

Agenda Item: 14-25 **Request that Commission Suspend Requirement that Rulemaking Issue be Acted on by Committee and for Approval to Proceed to Publication for Public Comment and Hearing on Rule 15A NCAC 02B .0295**

Explanation: During the recent legislative session, the *Mitigation Program Requirements for the Protection and Maintenance of Riparian Buffers* Rule, 15A NCAC 02B .0295, as adopted by the Environmental Management Commission (EMC) on May 9, 2013 and approved by the Rules Review Commission on July 18, 2013 was disapproved by SL 2014-95. Further, the EMC was directed to adopt a *Mitigation Program Requirements for the Protection and Maintenance of Riparian Buffers* Rule, pursuant to G.S. 150B-21.1, no later than October 1, 2014, that was substantively identical to the recommended rule text contained in the April 10, 2014 Consolidated Buffer Mitigation Rule Stakeholder Report. To comply with the requirement set forth in G.S. 143-214.20 and Section 2 of Senate Bill 883, the EMC is pursuing temporary rulemaking to adopt a *Mitigation Program Requirements for the Protection and Maintenance of Riparian Buffers* Rule (15A NCAC 02B .0295).

Recommendation: The Commission will be asked to approve proceeding with the rule process and to waive the thirty day rule on this item in order to expedite approval of the temporary rule.