

**North Carolina State Disaster Recovery Task Force
Environmental Preservation Recovery Support Function (RSF 7) Meeting**

WebEx Teleconference

May 27, 2021

3:00pm – 5:00pm

Meeting Minutes

[In attendance \(by teleconference\)](#)

Lead: Toby Vinson, Department of Environmental Quality (NCDEQ)

Staff: Marlena Byrne and Ruseena Johnson, North Carolina Office of Recovery and Resiliency (NCORR)

Klaus Albertin, NCDEQ Water Resources Division

Chris Canfield, Conservation Trust for NC

Vernon Cox, NC Department of Agriculture and Consumer Services (NCDA&CS)

Deans Eatman, NC Department of Natural and Cultural Resources (NCDNCR)

Kacy Cook, Wildlife Resources Commission

Chris Crew, NC Emergency Management (NCEM)

Joy Hicks, NCDEQ

Jim Kjelgaard, USDA Natural Resources Conservation Service

Keith Larick, NC Farm Bureau

Grady McCallie, NC Conservation Network

Weston McCorkle, NCDA&CS

Will McDow, Environmental Defense Fund

Jeff Michael, NCDNCR

Tancred Miller, NCDEQ Division of Coastal Management

Todd Miller, NC Coastal Federation

Rebecca Murphy, American Rivers

Kara Nunnally, NC Coastal Federation

Kelly Nilsson, NCDA&CS

Peter Raabe, American Rivers

Will Robinson, The Nature Conservancy

Rick Savage, Carolina Wetlands Association

Katherine Skinner, The Nature Conservancy

Will Summer, NCDNCR Land and Water Fund

Todd Wright, NCEM Recovery Management

Additional NCORR Staff

Brian Byfield

Elena Studier

Maggie Battaglin

Welcome, Introductions, and Overview of Agenda

M. Byrne and T. Vinson welcomed everyone and provided an overview of the agenda. Each member present introduced themselves and their organization.

Update on State Hazard Mitigation Plan 2022 Update- Chris Crew, NCEM Risk Management

Plan update is required to be submitted to FEMA no later than October 24, 2022. The current Plan expires on April 24, 2023.

- Update process, hiring a contractor to assist with publication, update risk assessment to reflect changes, hazard extent maps will be updated, coordinate with agencies for section of plan that describes their mitigation capabilities (what are other agencies currently doing).
- FEMA is requiring NCEM to provide their data and methodology for why they believe flooding is the biggest concern. NCEM has hired a contractor to assist with this.
- Will be incorporating climate change and sea level rise. There will also be updates to the history of infectious disease in the state of North Carolina.

Discussion of Relevant Legislation Currently Pending before the NC General Assembly

J. Hicks presented on several bills related to DEQ and the Governor's Budget. She also fielded the following question shown below.

- Q: If we get anywhere near half of the things granted from HB 500 how are you set up to hit the ground running with what the bill requires? DEQ is already having these conversations. We are working on position descriptions, definitely already looking at best practices for implementation

M. Byrne provided an overview of HB 500, Disaster Relief and Mitigation Act of 2021.

Q: In the Governor's Budget, there is a line for \$1 million does this fit into HB 500? No, it's not part of HB 500. This line is \$1 million to support additional data and modeling to incorporate climate change into state hazard mitigation plan update.

Q: Has NCORR or DPS been able to have conversations/feedback on the bill? How is that going?

M. Byrne: We have been having discussions with our legislative team and have been providing feedback to bill sponsors.

J. Hicks: DEQ has been fielding questions from some of the house staff. They requested our combined list. We sent over today that is reflected on the slide she showed that included both HB500 and governor's budget for their consideration and other items that were included in some of the planning pieces. Comprehensive piece that had NCORR and DCNR requests on it. She sent it to the house staff per request from Governor's office. Hope to see a proposed committee substitute legislation. Do not know if HB500 will be rolled into the budget.

The RSF discussed that in reviewing these bills consideration needs to be given to how this will position the state for applying for BRIC funds in regards to grant matches and meeting building code requirements amongst other guidelines.

C. Crew will send a write up addressing getting in the best position to meet BRIC application requirements. He pointed out that the state lost 35 points off the top on the BRIC application because it had not adopted the International Building Code in full.

DNCR Input on HB500 and SB602: Conservation easements

W. Summer: our demand outstrips our funds by 3:1 most years. They have quite a few strategies of how to use these funds. Projects that have only asked for a fraction of what they would spend because of caps in previous years. They intend to carry some money forward into the next funding cycle. Already have applications up ready to be spent when the board meets in September.

B. Holman: is there a map that shows which counties are included in the declarations? M. Byrne: we may be able to generate one in house if we do not have one. However, it may be a bit of a moving target.

OTHER BILLS

HB218, Streamline Permits/Redevelopment of Property, and SB489, Building Code and Dev. Reg. Reform: Overview by T. Vinson

HB367, SB363, Uniform Partition of Heirs Property Act, overview provided by C. Canfield:

Seventeen states have adopted this uniform statute. We are the only state from Virginia to Florida that does not have this uniform approach. Farm Bill passed recently that states that have passed this approach get extra access to additional funds.

B. Holman: this is another tool that helps us become more resilient.

HB431, Funds for Soil/Water Conservation Programs, overview provided by V. Cox:

C. Canfield: have you talked to Senators about how this will fit into their bill? Yes

M. Byrne: How much money at stake? \$10 million total

B. Holman: not a fan of snag and drag, would love to brainstorm more about the cost share needs across the state. How to best use these funds.

V. Cox: not a solution but it can play a role in reducing localized flooding

P. Raabe: also agree additional methods other than snag and drag should be considered.

HB496, Property Owners' Rights/Tree Ordinances

T. Vinson: not tracking from DEQ. One of the bills coming out of Rep Brody's committee

SB628, requiring native vegetation in DOT plantings.

Overview provided by T. Vinson who stated that DOT is concerned about availability of native seeds to fill contract needs. They are also concerned that this bill removes professional judgement in the design process in regards to temporary coverage. K. Cook, P. Raabe and T. Miller advised that DOT could order seed up to a year in advance if they know what they need

for their projects. They also advised that many farms would welcome the opportunity to provide seeds for these projects. K. Cook will reach out to Autobahn NC and NC Pollinator Alliance, as they will be great resources for this bill.

Discussion about how requiring developers post construction to match pre-construction would reduce flooding.

HB245 passed the house with only one negative vote. This bill does include a provision that states construction projects need to maintain pre development hydrology when practical. This is also a federal requirement.

T. Miller will send the federal requirements to T. Vinson for him to use when applications come in.

W. Summer: other funding sources beyond Governor's budget - \$19 million for floodplain buyout protection, \$30 million for overall purpose, H372 30% for us so \$28 million for his agency as well as similar agencies.

[Meetings going forward](#)

The RSF agreed to send M. Byrne an email with their preference between online meetings, in person meetings or a hybrid that includes both options.

Next Meeting: June 2021