

## DEQ sets hearing on final rules for 3 grant programs

The North Carolina Department of Environmental Quality (DEQ)'s Division of Water Resources will hold a public hearing on Wednesday, Dec. 6, on the adoption of proposed final rules for three grant programs: the Aquatic Weed Control Fund, Coastal Storm Mitigation Fund and the Shallow Draft Navigation Channel Dredging Fund. Comments will also be accepted until Jan. 2, 2024.

Session Law 2022-74, Section 12.1, required DEQ to adopt the rules to implement policies or guidelines for the administration of funds for the programs. The proposed rules specify the application process for the three funds, the Department's procedure for deciding how the funds will be allocated and other details.

As part of a 60-day comment period, the public is invited to provide comments on the proposed rules in-person on Dec. 6 at the DEQ Washington Regional Office.

- **When:** 10 a.m., Wednesday, Dec. 6, 2023.

- **Where:** DEQ Washington Regional Office, Hearing Room A103, 943 Washington Square Mall, Washington, NC 27889.

The [Shallow Draft Navigation Channel Dredging Fund](#) is a funding program for dredging projects by local units of government that are designed to keep channels in state waters navigable and safe. The new proposed rules detail requirements for local governments to apply for grants for dredging

### From the chairman...

Welcome to the Fall 2023 edition of the North Carolina Beach, Inlet and Waterway Association's (NCBIWA) quarterly newsletter. First and foremost, I'd like to extend my sincere appreciation to everyone who sponsored and attended our organization's 26th annual conference, which was held from Nov. 16-17, 2023, in Wilmington, North Carolina.

The two-day event was incredibly well attended — and in addition to seeing many familiar faces from our various member agencies and organizations, we also had the pleasure of meeting many new stakeholders who shared valuable insights on an array of items ranging from legislative changes and policy updates to new and advanced technologies that are designed to enhance and improve the coastal resiliency and sustainability of our communities.

Your attendance and participation in key events such as our annual conference is essential to our organization's ongoing and collaborative efforts to protect, restore and maintain North Carolina's coastline—and to address the multitude of unique challenges many of our coastal communities face.

As we move into 2024, I look forward to continuing to work together to educate one another, to advocate for effective state and federal policies, and ultimately to implement environmentally sound scientific solutions that will protect and preserve our beaches, inlets and waterways for generations to come.

Wishing you all a wonderful holiday season and a Happy New Year! —  
**Bobby Outten, Chairman, North Carolina Beach, Inlet and Waterways Association**



projects in non-federally authorized channels through the program, now including a requirement that governments applying for funds include a statement of no overdue tax debts. The proposed rules also remove exemption language and detail the process for applications for federally authorized channels.

The proposed rules also detail the application process for the [Aquatic Weed Control Fund](#), which provides grants for local governments and other entities seeking to control, eradicate or regulate noxious aquatic to preserve human health, safety and beneficial

uses of state waters. The new proposal includes a means to allow the Division of Water Resources director, or their designee, and the North Carolina Weed Control Council, to allocate funds for rapid response.

The new rules also detail the application requirements for the Coastal Storm Mitigation Fund, which provides grants to local governments for costs associated with beach nourishment, artificial dunes or other projects to mitigate or remediate coastal storm damage to ocean beaches and dune systems of the state.

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NCBIWA's purpose is to:

- Educate elected officials and the public on the importance of beach renourishment and coastal preservation, sustainability and resiliency through the information presented at our annual meetings and conferences and;
- Advocate on behalf of our members on the Local, State and Federal levels to promote funding for coastal infrastructure including beach renourishment, storm damage mitigation and;
- Encourage the use of science and technology to advance coastal research by governmental and non-governmental organizations and;
- Promote the routine maintenance of federal navigation channels, including the Atlantic Intra-coastal Waterway, and the proper best use of coastal sediment: better known as Beneficial Use of Dredged Material (BUDM).

# Federal Water Resources FYSA Update

By Julie Minerva, Carpi and Clay and ASBPA Government Affairs Consultant

## Administration

The White House kicked off the week by convening the new White House Council on Supply Chain Resilience. More than 30 new actions were announced including one on climate impacts. “The White House National Security Council, Office of Science and Technology Policy, and the Council of Economic Advisers will co-lead an interagency effort in partnership with the National Oceanic and Atmospheric Administration to monitor global developments related to El Niño, including this climate phenomenon’s impact on U.S. and global commodity prices, agriculture and fishery output, disruptions to global and trade supply chains, and resulting impacts on food security, human health, and social instabilities”;

To support the release of the Fifth National Climate Assessment (NCA5), the US Global Change Research Program is hosting a series of public engagement webinars. You can register

## DEQ

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Lastly, the new rules also detail the application requirements for the Coastal Storm Mitigation Fund, which provides grants to local governments for costs associated with beach nourishment, artificial dunes or other projects to mitigate or remediate coastal storm damage to ocean beaches and dune systems of the state.

To view the proposed rules, [click here](#). Copies of the proposed rules can be obtained by calling (919) 707-3607 or from: Division of Water Resources, Water Planning Section, Archdale Building, 512 N. Salisbury Street, Raleigh, NC 27604.

Interested persons may also submit



for [water](#) on December 4th, [mitigation](#) on January 11th, [ecosystems](#) on January 12th, [transportation](#) on February 21st, [air quality](#) on February 28th and [land cover and land use change](#) on March 15th to name a few. A full list of webinars and companion materials can be found [here](#);

NOAA sent a team of experts to Dubai to participate in COP28 to “highlight how the agency’s actionable climate data, information and services empower people to make informed decisions in the face of a growing climate crisis”;

NOAA announced award recipients for the National Coastal Resilience Fund. \$144M will help 31 coastal states and territories enhance the resilience of their coastal communities. You can read more about the awards [here](#), but [here](#) as some project

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written comments during the public comment period. Written comments can be submitted electronically to: [Kevin.hart@deq.nc.gov](mailto:Kevin.hart@deq.nc.gov) or via USPS to:

Mr. Kevin Hart

Division of Water Resources

1617 Mail Service Center

Raleigh, NC 27699-1617

To be included in the hearing record, all comments must be post-marked or received electronically by the DWR by 5 p.m. on Jan. 2, 2024

For more information on the Aquatic Weed Control Fund, [click here](#). For more information on Coastal Storm Damage Mitigation and Shallow Draft Navigation Channel funds, [click here](#).



*Scenes from the NCBIWA conference*



*Above left: Ken Willson (left), Coastal Protection Engineering and Neil Wicker, Athena Technologies. Above: USACE Col. Steve Baker (retired) and Bob Keistler, USACE. Below left: Nicole VanderBeke (left), Moffatt & Nichol, and Dawn York, Moffatt & Nichol. Below: Ocean Isle Beach Mayor Debbie Smith and Ken Willson, Coastal Protection Engineering.*



## *Federal*

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titles that caught my eye: Designing a Hybrid Living Reef to Build Flood Resiliency in Seward, Alaska; Integrating Nature-Based Solutions into a Comprehensive Stormwater Strategy (MI) and Community-led Resilience Planning for Habitat Restoration in the Mississippi Sound;

NOAA also announced funding for 13 projects to help model climate projections and extreme weather through the IRA funded Climate Futures: Projections for Societally-Relevant Problems Initiative. Funding will help researchers better understand extreme snow, extreme heat, storm surges and sea level rise;

EPA announced \$2B in available IRA funding for the new Environmental and Climate Justice Community Change Grants. Funds can be used for “community-driven projects that deploy clean energy, strengthen climate resilience, and build capacity for communities to tackle environmental and climate justice challenges.” Applications will be accepted on a rolling basis until November 21, 2024 with separate tracks for Community-Driven Investments for Change and Meaningful Engagement for Equitable Governance. There’s even an opportunity for oral presentations — something we don’t see very often in the federal grant space. Read more here;

This week the Advisory Board for the National Nonstructural Committee met in DC. According to NNC’s website: Nonstructural measures differ from Structural measures in that they focus on reducing the consequences of flooding instead of focusing on reducing the probability of flooding;

The annual USACE Section 7001 Report for 2022 is ready for release; it just needs a final signature from ASA Connor. Prior Section 7001 Reports can be viewed here. And a great 2-page overview from CRS here. During the 10-year congressional earmark ban



this was an important part of the WRDA process. With earmarks back it plays less of a technical role, but it can still be an important tool for non-federal sponsor who want to get civil works priorities on the radar of decision makers within USACE HQ and the ASA’s office;

If you missed the first call to comment on Justice40 scorecards, now’s your chance to weigh in. CEQ is seeking a second call for comments which will inform agency scorecards for 2024. Detailed information on how to comment was published in the Federal Register.

### *Congress*

With both the House and Senate 2024 calendars on the street, the team at Carpi & Clay (thank you Clay!) pulled together a combined congressional calendar. At a glance you can see when to plan your trips to DC, when to plan for local events and meetings with your representatives and senators;

The House conservatives showed signs that they may be willing to negotiate on top line funding levels for the FY24 appropriations bills. With a laddered CR in place funding parts of the government until January 19th and the remainder until February 2nd, there are less than 20 legislative days to get final spending bills in place (or pass another CR). This week the House Freedom Caucus said that they would be willing to allow the \$1.59 trillion top line funding level agreement from the debt deal to guide the final appropriations bills. Previously the Freedom Caucus was seeking a top line funding level of \$1.47 trillion;

Speaking of funding, discussions regarding a domestic disaster supplemental and international aid bill are moving forward. The Senate wants to do something in December, but based on the conversations I’ve had this week with the House staffers, Speaker Johnson is aiming for January and is trying to keep this bill as clean as possible. Members looking to move legislation in an end of the year package are looking at hitching a ride on either the annual National Defense Authorization Act or FAA reauthorization;

The House Homeland Security Emergency Management Subcommittee made a trip down to New Orleans to take a closer look coastal projects and to hold a field hearing on “Emergency Preparedness: Examining Federal, State and Local Coordination in Coastal Communities.” It was one of the more bi-partisan hearings that I’ve seen in a while. Topics ranged from flood insurance to lessons learned from past disasters, to what more the federal government should be doing to be proactive in assisting coastal communities become more resilient;

Senate EPW held a hearing on “WRDA 2024: Stakeholder Feedback on USACE Project Partnership Agreements.” The hearing focused on the need to provide non-federal sponsors with greater flexibility for Project Partnership Agreements as well as the need for greater transparency and reform with respect to long-term operation and maintenance requirements. A few members of the committee even managed to work Taylor Swift references into the conversation so if you had any doubt about Taylor’s global domination you should abandon them immediately;

Next up for WRDA is an Administration hearing in T&I Dec. 5, “Water Resources Development Acts: Status of Past Provisions and Future Needs,” followed by a stakeholder hearing Dec. 6. This is all in preparation for the House to begin accepting WRDA

## Federal

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2024 submissions. Each Member of Congress will set their own deadlines and requirements (based on Committee guidance), but I have it on good authority that the House T&I WRDA 2024 submission portal will open on Dec. 11 and close on Jan. 12;

Just before Thanksgiving Senators Whitehouse (D-RI) and Collins (R-ME) reintroduced the Innovative Materials for America's Growth and Infrastructure Newly Expanded (IMAGINE) Act, S. 3292, which encourages "research and deployment of innovative construction materials in transportation and water infrastructure projects nationwide";

For a hot minute this week the US House of Representatives had a full 435 members. At the start of the week Celeste Maloy (R-UT) was sworn in to represent Utah's second congressional district. But by the end of the week the House voted 311-114 to expel Rep. George Santos (R-NY) making Santos the 6th member in the history of the House to be expelled and bringing the roll call back down to 434 members. NY Governor Hochul, a former House Member, has 10-days to set the date for a special election. I served as a staff member in the House when former Rep. Jim Traficant was expelled and it was a very somber day for the institution.

*Save the Date:*

## ***ASBPA Coastal Summit March 26-28, 2024***

The Coastal Summit Steering Committee is already hard at work planning the 2024 Summit program to be held March 26-28 during Coasts Week 2024 in Washington, DC.

Special thanks to committee members Susan Brodeur, Co-Chair; Lindsey Precht, Co-Chair; Jack Koban, Co-Chair; and executive director Nicole



*Above, from left: State Representative Frank Iler, State Senator Bobby Hanig and State Representative Ted Davis. Below left: Lt. Carl Hendrickson, U.S. Coast Guard, N.C. Waterways. Below right: Col. Brad A. Morgan, USACE Commander and District Engineer, Wilmington District.*



## ***Scenes from the NCBIWA conference***

Elko, Joan Pope, Annie Mercer, Cheyenne Twilley, Kathleen Riely, Leslie Pickel, Bill Hanson, Brian Caufield, Lee Weishar, Nick Brown, and Brad Pickel.

Registration, Sponsorships, & Award Noms Launch Fri., Dec. 8!

## ***ASBPA Government & Policy Awards nominations open***

Nominate a coastal champion! Nominations open on Dec. 8 for the ASBPA Congressional awards, Congressional Staffer award, Federal Agency award, Corps award, and Friend of the Coast Media award to be presented during the 2024 Coastal Summit.

We appreciate your time to nominate a coastal champion who advocates

for healthy, sustainable, and resilient coastal systems.

- The Congressional Staffer award: a staff member for efforts both to promote beach preservation and to facilitate project requests in the past legislative session.

- The Federal Agency award: a staff member for efforts to promote beach preservation.

- The Corps award: a member of the Corps of Engineers who contributed to the cause of beach management and preservation.

- The Friend of the Coast Media award: a media outlet for exceptional coverage of coastal news.

**How to submit:** Visit [asbpa.org/conferences/](https://asbpa.org/conferences/) to make a nomination. Any ASBPA member can submit a nomination to include a brief description of accomplishments with optional support materials.