each new land use planning and management grant period, DENR shall distribute to each eligible applicant a grant application form and notice of availability of funds.
(b) The grant application form shall request a project description, project objectives, project deliverables, project budget, consistency of the proposed project with the certified CAMA land use plan (if applicable), and other information as deemed necessary by DENR. A project narrative that more completely describes the proposed project may supplement the form. Incomplete, vague or inadequate applications may not be processed.
(c) The grant application form shall be signed by a person who has been authorized by the local government to enter into contracts relating to the implementation of CAMA.
(d) A separate application form shall be completed for each proposed project.

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

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

Local governments may contact the DCM offices for further assistance and information in completing grant applications. Completed applications shall be submitted to the appropriate office as described in the Notice of Availability of Funds and Request for Proposals.

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

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

(a) DENR shall, within 90 days after the deadline for receiving applications, notify all applicants as to the status of the application. If deemed necessary, DENR may request the applicant to submit additional information or agree to a revised project proposal or project budget.
(b) No approval of a grant application shall be deemed to be final prior to execution of the contract agreement required by 15A NCAC 07L .0701.

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

SECTION .0700 - GRANT ADMINISTRATION

15A NCAC 07L .0701 CONTRACT AGREEMENT

(a) Prior to the disbursement of funds, the local government and DENR will become parties to the contract.
(b) DENR shall prepare the contract and submit it to the local government, following tentative approval of the grant application. The contract shall specify the amount of the grant, the work to be performed under the grant, and all terms and conditions of the grant. The contract must be executed by a person who is authorized by the local government to enter into contracts, and then returned to DENR. The contract is effective, and approval of the grant application final, when signed by the Secretary of DENR or the Secretary's designee.
(c) Subcontracts shall be reviewed and approved by DENR prior to execution by the local government. Past work history with DENR of the proposed subcontractor will be considered in reviewing the subcontract. No subcontracts may be made without the written approval of DENR.

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

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

(a) Specific requirements for progress reports will be set out in each contract with grantees.
(b) A progress report will be required of all grantees prior to the distribution of funds.
(c) DENR shall make such site visits and consultations as deemed necessary.

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

15A NCAC 07L .0703 PAYMENT

(a) Payment by DENR will be made periodically as specified in the contract upon the submittal of a requisition for payment and DCM certification that reasonable and satisfactory progress is being made on the project. Payments will be proportional to the work demonstrated by the grantee to have been completed.
(b) DENR may withhold payment at any time if the grantee is in violation of the terms of the contract or cannot demonstrate satisfactory progress towards completion of the project.

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

15A NCAC 07L .0704 PROJECT COMPLETION REPORT

(a) A project completion report shall be required for all projects. DENR shall transmit information concerning the content and format of this report to all grantees at least 60 days prior to the due date for the report.
(b) A draft project completion report shall be submitted to DENR with or prior to submission of the final requisition for payment. This report shall include an assessment by the local government of the consistency of the project with the certified CAMA land use plan and the rules of the CRC. If the project is found to be inconsistent by DENR, the local government shall include a satisfactory plan for creating consistency, including timelines for implementation. Final payment will not be made to the local government until this information is provided.

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

15A NCAC 07L .0705 ACCOUNTABILITY

Grantees will be subject to accounting techniques and procedures similar to those applicable to DENR as grantee of federal funds administered by the National Oceanic and Atmospheric Administration. The requirements of the General Statutes, OMB Circular A-102 and the National Oceanic and Atmospheric Administration's administrative grants standards shall be followed.

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