

Agenda Item: 15-27 **Request for Adoption of Hearing Officers Recommendations on Proposed Adoption of 15A NCAC 02B .0295 (Consolidated Buffer Mitigation Rule) and Approved Fiscal Note Addendum in accordance with NCGS 150B-19.1**

Explanation:

Temporary Rule 15A NCAC 02B .0295 was approved by the Rules Review Commission (RRC) on October 16, 2014 and became effective on October 24, 2014. On January 7, 2015 the Environmental Management Commission authorized the Division of Water Resources to proceed to public notice and hearing with the adoption of the Consolidated Buffer Mitigation Rule. The Division held a public hearing on March 12, 2015. Mr. David Anderson served as the Hearing Officer for the public hearing. Mr. Steve Tedder replaced Mr. Anderson as Hearing Officer in May.

In accordance with G.S. 150B-21.4 and with E.O. 70 from October 21, 2010 as amended by E.O. 48 from April 9, 2014, OSBM has reviewed and approved a June 2015 Addendum to the original Buffer Mitigation Fiscal Note, October 12, 2012.

After a careful and comprehensive review of the submitted written comments, supporting data, and attachments to this record, the Hearing Officer will present his recommendation for rule adoption.

Recommendation:

It is requested that the Environmental Management Commission adopt the Hearing Officer's recommendations as presented in the Hearing Officer's report.