

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 121
Feb 19, 2021
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40091-MH-49

Short Title: Clarify EQIP Funding Requirements.

(Public)

Sponsors: Representative K. Hall.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY FUNDING OF CERTAIN WATER RESOURCES PROJECTS
3 UNDER THE ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Subsection 11(f) of S.L. 2020-79 reads as rewritten:

6 "SECTION 11.(f) Maximum Share. – Notwithstanding any provision of law to the contrary,
7 funds appropriated for a water resources development project shall be used to provide no more
8 than fifty percent (50%) of the nonfederal portion of funds for the project. This subsection applies
9 to funds appropriated in this act and to funds appropriated prior to the 2019-2021 fiscal biennium
10 that are unencumbered and proposed for reallocation to provide the nonfederal portion of funds
11 for water resources development projects. The limitation on fund usage contained in this
12 subsection applies only to projects in which a local government or local governments participate.
13 This subsection shall not apply to, and there shall be no local match required for, the
14 Environmental Quality Incentives Program (EQIP). Furthermore, Section 36.3(e) of S.L.
15 2013-360, Section 36.2(e) of S.L. 2014-100, and Section 31.3(e) of S.L. 2015-241 shall not apply
16 to funds made available as part of EQIP in any fiscal year, including prior years. The following
17 additional definitions and directives apply to EQIP projects:

18 (1) For purposes of this subsection, (i) a single project shall consist of all the
19 landowners and other participants under a project design contract approved by
20 the Natural Resource Conservation Service under the EQIP program along a
21 contiguous stretch of stream and (ii) an EQIP project is considered funded
22 when the applicant is working with a partner who has a project agreement or
23 statement of work with the Natural Resources Conservation Service of the
24 United States Department of Agriculture (NRCS), the NRCS has approved the
25 project agreement, and the local Soil and Water Conservation District Board
26 has approved a resolution sponsoring the project.

27 (2) Any remaining balance of funds appropriated for EQIP projects shall be paid
28 out to each of the original grantees for the full grant award amount, except
29 that the Secretary may retain ten percent (10%) of the State share of funding
30 until the Natural Resources Conservation Service of the United States
31 Department of Agriculture has provided a final practice approval for the
32 project.

33 (3) The Secretary shall exempt projects funded under the Program from (i) any
34 local matching requirement, (ii) review under G.S. 143-215.72, or (iii) any
35 additional review, guidelines, or reimbursement payment policies under the
36 Water Resources Development Grant Program."



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SECTION 2. This act is effective when it becomes law.