

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS35182-MHa-77

Short Title: Disaster Resiliency/Emergency Management. (Public)

Sponsors: Senators Brown, B. Jackson, and Perry (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FUNDS FOR COASTAL RESILIENCE AND STREAM DEBRIS
3 REMOVAL.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** As used in this act, "storm affected county" means any county of the
6 State included in either a Secretarial Disaster Declaration for Hurricanes Michael or Florence
7 issued by the United States Secretary of Agriculture or a Presidential Federal Emergency
8 Management Agency Declaration for Hurricanes Michael or Florence.

9 **SECTION 2.** The sum of two million dollars (\$2,000,000) in nonrecurring funds for
10 the 2019-2020 fiscal year is appropriated from the Hurricane Florence Disaster Recovery Fund
11 to the Board of Governors of The University of North Carolina to be allocated to the North
12 Carolina Policy Collaboratory to study flooding and resiliency against future storms in Eastern
13 North Carolina and develop an implementation plan with recommendations. In conducting its
14 study, the Collaboratory may utilize faculty expertise located within any institution of higher
15 learning. The Collaboratory shall not charge indirect facilities and administrative costs against
16 the funding provided to it by this section, and shall present its report and recommendations to the
17 Emergency Management Oversight Committee, the Joint Legislative Oversight Committee on
18 Agriculture and Natural and Economic Resources, and the Fiscal Research Division no later than
19 March 15, 2020.

20 **SECTION 3.(a)** The sum of two million dollars (\$2,000,000) in nonrecurring funds
21 for the 2019-2020 fiscal year is appropriated from the Hurricane Florence Disaster Recovery
22 Fund to the Department of Agriculture and Consumer Services, Division of Soil and Water
23 Conservation for stream debris removal in storm affected counties.

24 **SECTION 3.(b)** Stream debris removal projects funded under this section shall be
25 exempt from the requirements of Articles 1, 4, and 7 of Chapter 113 of the General Statutes, as
26 well as requirements for stormwater or water quality permits under Article 21 of Chapter 143 of
27 the General Statutes. The Department of Environmental Quality is directed to waive any right of
28 certification under Section 401 of the federal Clean Water Act with respect to projects funded by
29 this act.

30 **SECTION 3.(c)** Funds appropriated by this section for the 2019-2020 fiscal year
31 shall not revert but shall remain available for nonrecurring expenses until the funds have been
32 spent or encumbered. The Division of Soil and Water Conservation shall report within 30 days
33 of the end of each fiscal quarter to the Joint Legislative Oversight Committee on Agriculture and
34 Environment and Natural Resources and the Fiscal Research Division regarding uses of the funds
35 appropriated by this section. The report shall list projects funded, county where funded projects
36 were located, and linear feet of streams cleared.



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SECTION 4. This act becomes effective July 1, 2019.