

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS15236-MHa-77

Short Title: Flood Resiliency and Prevention Act.

(Public)

Sponsors: Senators Britt and Perry (Primary Sponsors).

Referred to:

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

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** As used in this act, "storm affected county" means any county of the
5 State impacted by a named storm, as determined by the Office of Recovery and Resiliency of the
6 Department of Public Safety.

7 **SECTION 2.(a)** The State shall develop, implement, and maintain a collaborative
8 for statewide flood mitigation, resiliency, and prevention. The plan will include coordination
9 with federal, State, and local governmental agencies, stakeholders, and nongovernmental
10 agencies.

11 **SECTION 2.(b)** The sum of twenty million dollars (\$20,000,000) in nonrecurring
12 funds for the 2021-2022 fiscal year is appropriated from the General Fund for the development
13 and implementation of a statewide flood mitigation, resiliency, and prevention plan.

14 **SECTION 3.(a)** The sum of five million dollars (\$5,000,000) in nonrecurring funds
15 for the 2021-2022 fiscal year is appropriated from the General Fund to the Department of
16 Agriculture and Consumer Services, Division of Soil and Water Conservation, for stream debris
17 removal in storm affected counties.

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

24 **SECTION 3.(c)** Funds appropriated by this section for the 2021-2022 fiscal year
25 shall not revert but shall remain available for nonrecurring expenses until the funds have been
26 spent or encumbered. The Division of Soil and Water Conservation shall report within 30 days
27 of the end of each fiscal quarter to the Joint Legislative Oversight Committee on Agriculture and
28 Environment and Natural Resources and the Fiscal Research Division regarding uses of the funds
29 appropriated by this section. The report shall list projects funded, counties where funded projects
30 were located, and linear feet of streams cleared.

31 **SECTION 4.** This act becomes effective July 1, 2021.

