**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

| Meeting Date: | March 1, 2021 |
| Presenter:    | Chairman Earl Pugh, Jr. |
| Attachment:   | No |

**ITEM TITLE:** OPENING

**SUMMARY:**  
- Call to Order  
- Opening Prayer  
- Pledge of Allegiance
Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: March 1, 2021
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the March 1, 2021 Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.
AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS’
REGULAR MEETING

MARCH 1, 2021 6 P.M.

CALL TO ORDER

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

February 1, 2021

● Regular Meeting Minutes

PUBLIC HEARINGS

1) None

PRESENTATIONS

1) Hurricane Recovery Hyde County Schools Update……………………………….. Steve Basnight,
   Superintendent Hyde County Schools
2) Tax Collections………………………………………………………………….. Donnie Shumate,
   Hyde County Tax Administrator

EMPLOYEE/ VOLUNTEER/ FRIEND OF HYDE COUNTY ……………….. Kris Cahoon Noble,
   Hyde County Manager

PUBLIC COMMENTS

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

ITEMS OF CONSIDERATION

1) Ordinances – Resolutions – Proclamations
   ● Project Budget Ordinance Amendment……………………………….. Stephanie Watson,
     Hyde County Grant Administrator
   ● Resolution to Borrow NCEMC/Tideland EMC - Farrow Road……….. Kris Cahoon Noble,
     Hyde County Manager
   ● Resolution to Borrow NCEMC/Tideland EMC - Hydeland…………….. Kris Cahoon Noble,
     Hyde County Manager
2) Appointments - None
3) Information Sharing Agreement with FEMA ............................................. Jane Hodges, 
Hyde County Permit Specialist

4) Amendment No. 2 to MOA - Coastal Federation ........................................... Daniel Brinn, 
Hyde County Water and Flood Control Manager

**BUDGET MATTERS**

1) **HEALTH DEPT** - $700
2) **SHERIFF DEPT** - $20,000
3) **COOPERATIVE EXTENSION** - $1377

**MANAGEMENT REPORTS**

The Commissioners, County Manager and Assistant County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

**PUBLIC COMMENTS**

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

**CLOSED SESSION** in accordance with NCGS143A-318.11 (a) (6)

**ADJOURN**

**SUPPLEMENTAL INFORMATION**

**Department Reports**

Department Heads’ reports will be attached to update the public with departmental activities and ideas for continuous improvement of government services to the citizens.
Informational Items
1) FEMA NC Floodplain Mapping Program Letter
2) OCBF Honors 2020 Champions - News Article
3) New Video Conference Capabilities for Students at Hyde Davis Center - News Article
4) Mattamuskeet Students Selected to Participate in Nurse Aid Program - News Article
5) Cooperative Extension - Commissioners Report
6) Soil and Water Regional Coordinator Update
7) Soil and Water Conservation District December Meeting Minutes
Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: March 1, 2021
Presenter: Clerk to the Board
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the February 1, 2021 Regular Hyde BOC meeting minutes.

RECOMMEND: Review, Amend and Approve.

Motion Made By: ___ Pugh  Motion Seconded By: ___ Pugh  Vote: ___ Pugh
___ Simmons  ___ Mathews  ___ Swindell  ___ Topping
___ Simmons  ___ Mathews  ___ Swindell  ___ Topping
Following opening prayer by Commissioner Simmons and pledge of allegiance, Chairman Pugh called the February 1, 2021 Regular Meeting of the Hyde County Board of Commissioners to order at 6:00p.m., in the Hyde County Government Center Multi-Use Room. Chairman Pugh asked if everyone present felt comfortable with conditions and seating distance in the meeting room. Everyone agreed they were seated more than 6 feet apart and had no complaints about meeting room conditions.

Chairman Pugh expressed condolences to the family of Brandon Marshall.

Manager Noble thanked Hyde County Law Enforcement, EMS, Wildlife Resources and Volunteer Fire Department staff for their response to the Marshall incident.

The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-Chairman Shannon Swindell; Commissioners Ben Simmons and Goldie Topping; Attorney Franz Holscher; County Manager Kris Cahoon Noble; Clerk to the Board Lois Stotesberry; Tax Administrator/IT Director Donnie Shumate; and, Water & Flood Control Manager Daniel Brinn.

Commissioner Randal Mathews attended from Ocracoke via teleconferencing equipment.

Health Director Luana Gibbs joined the meeting via teleconferencing equipment during the presentation of her COVID-19 update.

Due to COVID-19 restrictions, the February 1, 2021 Hyde County Board of Commissioners Regular meeting was live streamed via the Hyde County Facebook page. Video is available on Facebook and on the County’s YouTube channel for download to a personal device.

CONSIDERATION OF AGENDA:
Commissioner Swindell moved to approve the Monday, February 1, 2021 revised Regular Meeting Agenda as presented by the Clerk with addition of Item No. 6 – Coastal Management Planning Grant RFP award. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.

CONSIDERATION OF MINUTES:
Commissioner Swindell moved to approve the January 4, 2021 Regular Board of Commissioners Meeting Minutes as presented by the Clerk. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.

PRESENTATIONS:
Albemarle Commission Special Projects
Michael Ervin, Director and Sharon Smith, Special Projects Administrator for the Albemarle Commission presented an overview of possible Albemarle Commission – Hyde County partnership opportunities. Broadband, Economic Development Plan and a Strategic Plan Update were discussed.
Manager Noble will coordinate a meeting to discuss Broadband expansion progress in an effort to coordinate Hyde County and the Albemarle Commission’s activities supporting broadband expansion goals.

Commissioner Simmons requested the Commercial Fishing Industry in Hyde County be included as a priority that Hyde County and Albemarle Commission could partner on addressing.

Director Ervin will work proactively with legislators to advocate for the commercial fishing industry in Hyde County.

**Ocracoke Interfaith Relief and Recovery Team Progress Update**

Pastor Ivey Belch presented an update on the progress made by the OIRRT following Hurricane Dorian. Pastor Belch announced additional funding ($104,893.00) from the global humanitarian organization Operation Blessing will be used for local reconstruction efforts on the Island. For more information on OIRRT and to follow their progress on Ocracoke Island, go to [https://www.oirrt.org/](https://www.oirrt.org/).

**COVID-19 Report**

Luana Gibbs, Health Director, presented current COVID-19 statistics and gave a status report on the Hyde County Health Department’s vaccine efforts. Ms. Gibbs commended her staff for their dedication and service to the citizens of Hyde County. Ms. Gibbs recommended citizens contact the Hyde County Health Department 926-4399, Engelhard Medical Center 925-7000 or Ocracoke Health Center 928-1511 for appointments.

For general COVID-19 questions: call 1-866-462-3821 or visit the NC DHHS; Center for Disease Control and Prevention; UNC School of Government; Hyde County Schools; and/or Cooperative Extension’s COVID-19 websites. The Hyde County Preparedness Coordinator, Misty Gibbs can be reached at (252) 926-4184 or via email at mgbbs@hydecountync.gov.

**Finance Software Upgrade**

IT Director Donnie Shumate presented an update on the Hyde County Finance Software upgrade project. The OpenGov software program is a cloud based software package that is focused solely on critical state and local government use-cases and workflows. All modules speak to each other thereby providing full financial reporting and transparency. Statistics supporting this modern cloud based finance software include: 50% less time spent on budget development, 80% less time spent on reporting, 20% fewer information requests and 1% of budget freed for re-allocation. Initial cost of the upgrade will be $248,000 followed by an annual cost of $84,000.

Commissioner Swindell moved to approve Manager Noble entering into a service agreement with OpenGov to purchase the necessary software license pending Attorney Holscher’s approval. Commissioner Mathews seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.

**Tax Report**

IT Director Donnie Shumate presented the January 1-31, 2021 TR-407 Daily Distribution Report. Mr. Shumate reported collections have increased significantly this year.

Commissioner Simmons moved to accept the January 2021 TR-407 Tax report as presented. Commissioner Topping seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.
RECOGNITION:

Kris Cahoon Noble, County Manager, recognized and commended all who responded to the Brandon Marshall accident last week and reported Brandon will be recognized for his many contributions to Hyde County at a later date when his family can be in attendance.

PUBLIC COMMENTS: Hearing no comment from the public, Chairman Pugh continued the meeting.

ITEMS OF CONSIDERATION:

Letter of Support – AWOS System Installation – Ocracoke Airport

Kris Cahoon Noble, County Manager, reported a group of community stakeholders on Ocracoke are requesting the Hyde County Board of Commissioners recommend and endorse a project to install an AWOS System at the Ocracoke Airport. Letters were received from Richard Jacoby and Jeff Dippold of the Ocracoke Fire Protection Association and Mr. Larry Ihle. An Automated Weather Observing System (AWOS) is a fully configurable airport weather system that provides continuous, real time information and reports on airport weather conditions. AWOS stations are mostly operated, maintained and controlled by aviation service providers. Ocracoke Airport does not currently have an AWOS system. The owner and sponsor of the Ocracoke Airport is the National Park Service. The airport is managed, operated and funded by the NC DOT Division of Aviation.

Commissioner Mathews moved to endorse the AWOS project and approve sending a letter of support to Bobby L. Walston, P.E., Director, Division of Aviation, NC DOT. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.

Restructuring Revolving Loan Williams Market

Special Projects Coordinator Bill Rich presented a request for a new redesigned loan from the County to Chris Williams, which comes with the recommendation of the Revolving Loan Committee. Mr. Rich reported the Revolving Loan Committee met on January 26, 2021 to discuss a proposed loan request from Chris Williams to combine four (4) existing loans and add additional proceeds of $115,000.00 to pay off an existing first mortgage on two (2) of the Williams properties. The committee requested a term of 10 years (not 15 years) creating a new loan of $442,000.00 and a monthly payment of $4,370.76. The loan will be secured by a first mortgage on the following properties:

A) The Red & White Grocery and Laundromat in Engelhard
B) Courthouse Grill in Swan Quarter
C) The Post Office and Mini Warehouses in Swan Quarter
D) Chris’s Grocery Store and Hardware Store in Swan Quarter
E) All inventory current and future in the Hardware Store in Swan Quarter

All net proceeds from any sale of the secured real estate will be used to pay down the total debt.

Commissioner Simmons moved to approve a restructured revolving fund loan to Chris Williams of $442,000.00 for 15 years and encouraged payoff earlier with the proposed sale of the Red & White Store in Engelhard. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell and Mathews; Nays – Topping; Absent or not voting – None.
Economic Development Strategic Plan Update

Kris Cahoon Noble, County Manager, presented report on a partnership with East Carolina University and the RISE29 program to provide an update to Hyde County’s 2007 Economic Development Strategic Plan. Manager Noble reported former County Planner Alice Keeney successfully completed a majority of the plan prior to her retirement. Ms. Noble now plans to include the Albemarle Commission on the plan update project. She asked commissioners to help develop a steering committee.

ECU MPA students and a Hyde County Steering Committee and key participants will run the project. Students will work to complete an update and analysis of County data/demographics/overview information and will complete a situational analysis defined as an analysis of County internal and external factors. The analysis will clearly identify the County’s capabilities, customers, potential customers and business environment and their impact on the company. The team will identify strategies, review and refine them with the County Manager, with final report presented to the Board of Commissioners at their May 3rd meeting. No action required.

Contract Extension Landfall Strategies, LLC

Kris Cahoon Noble, County Manager, requested authorization to negotiate a one year contract extension for Landfall Strategies, LLC for debris monitoring services.

Commissioner Mathews moved to formally authorize Manager Noble and Attorney Holscher to negotiate a contract extension for Landfall Strategies, LLC for a period of one year. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.

Contract Extension Southern Disaster Recovery

Kris Cahoon Noble, County Manager, requested authorization to negotiate a one year contract extension for Southern Disaster Recovery for a pre-event/stand-by disaster debris removal services.

Commissioner Mathews moved to formally authorize Manager Noble and Attorney Holscher to negotiate a contract extension for Southern Disaster Recovery for a period of one year. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.

Coastal Management Planning Grant RFP Award

Daniel Brinn, Water & Flood Control Manager, reported in 2019 Hyde County received a planning grant in the amount of $15,000.00 with a 10% match from the North Carolina Division of Coastal Management to pay for engineering and design of a future pump installation in the Town Ditch of Swan Quarter adjacent to the Swan Quarter Community Park.

The RFP was advertised for four weeks and the re-advertised for an additional two weeks after only one proposal was received.

Commissioner Simmons moved to approve the proposal from LDSI for engineering services to develop a set of plans and drawings for the installation of a pump on the town ditch in Swan Quarter. Commissioner Topping seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Topping and Mathews; Nays – None; Absent or not voting – None.
**BUDGET REVISIONS**

**Health**

1. WIC – Contract Services ........................................ $ 9500.00
2. Adult Health – Lab Testing ...................................... $ 2500.00
3. Health – Contract Services .................................... $35360.00
4. Adult Health – Salaries ......................................... $ 7651.50
5. Family Planning – Salaries .................................... $ 8059.57
6. Child Health – Salaries .......................................... $11404.16
7. Communicable Disease – Salaries ............................... $ 3150.00
8. Maternal Health – Salaries ........................................ $ 1238.41
9. General Health – Essential Services ........................ $ 4710.00
10. PME – Recordation Fee ........................................... $ 400.00
11. Breastfeeding Peer Counselor – Contract ..................... $ 5900.00

Commissioner Simmons moved to approve the Health Department budget revisions and amendments as presented. Commissioner Topping seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Simmons, Topping and Mathews; Nays – None; Absent or not voting – None.

**MANAGEMENT REPORTS:**

The commissioners and county manager shared with the public their various activities and ideas for continuous improvement of government services in Hyde County.

**Randal Matthews** – requested Flood & Water Control Manager Daniel Brinn to address long-term funding for flooding issues and salt water intrusion on Ocracoke Island, Hatteras Island and Highway 12.

**Goldie Topping** – discussed a time frame on a home elevation request she received.

**Manager Noble** - reported Hyde County submits the applications and the State selects the number order for house elevation based on many variables. Ms. Noble asked that Commissioner Topping have the citizen give her a call.

**Shannon Swindell** – commended Brandon Marshall’s dedication to Hyde County. He reported water management needs to be addressed in every community.

**Benjamin Simmons** – continues to recommend protection against sea level rise in Hyde County. He recommends drainage areas in every community in Hyde County in order to end destruction of farm land from salt water intrusion. He discussed concern for the commercial fishing industry and the need to teach trades in public schools. Mr. Simmons described Brandon Marshall as family, friends and Hyde County.

**Earl Pugh, Jr.** – asked Manager Noble to prepare an Oregon Inlet Resolution from Hyde County.

**Kris Cahoon Noble** – reported she is working with Brent in Dare County and will present “Resolution Requesting a State of Emergency Declaration and Action for Oregon Inlet” at the March 1st Board of Commissioners meeting. She has attended meetings about finance software, planning grant to address experiences in Ocracoke, Ocracoke Tram grant close out, RFP to rebuild Ocracoke EMS, COVID funding and vaccines, derelict vessels removal, elevation grant funding, NC DOT Aviation, Broadband and NCORR. She is assisting with two Tideland EMC drainage loans in Swan Quarter township. Manager Noble will attend the annual County Manager Conference on line this week.
Manager Noble reported IT/Tax Administrator Donnie Shumate and Finance Officer Corrinne Gibbs will continue working on finance office software conversion.

PUBLIC COMMENT: Hearing no comment from the public, Chairman Pugh continued the meeting.

CLOSED SESSION: (none)

Commissioner Simmons moved to adjourn the meeting. Commissioner Topping seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Simmons, Topping and Mathews; Nays – None; Absent or not voting – None.

The meeting adjourned at 8:30p.m.

Respectfully submitted:

Minutes approved on the 1st day of March, 2021.

Attest:

_____________________________________   ____________________________________
Lois Stotesberry, CMC, NCCCC              Earl Pugh, Jr.
Clerk, Hyde County Board of Commissioners  Chair, Hyde County Board of Commissioners

Attachments (none)
Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: March 1, 2021
Presenter: Superintendent Basnight, Hyde County Schools
Attachment: No

ITEM TITLE: Update on Hurricane Recovery

SUMMARY: Superintendent Basnight, Hyde County Schools, will give an update on hurricane recovery and other topics.

RECOMMEND: Receive Report
Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: March 1, 2021
Presenter: Donnie Shumate
Attachment: Yes

ITEM TITLE: Tax Collections Report

SUMMARY: Tax Administrator, Donnie Shumate, will provide the last monthly tax collections report.

RECOMMEND: Receive and accept report
<table>
<thead>
<tr>
<th>Meeting Date:</th>
<th>March 1, 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presenter:</td>
<td>Citizens</td>
</tr>
<tr>
<td>Attachment:</td>
<td>No</td>
</tr>
</tbody>
</table>

**ITEM TITLE:** PUBLIC COMMENTS

**SUMMARY:** Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens.

Comments should be kept to (3) minutes and directed to the entire Board, not just one individual Commissioner, staff member or to a member of the audience.

Time for one person cannot be used by another person.

Comments that reflect the need for additional assistance will be directed to the County Manager or referred to a future meeting agenda.

**RECOMMEND:** Receive comments.
ITEM TITLE: Lighthouse Road EMS

SUMMARY: Hyde County has been granted $500,000.00 through the Golden Leaf Foundation to replace our EMS station on Ocracoke. We are asking to designate a budget for this project.

RECOMMEND: APPROVE
Be it ordained by the Hyde County Board of Commissioners, the following Project Budget Ordinance is hereby adopted:

Section 1: The project authorized is a construction budget for an Emergency Medical Services facility to be constructed on the county owned portion of the former Island Inn property. The project is funded by Golden Leaf.

Section 2: Hyde County staff are hereby directed to proceed with the project within the rules and regulations of the North Carolina General Statutes and the budget contained herein.

Section 3: The following revenues and resources are anticipated to be available to complete the program activities:

<table>
<thead>
<tr>
<th>Ocracoke EMS Station Construction Project</th>
<th>$500,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golden Leaf Grant</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>Total:</td>
<td>$500,000.00</td>
</tr>
</tbody>
</table>

Section 4: The following amounts are appropriated for the project activities:

<table>
<thead>
<tr>
<th>Ocracoke EMS Station Construction Project</th>
<th>$500,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design and Engineering</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>Construction</td>
<td>$400,000.00</td>
</tr>
<tr>
<td>Site Work</td>
<td>$60,000.00</td>
</tr>
<tr>
<td>Contingency</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Total</td>
<td>$500,000.00</td>
</tr>
</tbody>
</table>

Section 5: The Finance Officer is hereby directed to maintain with the Project Fund sufficient specific detailed accounting records to provide the accounting required by federal and state regulations.

Section 6: Funds may be advanced from the Federal Funds for the purpose of making payments as due.

Adopted on the 2nd day of March 2020, amended June 1, 2020 and amended again on March 1, 2021.
Earl Pugh Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

________________________
Lois Stotesberry, Clerk to the Board
ITEM TITLE: Resolution to Borrow from Tideland EMC - Farrow Road Drainage Project

SUMMARY: A group of landowners have asked for lending assistance from Hyde County in order to finance a drainage infrastructure project located at the terminal end of Farrow Road in Swan Quarter, N.C.

The group has requested Hyde County to lend $75,000 to the group of borrower’s providing personal guarantees, including Josh Gibbs, Tony Carawan, CW Cahoon, Dick Tunnel, JW Spencer, Rory Cahoon and Brad Gurganus for 10 years at 0% interest.

The attached resolution will give Tideland EMC notice that Hyde County requests to borrow $75,000 from NC EMC and in turn lend those funds to the above-mentioned group of landowners to carry out the project located on Farrow Road.

RECOMMEND: APPROVE ATTACHED RESOLUTION.
WHEREAS, Hyde County supports the implementation of drainage infrastructure projects across the county; and

WHEREAS, Hyde County desires to seek ways to support drainage districts and landowners across the county with drainage infrastructure activities and projects; and

WHEREAS, Hyde County desires to borrow $75,000 from Tideland EMC for a drainage infrastructure improvement project entitled Farrow Road for 10 years at 0% interest; and

WHEREAS, the Borrowers will use those funds to complete a drainage infrastructure project entitled Farrow Road and located at the terminal end of Farrow Road in Swan Quarter, N.C. in an effort to improve drainage for the farms, homes and other infrastructure located in the area; and

WHEREAS, it is the intent of the Hyde County Board of Commissioners to protect its citizens and property from the effects of flooding by drainage infrastructure projects; and

NOW, THEREFORE, BE IT RESOLVED THAT THE HYDE COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZE THE COUNTY MANAGER TO WORK WITH THE COUNTY ATTORNEY TO CREATE A CONTRACTUAL RELATIONSHIP BETWEEN THE COUNTY AND THE BORROWERS IN WHICH THE BORROWERS ARE OBLIGATED TO REPAY HYDE COUNTY ANY FUNDS WITH WHICH THE COUNTY ASSISTS THE BORROWERS.

AND FURTHER LET IT HEREBY BE RESOLVED THAT THE HYDE COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZE THE COUNTY MANAGER TO ENTER INTO THE FINANCING ALTERNATIVE, CLOSE THE LOAN, RECEIVE THE FUNDS, MAKE PAYMENT TO THE BORROWERS AND BEGIN RECEIVING PAYMENTS IN JUNE 2021.

Adopted this the 1ST DAY OF MARCH, 2021.          Attest:

_________________________________________  _________________________
Earl Pugh, Jr.                                   Lois Stotesberry
Hyde County Board of Commissioners Chair         Hyde County Clerk to the Board
Meeting Date: March 1, 2021
Presenter: Manager Noble
Attachment: Yes - Resolution

ITEM TITLE: Resolution to Borrow from Tideland EMC - Hydeland Drainage Project

SUMMARY: A group of landowners have asked for lending assistance from Hyde County in order to finance a drainage infrastructure project located where Hydeland Canal bisects Hydeland Road in Swan Quarter, N.C.

The group has requested Hyde County to lend $150,000 to the group of borrower’s providing personal guarantees, including Tony Carawan, JW Spencer, Ben Simmons, Reid Sadler, Ricky Swindell and Kenny Potter for 10 years at 0% interest.

The attached resolution will give Tideland EMC notice that Hyde County requests to borrow $150,000 from NC EMC and in turn lend those funds to the above-mentioned group of landowners to carry out the project located in Hydeland.

RECOMMEND: APPROVE ATTACHED RESOLUTION.
RESOLUTION FROM TIDELAND EMC - HYDELAND DRAINAGE PROJECT

WHEREAS, Hyde County supports the implementation of drainage infrastructure projects across the county; and

WHEREAS, Hyde County desires to seek ways to support drainage districts and landowners across the county with drainage infrastructure activities and projects; and

WHEREAS, Hyde County desires to borrow $150,000 from Tideland EMC for a drainage infrastructure improvement project entitled Hydeland for 10 years at 0% interest; and

WHEREAS, the Borrowers will use those funds to complete a drainage infrastructure project entitled Hydeland and located where the Hydeland Canal bisects Hydeland Road in Swan Quarter, N.C., in an effort to improve drainage for the farms, homes and other infrastructure located in the area; and

WHEREAS, it is the intent of the Hyde County Board of Commissioners to protect its citizens and property from the effects of flooding by drainage infrastructure projects; and

NOW, THEREFORE, BE IT RESOLVED THAT THE HYDE COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZE THE COUNTY MANAGER TO WORK WITH THE COUNTY ATTORNEY TO CREATE A CONTRACTUAL RELATIONSHIP BETWEEN THE COUNTY AND THE BORROWERS IN WHICH THE BORROWERS ARE OBLIGATED TO REPAY HYDE COUNTY ANY FUNDS WITH WHICH THE COUNTY ASSISTS THE BORROWERS.

AND FURTHER LET IT HEREBY BE RESOLVED THAT THE HYDE COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZE THE COUNTY MANAGER TO ENTER INTO THE FINANCING ALTERNATIVE, CLOSE THE LOAN, RECEIVE THE FUNDS, MAKE PAYMENT TO THE BORROWERS AND BEGIN RECEIVING PAYMENTS IN JUNE 2021.

Adopted this the 1ST DAY OF MARCH, 2021.

Attest:

_________________________________________  ____________________________________________
Earl Pugh, Jr.          Lois Stotesberry
Hyde County Board of Commissioners Chair     Hyde County Clerk to the Board
ITEM TITLE: Information Sharing Access Agreement with FEMA

SUMMARY:

This is a new development in the Community Rating System. They are longer able to share our repetitive loss properties with us. This agreement must now be in place with FEMA for us to receive our list of repetitive loss properties. We cannot have access to them unless we have this. FEMA will send them directly to us when this is approved by the Board and approved by those in the Homeland Security/Federal Emergency Management Agency and the Federal Insurance and Mitigation Administration.

RECOMMEND: APPROVE
INFORMATION SHARING ACCESS AGREEMENT (ISAA)

BETWEEN

THE DEPARTMENT OF HOMELAND SECURITY/ FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA) FEDERAL INSURANCE AND MITIGATION ADMINISTRATION (FIMA)

AND

COUNTY OF HYDE

1. INTRODUCTION AND PURPOSE. The U.S. Department of Homeland Security/Federal Emergency Management Agency, Federal Insurance and Mitigation Administration (DHS/FEMA/FIMA) and County of Hyde voluntarily enter into this Information Sharing Access Agreement (ISAA). The purpose of the ISAA is to enable FEMA to share personally identifiable information (PII) that is protected by the Privacy Act of 1974 (Privacy Act), as amended, 5 U.S.C. § 552a, with the COUNTY OF HYDE to review National Flood Insurance Program (NFIP) policy and/or claims information for the Community Rating System Recertification and Review.

2. AUTHORITIES. This ISAA is authorized by:


3. BACKGROUND

a. FEMA collects, maintains, uses, and disseminates personally identifiable information (PII) from NFIP policyholders. NFIP policyholder PII is protected by the Privacy Act and shared pursuant to the NFIP Files SORN.

b. As authorized by the routine use provision of the Privacy Act, 5 U.S.C. § 552a(b)(3), FEMA may disclose policyholder PII to federal, state, local, and tribal government agencies to enable them to receive only the NFIP policy and claims information necessary to satisfy a specific routine use as valid and eligible under the NFIP Files SORN.

c. This ISAA encompasses NFIP Files SORN Routine Uses (I), (L), (M), (N), (O), (R), and (T) only.
d. This ISAA encompasses NFIP Files SORN Routine Use (G) for floodplain management enforcement only. Any other routine use (G) that involves investigating or prosecuting a violation or enforcing or implementing a law, rule, regulation, or order requires a separate ISAA that must be reviewed and cleared by the FEMA Privacy Office.

e. The COUNTY OF HYDE certifies that it will review NFIP policy and claims information for properties within its jurisdiction to review repetitive loss structures and to submit AW-501’s to FEMA.

4. DEFINITIONS.

As used in this Agreement, the following terms will have the following meanings:

a. COMPUTER MATCHING: Any computerized comparison of two or more automated systems of records, or a system of records with non-federal records, for the purpose of establishing or verifying eligibility or compliance as it relates to cash or in-kind assistance or payments under federal benefit programs. See 5 U.S.C. § 552a (a) (8). Pursuant to 5 U.S.C. § 552a (o), any record contained in a system of records may only be disclosed to a recipient agency or non-federal agency for use in a computer matching program pursuant to a Computer Matching DHS/FEMA ISAA Page 3 of 14 Updated August 07, 2019 Agreement (CMA) between the source agency and the recipient agency or nonfederal agency.


c. PERSONALLY IDENTIFIABLE INFORMATION (PII): Any information that permits the identity of an individual to be directly or indirectly inferred, including other information that is linked or linkable to an individual. For example, when linked or linkable to an individual, such information includes an address, name, social security number, date and place of birth, mother’s maiden name, account number, license number, vehicle identifier number, license plate number, device identifier or serial number, internet protocol address, biometric identifier (e.g., photograph, fingerprint, iris scan, voice print), educational information, financial information, medical information, criminal or employment information, and information created specifically to identify or authenticate an individual (e.g., a random generated number). PII constitutes “Controlled Unclassified Information.”

d. PRIVACY INCIDENT. The loss of control, compromise, unauthorized disclosure, unauthorized acquisition, or any similar occurrence where (1) a person other than the authorized user accesses or potentially accesses PII or (2) an authorized user accesses or potentially accesses PII for an unauthorized purpose. The term encompasses both suspected and confirmed incidents involving PII, whether intentional or inadvertent, which raises a reasonable risk of harm.
e. SYSTEM SECURITY PLAN. Formal document that provides an overview of the security requirements for the information system and describes the security controls in place or planned for meeting those requirements. For instance, technical controls typically include Access Control (IA), Audit and Accountability (AU), Identification and Authentication (IA), and System and Communications (SC).

5. RESPONSIBILITIES.

a. FEMA’s responsibilities under this ISAA are as follows:

   i. Share with the COUNTY OF HYDE the NFIP policyholder data found in Appendix A of this agreement.

   ii. Transmit the NFIP policyholder data and related information listed in Appendix A to the COUNTY OF HYDE in password protected format via encrypted email. DHS/FEMA ISAA Page 4 of 14 Updated August 07, 2019

   iii. Ensure that NFIP policyholder data is accurate, complete, and up-to-date as reasonably necessary.

   iv. FEMA shall not take any adverse action or limit any of its Federal benefits as a result of this sharing of information.

b. The COUNTY OF HYDE’s responsibilities under this ISAA is as follows:

   i. Use and maintain the NFIP policyholder PII under this ISAA only to review NFIP policy and claims information for properties within its jurisdiction. The NFIP policyholder PII provided by FEMA under this ISAA may not be used for any other purpose.

   ii. Instruct all individuals with access to NFIP policyholder PII regarding the confidential nature of the information, the safeguard requirements of this Agreement, and the criminal penalties and civil remedies specified in federal and state laws against unauthorized disclosure of NFIP policyholder PII covered by this Agreement.

   iii. Employ appropriate administrative, technical, and/or physical safeguards to secure any and all NFIP policyholder PII shared under the provisions of this ISAA, whether in physical or electronic form, and store PII only in places and in a manner, that are safe from access by unauthorized persons or for unauthorized use.

   iv. Limit access to NFIP policyholder PII provided by FEMA under this ISAA only to the authorized [COUNTY OF HYDE] personnel to review NFIP policy and claims information for properties within its jurisdiction on behalf of COUNTY OF HYDE. This includes all entities and individuals listed in paragraphs 6 and 7.

   v. The COUNTY OF HYDE will not further disclose NFIP policyholder PII provided by FEMA to outside third parties without the express consent of FEMA or the NFIP
policyholder(s) to whom the PII pertains including, as applicable, requests by third parties under state open access and freedom of information laws.

vi. The COUNTY OF HYDE shall ensure no computer matching will occur for the purpose of establishing or verifying eligibility or compliance as it relates to cash or in-kind assistance or payments under federal benefit programs unless a separate CMA is in place.

vii. The COUNTY OF HYDE will, in a timely manner, take appropriate action with regard to any request made by FEMA for access, additions, changes, deletions, or corrections of PII. In addition, the County of Hyde will, in a timely manner, notify FEMA of any data errors that it discovers.

viii. The COUNTY OF HYDE will destroy information provided by FEMA when no longer needed by COUNTY OF HYDE to meet unmet needs, acquiring property, preventing duplication of benefits, or other business need as identified within this agreement.

ix. Pursuant to Routine Use N, provide FEMA with names, addresses of policyholders within their jurisdictions, and a brief general description of their plan for acquiring and relocating their flood prone properties for the purpose of ensuring that communities engage in floodplain management, improved real property acquisitions, and relocation projects that are consistent with the NFIP.

6. CONSENT TO THIRD PARTY ACCESS TO NFIP POLICYHOLDER PII:

CONSENT TO THIRD PARTY ACCESS TO NFIP POLICYHOLDER PII:

At this time, COUNTY OF HYDE has not indicated intent to share NFIP policyholder PII with third party contractors.

7. POINTS OF CONTACT.

a. The FEMA points of contact are as follows:

   Monique Crewes Acting Chief
   Insurance Analytics and Policy
   FIMA 202-655-8573
   Monique.Crewes@fema.dhs.gov

   Scott McAfee GIS Analyst
   FIMA 202-236-3255
   Scott.Mcafee@fema.dhs.gov
b. The COUNTY OF HYDE points of contact is as follows:

Gilbert Rumley Everett III
P. O. Box 95
Swan Quarter, N.C. 27885
252-542-0714
reverett@hydecowntync.gov

Jane Hodges
P. O. Box 95
Swan Quarter, N.C. 27885
252-926-4372
jhodges@hydecowntync.gov

8. SEVERABILITY.

Nothing in this ISAA is intended to conflict with current law, regulation, or FEMA directives. If a term of this ISAA is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this ISAA shall remain in full force and effect.

9. NO PRIVATE RIGHT.

This ISAA is an internal agreement between FEMA and the COUNTY OF HYDE. It does not create nor confer any right or benefit that is substantive or procedural, enforceable by any third party against the Parties, the United States, or other officers, employees, agents, or associated personnel thereof. Nothing in this ISAA is intended to restrict the authority of either party to act as provided by law, statute, or regulation, or to restrict any party from administering or enforcing any laws within its authority or jurisdiction. Accordingly, the terms of this Agreement do not constitute or imply the grant, by the United States of America, of any other consent, accord, satisfaction, advice, or waiver of its rights, power or authority.

10. FUNDING.
This ISAA is not an obligation or commitment of funds, nor a basis for transfer of funds. Each party shall bear its own costs in relation to this ISAA. Expenditures by each party will be subject to its budgetary processes and to availability of funds pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that this in no way implies that Congress will appropriate funds for such expenditures.

11. ISSUE RESOLUTION.

FEMA and the COUNTY OF HYDE understand that during the course of this ISAA, they may have to resolve issues such as: scope, interpretation of provisions, unanticipated technical matters, and other proposed modifications. Both parties agree to appoint their respective points of contact to work in good faith towards resolution of such issues.

12. USE OF CONTRACTOR WITH ACCESS TO NFIP POLICYHOLDER PII.

When the COUNTY OF HYDE utilizes a contractor in connection with its performance of its obligations under the ISAA and the COUNTY OF HYDE provides such contractor with access to NFIP policyholder PII, the COUNTY OF HYDE shall provide FEMA with prompt notice of the identity of such contractor and the extent of the role that such contractor will play in connection with the purpose of this ISAA. Moreover, all such contractors given access to any NFIP policyholder PII must agree to:

(a) abide by the conditions set forth herein, including, without limitation, its provisions relating to compliance with minimum standards for the protection of NFIP policyholder PII and Notice of Security and/or Privacy Incident;

(b) restrict use of NFIP policyholder PII only to the performance of services to COUNTY OF HYDE in connection with COUNTY OF HYDE performance of its obligations under the ISAA, and

(c) Certify in writing, upon completion of the performance of services by a contractor, that the contractor has immediately un-installed, removed, and/or destroyed all copies of NFIP policyholder PII within 30 days of the contractor’s performance of services to the COUNTY OF HYDE.

13. RETURN OR DESTRUCTION OF NFIP POLICYHOLDER PII.

If at any time during the term of the ISAA any part of NFIP policyholder PII, in any form, that the COUNTY OF HYDE obtains from FEMA ceases to be required by the COUNTY OF HYDE for the performance of the purpose under the ISAA, or upon termination of the ISAA, whichever occurs first, COUNTY OF HYDE shall, within fourteen (14) days thereafter, promptly notify FEMA and securely return the NFIP policyholder PII to FEMA, or, at FEMA’s written request destroy, un-install and/or remove all copies of such NFIP policyholder PII in the COUNTY OF HYDE’s possession or control, and certify to FEMA that such tasks have been completed.
14. ENTIRE AGREEMENT.

This ISAA constitutes the entire agreement between the parties with regard to information sharing.

15. MODIFICATION.

This ISAA may be modified upon the mutual written consent of the parties.

16. COUNTERPARTS.

This ISAA, when executed in any number of counterparts and by different parties on separate counterparts, each of which counterparts when so executed and delivered shall be deemed to be an original, and all of which counterparts taken together shall constitute but one and the same Agreement.

17. EFFECTIVE DATE, DURATION AND TERMINATION.

This ISAA will become effective upon the signature of both parties and will remain in effect for three years. However, FEMA will only provide the information identified in Appendix A for the disaster period of assistance. Either party may terminate this agreement upon written notice to the other party.

18. NOTICE OF PRIVACY INCIDENT.

If the COUNTY OF HYDE, or its contractors, suspect, discover or are notified of a suspected or confirmed privacy incident relating to NFIP policyholder PII, the COUNTY OF HYDE shall immediately, but in no event later than twenty-four (24) hours from suspicion, discovery or notification of the suspected or confirmed privacy incident, notify the FEMA Privacy Officer at (202) 212-5100 or FEMA-Privacy@fema.dhs.gov.

19. PRIVACY INCIDENT HANDLING.

In the event of a privacy incident emanating from this ISAA, FEMA will investigate the incident pursuant to DHS standard procedures and will consult COUNTY OF HYDE to diagnose, mitigate and manage the privacy incident. The COUNTY OF HYDE will be responsible for carrying out all necessary measures to remedy the effects of the privacy incident.

20. REPORTING.

This ISAA covers several routine uses outlined in Paragraph 3 (d) and (e). Each time a record is requested under this ISAA, COUNTY OF HYDE will indicate the specific purpose and use of the record and the specific routine use under which the record is being requested. FEMA will keep a record of the date, nature, and purpose of each disclosure of a record under this ISAA. The Parties will coordinate to prepare a report/audit summarizing compliance with the privacy, redress, and security requirements set forth in this Agreement.
21. INDEMNIFICATION.

The COUNTY OF HYDE shall bear all costs, losses and damages to the extent resulting from COUNTY OF HYDE breach of the ISAA. COUNTY OF HYDE agrees to release, defend, indemnify, and hold harmless FEMA for claims, losses, penalties and damages and reasonable attorneys’ fees and costs to the extent arising out of COUNTY OF HYDE’s, or its contractor’s, negligence, unauthorized use or disclosure of NFIP policyholder PII and/or COUNTY OF HYDE’s, or its contractor’s, breach of its obligations under the ISAA. COUNTY OF HYDE shall inform all of its principals, officers, employees, agents and contractors assigned to handling NFIP policyholder PII under the ISAA of the obligations contained in the ISAA.

22. PENALTIES.

The COUNTY OF HYDE understands that if it or one of its employee/agents willfully discloses any such PII to a third party not authorized to receive it; FEMA will revoke the COUNTY OF HYDE’s access to NFIP policyholder PII.

APPROVED BY:

FEDERAL EMERGENCY MANAGEMENT AGENCY ________________________________

Cynthia Spishak

Federal Insurance Directorate Deputy Assistant Administrator DHS/FEMA/Resilience/FIMA

County of Hyde ________________________________

Earl Pugh Jr.

Chairman, Hyde County Board of Commissioners

Appendix A – NFIP Data Description The following lists the NFIP policyholder PII data elements that may be shared by FEMA with the COUNTY OF HYDE. The COUNTY OF HYDE will only receive the PII data, or data when combined with other data could lead to PII, necessary to meet the routine use:

♣ Property Address
♣ Date of Loss
♣ Building Characteristics
♣ Coverages (building, contents)
♣ Premium and fees
♣ Claims amount paid (building, contents, ICC)
Non-PII data elements as necessary, requested, and available

NFIP System of Records Notices (SORNs) Routine Uses

A. To the Department of Justice (DOJ), including Offices of the U.S. Attorneys, or other federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body, when it is relevant or necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:

1. DHS or any component thereof;

2. Any employee or former employee of DHS in his/her official capacity;

3. Any employee or former employee of DHS in his/her individual capacity when DOJ or DHS has agreed to represent the employee; or

4. The U.S. or any agency thereof. B To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual to whom the record pertains.

B. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual to whom the record pertains.

C. To the National Archives and Records Administration (NARA) or General Services Administration pursuant to records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

D. To an agency or organization for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

E. To appropriate agencies, entities, and persons when:

1. DHS suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised;

2. DHS has determined that as a result of the suspected or confirmed compromise, there is a risk of identity theft or fraud, harm to economic or property interests, harm to an individual, or harm to the security or integrity of this system or other systems or programs (whether maintained by DHS or another agency or entity) that rely upon the compromised information; and

3. The disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with DHS's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.
F. To contractors and their agents, grantees, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or assignment for DHS, when necessary to accomplish an agency function related to this system of records. Any individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to DHS officers and employees.

G. To an appropriate federal, state, tribal, local, international, or foreign law enforcement agency or other appropriate authority charged with investigating or prosecuting a violation or enforcing or implementing a law, rule, regulation, or order, when a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law, which includes criminal, civil, or regulatory violations and such disclosure is proper and consistent with the official duties of the person making the disclosure.

H. To Write Your Own insurance companies as authorized under 44 CFR 62.23 to administer flood insurance in partnership with FEMA.

I. To federal, state, local, and tribal government agencies, insurance companies, and established voluntary organizations in order to determine eligibility for benefits, verify non-duplication of benefits following a flooding event or another disaster, and provide needs unmet by NFIP claims payouts within their jurisdictions and service areas.

J. To state government agencies in order to provide GFIP certificates for carrying out the purposes of the NFIP within its jurisdiction.

K. To property loss reporting bureaus, state insurance departments, and insurance companies to investigate fraud or potential fraud in connection with claims, subject to the approval of the DHS Office of the Inspector General.

L. To state, local, and tribal government agencies to ascertain the degree of financial burdens they expect to assume in the event of a flooding disaster within its jurisdiction.

M. To state, local, and tribal government agencies to further NFIP outreach and education activities within their jurisdiction.

N. To state, local, and tribal government agencies that provide names, addresses of policyholders within their jurisdictions, and a brief general description of their plan for acquiring and relocating their flood prone properties for the purpose of ensuring that communities engage in floodplain management, improved real property acquisitions, and relocation projects that are consistent with the NFIP. This is contingent upon the Federal Insurance Mitigation Administration determining that the use furthers the flood plain management and hazard mitigation goals of the agency.

O. To the Army Corps of Engineers and federal, state, local, and tribal government agencies to review NFIP policy and claims information for properties within its jurisdiction in order to assist in hazard mitigation and floodplain management activities, and in monitoring compliance with the floodplain management measures adopted by the community.
P. To lending institutions and mortgage servicing companies for purposes of assisting with lender compliance.

Q. To current owners of properties for the purpose of providing the dates and dollar amounts of past loss payments made to the said property.

R. To federal, state, local, and tribal government agencies to conduct research, analysis, and feasibility studies of policies and claims within its jurisdiction.

S. To financial institutions for purposes of providing referral or cooperative reimbursement payments to insurance agents to share marketing and advertising costs between NFIP and entities participating in the NFIP.

T. To community officials and representatives to provide repetitive loss records of properties within that community.

U. To OMB in for purposes related to the review of private relief legislation in accordance with OMB Circular No. A-19.

V. To private reinsurers, private capital firms, and financial institutions for the purposes of preparing NFIP assumption of risk proposals.

W. To the news media and the public, with the approval of the Chief Privacy Officer in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information, when disclosure is necessary to demonstrate the accountability of DHS's officers, employees, or individuals covered by the system, except to the extent the Chief Privacy Officer determines that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy. https://www.gpo.gov/fdsys/pkg/FR-2014-05-19/html/2014-11386.htm approved.
Hyde County Board of Commissioners
 AGENDA ITEM SUMMARY SHEET

Meeting Date: March 1st 2021
Presenter: Daniel Brinn
Attachment: Yes

ITEM TITLE: Amendment No. 2, MOA between the County of Hyde and the North Carolina Coastal Federation

SUMMARY: This amendment would work in conjunction with current efforts by the NCCF in administering the Clean Water Management Trust Fund Grant currently being utilized to do engineering and modeling work related to the Mattamuskeet Watershed Restoration Plan. The amendment allows for the use of $44,400.00 from an OSBM Grant (200-A) to do additional engineering work that was not included in the original RFQ awarded to CPE/Geosyntec.

RECOMMEND: Approve
February 23, 2021

Amendment No. 2

AMENDMENT TO MEMORANDUM OF AGREEMENT

BETWEEN

County of Hyde, North Carolina

AND

North Carolina Coastal Federation, Inc.

The North Carolina Coastal Federation and Hyde County mutually agree to the following changes to the Memorandum of Agreement signed 2 March 2020 and amended on 12 May 2020:

Hyde County has received an additional $44,400 from a grant agreement with the State of North Carolina (Agreement No: 200-A) for various disaster recovery projects as authorized by the State’s Session Law 2019-250 that enacted House Bill 200. The additional OSBM funds are added to the total payment amount to the North Carolina Coastal Federation (amended total $203,304) and will be added to the Professional Services budget line item to pay the contracted engineering firm (amended total $164,400) to expand the scope of services of the contracted engineering firm for the project titled “Engineering Active Water Management within the Lake Mattamuskeet Watershed.” A document of additional services provided by the engineering firm is attached to this amendment.

It is the intent of this amendment to address the provisions noted only and in no way should this amendment be construed to further modify this agreement. All other terms and conditions remain the same. Please indicate acceptance by your signature below

County of Hyde

_____________________________  __________  ______________________________  __________
Earl Pugh, Jr., Chairman  Date  Todd Miller, Executive Director  Date
Hyde County Board of Commissioners  Executive Director
February 2, 2021

Mr. Michael Flynn, CFM  
North Carolina Coastal Federation  
637 Harbor Road  
P.O. Box 276  
Wanchese, North Carolina 27981

Subject: Proposal for Additional Engineering Consulting Services  
Engineering Active Water Management – Lake Mattamuskeet Watershed  
Office of State Budget and Management Requests

Dear Mr. Flynn:

Geosyntec Consultants of NC, P.C. (Geosyntec) is pleased to offer this letter proposal for additional engineering consulting services for the Engineering Active Water Management Project in the Lake Mattamuskeet Watershed. This proposal has been prepared in response to Geosyntec’s correspondence with North Carolina Coastal Federation (NCCF) on 13 January 2021 and 28 January 2021, where it was requested that Geosyntec prepare a proposal to outline the requested budget for past out-of-scope services as well as future additional services that may be valuable to NCCF and Hyde County. This letter focuses on past out-of-scope services and future additional services that are intended to be requested from the Office of State Budget and Management (OSBM) funds awarded to Hyde County for the design and construction of a pump and other watershed restoration projects in Lake Mattamuskeet.

The first section of this letter details the status of each project task and provides context for the proposed additional services. The second section describes the scope and costs for the change order tasks. These additional services are intended to provide NCCF, Hyde County, and other stakeholders the ability to accommodate additional engineering alternatives as they present themselves, engage project team members for more detailed input on key decisions, appropriately adapt the engineering approach to address the required large volumes of water management, and provide additional cost estimates during the design process to optimize decision-making.
OVERALL PROJECT TASK STATUS

Geosyntec, along with our teaming partner Coastal Protection Engineering of North Carolina, Inc. (CPE), is currently under contract to provide hydrologic and hydraulic (H&H) modeling and engineering design services for active water management strategies in the Lake Mattamuskeet watershed. The project status of the engineering services as of January 2021 is outlined on a task-by-task basis below. Tasks are based on the existing contract authorized in the June 5, 2020 executed bid, and any effort that has been conducted beyond the scope of the initial contract is also described:

- **Task 1** - Calibration of the watershed-scale H&H model, simulation of design storms under existing and future sea level rise scenarios, and initial simulation of three engineering alternatives have been completed. Remaining work for this task includes the simulation of 2 additional engineering alternatives, transmittal of the report deliverable, and preparation of the proposed service district boundary. Additional effort completed for this Task that was beyond the scope of the initial contract includes:
  - Pump sizing and analysis of all six (6) sheet flow sites as one engineered alternative, as proposed by Geosyntec and confirmed by NCCF;
  - Additional coordination effort among NCCF, Geosyntec, and CPE regarding assumptions in the watershed-scale model needed to properly evaluate the design storms;
  - Sub-delineation of the watershed as requested by NCCF.

- **Task 2** - Wetland siting and capacity analysis has been completed for a total of six sites, including the four (4) sites within or adjacent to the Lake Mattamuskeet watershed previously identified in the Watershed Restoration Plan and two (2) additional sites. Storage capacity requirements for each design storm to achieve different lake water levels have also been calculated. Remaining work for this task includes transmittal of the analysis as an appendix to the H&H report. It is noted the initial contract specified evaluation of a total of five (5) sites. Six (6) sites were ultimately selected and analyzed in consultation with NCCF.

- **Task 3** - Initial engineering services for the Project Engineering Design task have commenced. This includes discussion of feasibility and preliminary pump sizing for potential alternatives but does not include any detailed conceptual design; detailed conceptual design will not commence until an alternative has been selected. Upon commencement of the H&H modeling, we learned that the estimated required volumes for water management were higher than anticipated and large enough to likely require more complex engineering approaches. If the alternative that is ultimately selected is a large pumping operation, the large required pumping rate may introduce additional
challenges to the design effort. Hence, additional budget may be required to evaluate related design considerations such as water intaking and returning infrastructure, operating infrastructure, electrical infrastructure, controls and monitoring, etc. Additional budget may also be required if the selected alternative includes multiple sheet flow sites; the basis of the estimate for the base scope was for one sheet flow site. Furthermore, the current scope includes an Engineer’s Opinion of Probable Cost for the selected engineered alternative. Geosyntec understands that that some cost analyses may be requested prior to selection of the engineered alternative; this additional round of preliminary costing of several candidate alternatives would also require additional effort beyond what was in our original scope. Geosyntec has outlined an estimated budget for providing conceptual costs for other potential alternatives.

- Task 4 - Consultation and oversight for East Carolina University student projects (Task 4) has not yet commenced.

SCOPES AND COSTS OF CHANGE ORDER TASKS

Additional budget has been requested in a separate letter from the remaining Clean Water Management Trust Fund grant awarded to the project for three tasks that have already been completed: Additional Site for Wetland Siting and Storage Capacity Analysis (Task 5), Additional Coordination Effort for Design Storm Simulations (Task 6), and Sub-delineation of the Watershed (Task 7). Budget for Tasks 5, 6, and 7 is not being requested from OSBM funds, because those tasks are associated with model calibration and conceptual evaluation of potential wetland sites and are not directly related to engineering design of potential alternatives.

The scopes and fees outlined below represent the requested budget for one out-of-scope task that has been previously completed, as well as the estimated budget for potential services that may be authorized in the future. These tasks are associated with the engineering design of potential alternatives. This includes one task that has already been completed: Pump Sizing for All Sheet Flow Sites as One Engineered Alternative (Task 8). Three additional tasks for future scope that may be requested by and be beneficial to NCCF and Hyde County are also outlined, including Additional Alternative Simulations (Task 9), Additional Engineering Design Services - Large Pumping Operation or Multiple Sheet Flow Sites (Task 10), and Additional Engineering Design Services – Conceptual Cost Analyses on a Per Alternative Basis (Task 11).
Task 8. Pump Sizing for All Sheet Flow Sites as One Engineered Alternative

The initial scope indicated that the potential sheet flow site with the “highest beneficial use” would be selected to serve as a design alternative and advance to simulation in the comprehensive H&H model. After initial evaluation of the volumes needed to mitigate storm events and manage lake water levels, it was decided to instead simulate all six sheet flow sites in the comprehensive H&H model to evaluate the maximum benefit that could be observed if all sheet flow sites were used. This required additional effort for the development of conceptual pumping rates and evaluation of discharge capacity for all six sites. Geosyntec proposed this approach initially and received agreement from NCCF. We commenced the additional work anticipating that it could be accommodated in our budget, but found that the design considerations to properly evaluate a pumping rate for each site, including evaluation of outlet locations, preliminary sizing of multiple weir structures, and evaluating feasible pump placement and pipe alignments, exceeded that of the initial scope.

The additional budget requested for Task 8 is $4,400.

Task 9. Additional Alternative Simulations

We understand that NCCF has tentatively authorized additional funding from contingency funds to cover some of the unanticipated costs associated with additional coordination effort for design storm simulation (Task 6) and sub-delineation of watershed (Task 7). The additional coordination effort for design storm simulations included additional coordination effort with project team members and NCCF to select and develop various input parameters for the model, including starting water level, soundside storm surge assumptions, sea level rise assumptions, and post-storm evaporation assumptions. The details of these assumptions were not defined in the initial scope of work or executed bid. Furthermore, the original scope called for the calibration and simulation of events, but as we coordinated with the stakeholders, it was clear that a simulation of the period before and after the storm was necessary. The development of boundary conditions for essentially a 2-month period for the calibration of the model and 1-month period for design storm simulations required considerably more effort than initially anticipated for the modeling of a single storm over the course of several days.

Given the progress of the project to date, the gained understanding of stakeholders’ positions, and information needed to make informed decisions moving forward, CPE proposes the following changes to the original Scope of Work:
The initial Scope of Work called for the evaluation of up to 5 engineering alternatives to improve water management within the Lake Mattamuskeet watershed. The scope did not expressly define how these alternatives would be evaluated. CPE proposes to evaluate each engineering alternative in a screening model run by simulating the 10-year design storm for each alternative. The simulation period includes a 5-day runup period, followed by a 2-day storm, followed by a 28-day period of drainage. Once the screening simulation is completed, CPE will provide the following evaluation metrics: 1) the peak water level measured in the East and West Basin during the simulation; 2) the number of days pumps the pumps were turned on if the alternative includes pumping; 3) the number of days for the lake levels to return to the baseline elevation or the final water level at the end of the simulation if that level is higher than the baseline elevation (both East and West Basin); 4) water level curves showing the water level of the no-action alternative and each engineering alternative graphed over the time of the simulation; 5) change plot maps showing a comparison of water levels throughout the watershed comparing the no action alternative and the engineered alternative. These evaluation metrics will be used by the Geosyntec team to formulate final conclusions and recommendations.

To date, the following screening model simulations have been run:

1. Pumping water to the Mattamuskeet Association at a rate of 350,000 GPM from the East Basin with the assumption that pumps are started at the time the peak water level is reached;
2. Pumping water to the Mattamuskeet Association at a rate of 350,000 GPM from the East Basin with the assumption that pumps are started at the beginning of the simulation (5 days before the storm);
3. Pumping water to the Intracoastal Waterway at a rate of 700,000 GPM from the West Basin with the assumption that pumps are started at the time the peak water level is reached;
4. Pumping water to the Intracoastal Waterway at a rate of 700,000 GPM from the West Basin with the assumption that pumps are started at the beginning of the simulation (5 days before the storm); and
5. Pumping water to various sheet flow sites at variable rates using six (6) different pumps. The simulation assumes that pumps are turned on starting five days prior to the storm and are operated cyclically on a 24 hour on – 72 hour off cycle throughout the simulation.

CPE will provide the five (5) evaluation metrics previously discussed for each of the simulated alternatives. Furthermore, CPE proposes to provide the same evaluation metrics for the following additional engineering alternatives in a screening model run:
6. Simulating how the lake would drain under gravity flow through the four outfall canals assuming the canals are dredged to the original design depth and width. The simulation will assume the same functionality of the gates as is currently included in the no action alternative.

7. Simulating how the lake would drain under gravity flow through the four outfall canals assuming no gates (representing maximum gate efficiency); whereby water only flows out of the lake when water levels in the lake are higher than in the canals. In this alternative, no dredging of the canal is assumed.

8. Simulating how the lake would drain under gravity flow through the four outfall canals dredged to the original design depth and width and with no gates. This is a combination of Alternatives 6 and 7.

9. Simulating how the lake would drain under gravity flow through a newly created or enhanced canal running from the East Basin to the Mattamuskeet Association. The simulation would assume water levels in the Mattamuskeet Association remained at a constant -3.0 NAVD88, which is the target water level for the Association.

10. Geosyntec will estimate the pumping capacity that could be achieved for a specified annual operating budget based on the power needed to operate the pumps and assumed maintenance costs. This simulation will evaluate lake water levels using the optimal pumping capacity based on the annual operating budget.

Upon completion of these alternatives, CPE will complete detailed model runs for the most preferred two alternatives, including the following simulations:

- Simulate the 2, 10, 50, and 100-year storms as well as Hurricanes Joaquin and Matthew under existing sea levels. For each simulation, CPE will provide information on the same five evaluation metrics previously discussed.
- Simulate the 2, 10, 50, and 100-year storms as well as Hurricanes Joaquin and Matthew under expected sea levels for 2100. For each simulation, CPE will provide information on the same five evaluation metrics previously discussed.

In order to provide the stakeholders additional information on water level differentials between the sound and the lake levels, CPE will generate plots comparing the lake water levels over recent representative periods, to identify times in which water levels were higher in the lake than in the sound.

The additional budget requested for Task 9 is $16,000.
Task 10. Additional Engineering Design Services – Large Pumping Operation or Multiple Sheet Flow Sites

After evaluation of storage and pumping capacity needs during Task 2, it became apparent that moving extremely large volumes of water may be required to achieve the goals of the project. If a large pumping operation is selected as the engineered alternative to progress to permit-level plans (such as proposed for Alternative #1 to pump northwest to the Intracoastal Waterway), it is anticipated that additional budget will be needed to provide a conceptual design for the large pump(s) and associated infrastructure. Additional considerations for a large pumping operation include pipe infrastructure, water intaking and returning infrastructure, operating infrastructure, electrical infrastructure, controls and monitoring infrastructure, etc. The executed bid indicated “schematic details of the major components” of the design would be provided for the permit-level plans. It is anticipated that should this alternative be pursued, multiple schematic detail sheets would be required, which exceeds the estimated effort from the executed bid. Similarly, if the use of multiple sites for sheet flow application is pursued, site plan sheets and detail sheets may be required for each site.

While the exact scope of additional engineering design services is not yet known, a contingency budget of $15,000 is estimated for Task 10. The requested budget for this scope would only be expended as needed and is presented for planning purposes. This additional budget may also not be needed if an alternative is selected that does not include a large pumping operation.

It is also noted that other options for accommodating some of this requested budget may entail removing or reducing the scope of the ecological impact analysis or reducing the scope of consultation and oversight for the East Carolina University student projects.

Task 11. Additional Engineering Design Services – Additional Conceptual Cost Analyses

At the recent January 21st Stakeholder Meeting, there was discussion that costs of the proposed alternatives should be evaluated prior to selection of the proposed alternative. This early round of cost estimation would exceed the cost estimation scope assumed in our original proposal. Since the alternatives require some conceptual engineering design for simulation in the comprehensive H&H model (e.g., evaluating required pumping capacity), conceptual cost analyses may be developed for other alternatives if requested. It is noted the conceptual cost analysis would consider only the factors that were developed to model the alternative in the comprehensive H&H model and would not be as comprehensive as the itemized Engineer’s Opinion of Probable Cost that will be provided for the selected alternative.
Task 11 is budgeted to be completed on a lump sum basis for three alternatives for $9,000. Conceptual cost analyses for more or less alternatives can be accommodated with a revised budget upon request.

**TERMS AND CONDITIONS**

Geosyntec proposes to provide the services discussed herein in accordance with the executed contract between Geosyntec and NCCF dated June 30, 2020. We will invoice on a monthly, percent complete basis for the additional authorized budget. Our estimated budget for performing these services includes the labor and materials believed necessary to complete the work scope described in the proposal.

**CLOSURE**

Geosyntec has prepared this letter proposal to present an overview of the additional engineering consulting services that have either already been performed by the Geosyntec/CPE team or may be requested by NCCF and Hyde County in the future.

Uncertainty as a result of the COVID-19 pandemic is impacting operations in every aspect of our economy. In this proposal we have presented Geosyntec’s anticipated budget and schedule for the scope of work described. As circumstances change, we may need to adjust how and when the scope is delivered as well as any other impacts to the budget and schedule. In the event that a change is required, we will discuss the situation with you so we can reach a mutually acceptable solution.

We look forward to continuing working with you. Please feel free to contact us with questions or comments.
Sincerely,

Alessandra Braswell, Ph.D., P.E. (NC)
Project Engineer

Peter J. de Haven, P.E. (GA, NC)
Senior Principal/President

Copies to:  Wade Burcham, P.E. – Geosyntec
            Ken Willson – CPE
Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: March 1, 2021
Presenter: County Manager Kris Noble
Attachment: Yes

ITEM TITLE: BUDGET MATTERS
SUMMARY: Departmental budget revisions and amendments will be presented by department managers for Board discussion and approval.

Health Department
- 10.5900.4516 $700
- 10.5900.4503 $700

Sheriff’s Department
- 10.5200.4701 $20,000
- 10.5100.7400 $20,000

Cooperative Extension
- 10.6040.0500 $1377.00
- 10.6050.0694 $1377.00

RECOMMEND: Discussion and approve budget revisions and amendments.
## HYDE COUNTY BOARD OF COMMISSIONERS 2019/2020 BUDGET REVISIONS

### MEETING DATE
3/1/2021

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**Total:** $700.00 $700.00

Transferring funds from Dental contract into Offsite Medical Storage, which is the Health Department shredding service as well as storage. Additional funds are needed to carry through to year end. Budget is NOT increased.

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REQUESTED [Signature] DATE 3/1/2021

APPROVED... CO MANAGER CO COMMISSIONER-CHAIR CLERK TO BOARD
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DATE
02/18/2021

REQUESTED ________________ DATE __________

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(Handwritten notes):
- More JCPC Grant Salary & EICA
- Funds to Extension
- Send in Benefits
- JCPC Coordinator
Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: March 1, 2021
Presenter: Chair, Vice-Chair, Commissioners, Manager
Attachment: No

ITEM TITLE: MANAGEMENT REPORTS

SUMMARY: This is a time for each Commissioner to give reports on their work representing the County.

Additionally, Commissioners may wish to bring up issues they wish to have followed up by the Board or by the County Manager.

The County Manager will give an oral update on various projects and other administrative matters.

RECOMMEND: Receive reports. Discussion and possible action as necessary.
Meeting Date: March 1, 2021  
Presenter: Citizens  
Attachment: No  

**ITEM TITLE:** PUBLIC COMMENTS  

**SUMMARY:** The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.  

**RECOMMEND:** Receive comments.
Supplemental Information
February 10, 2021

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:

APPEAL START

The Honorable Earl Pugh, Jr.
Chairman, Hyde County Board
of Commissioners
30 Oyster Creek Road
Swan Quarter, North Carolina 27885

Case No.: 11-04-0730S
Community: Hyde County,
North Carolina
(Unincorporated Areas)

Community No.: 370133

Dear Mr. Pugh:

On November 30, 2018, the Department of Homeland Security’s Federal Emergency Management Agency (FEMA) provided your community with preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Hyde County, North Carolina. FEMA has posted digital copies of these revised FIRM and FIS report materials to the following website: https://www.fema.gov/preliminaryfloodhazarddata. In addition, the North Carolina Floodplain Mapping Program (NCFMP) has also posted digital copies of these revised FIRM and FIS report materials to the following website: Flood Risk Information System (FRIS), which can be found at http://fris.nc.gov/fris/. The revised preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the Unincorporated Areas of Hyde County, North Carolina. The proposed flood hazard information may include the addition or modification of Special Flood Hazard Areas (SFHAs), the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the Federal Register and will publish a public notification concerning the appeal process (explained below) in the Washington Daily News on or about February 17, 2021 and February 24, 2021. We will also publish a separate notice of the flood hazard determinations on the “Flood Hazard Determinations on the Web” portion of the FEMA website (www.fema.gov/plan/prevent/fhm/bfe). We have enclosed copies of the notice published in the Federal Register and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the revised preliminary FIRM and FIS report posted to the above-referenced website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons
prior to this office making the flood hazard determinations final. The appeal procedure is outlined below for your information and in the enclosed document titled *Criteria for Appeals of Flood Insurance Rate Maps*.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to the NCFMP during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period.

Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA and the NCFMP also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the revised FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA and the NCFMP will revise the FIRM and FIS report after the effective date. This means that the revised FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to the NCFMP at the address listed below:

Mr. Chris Koltyk, Assistant Director  
North Carolina Emergency Management  
Risk Management/NCFMP  
4218 Mail Service Center  
Raleigh, North Carolina 27699-4218

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the revised FIRM and in the revised FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal
only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the NFIP State Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed “Scientific Resolution Panels” fact sheet for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the revised FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with the NCFMP no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you revised preliminary copies of the revised FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the revised FIRM and FIS report and will establish an effective date.

If you are interested in discussing the NCFMP, please visit the program’s website at https://flood.nc.gov or contact Ms. Tonda Shelton, NCFMP Program Manager, at (919) 825-2345, or via e-mail at Tonda.Shelton@ncdps.gov.
Questions or concerns regarding the proposed flood hazard determinations or the revised FIRM panels and revised FIS report may be directed to the FEMA Mapping and Insurance eXchange toll free at (877) 336-2627 (877-FEMA MAP), or via e-mail at FEMA-FMIX@fema.dhs.gov.

Sincerely,

Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Chris Koltyk, Assistant Director
North Carolina Emergency Management
Risk Management/NCFMP

Enclosures:
Newspaper Notice
Proposed Flood Hazard Determinations Federal Register Notice
Criteria for Appeals of Flood Insurance Rate Maps
"Scientific Resolution Panels" Fact Sheet

cc: Community Map Repository
Mrs. Kris Noble, Manager and Acting Floodplain Administrator, Hyde County
Ms. Tonda Shelton, CFM, NCFMP Program Manager
Mr. Steve Garrett, CFM, NFIP State Coordinator, North Carolina Emergency Management, Risk Management Section
FEMA, Region IV
The Department of Homeland Security’s Federal Emergency Management Agency (FEMA) has issued a preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within Hyde County, North Carolina and Incorporated Areas. These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. Technical information or comments are solicited on the proposed flood hazard determinations shown on the preliminary FIRM and/or FIS report for Hyde County, North Carolina and Incorporated Areas. These flood hazard determinations are the basis for the floodplain management measures that your community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. However, before these determinations are effective for floodplain management purposes, you will be provided an opportunity to appeal the proposed information. For information on the statutory 90-day period provided for appeals, as well as a complete listing of the communities affected and the locations where copies of the FIRM are available for review, please visit FEMA’s website at www.fema.gov/plan/prevent/fhm/bfc, or call the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).
DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency

[FR Doc. 2020-00485 Filed 11-30-20; 6:45 am]
BILLING CODE 0110-12-P

PROPOSED FLOOD HAZARD DETERMINATIONS

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRM), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before March 1, 2021.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location https://www.fema.gov/preliminaryfloodhazarddata and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at https://msc.fema.gov for comparison.

You may submit comments, identified by Docket No. FEMA-B-2072, to Rick Sachbit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sachbit@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Rick Sachbit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sachbit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhms/fmix_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrf.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location https://www.fema.gov/preliminaryfloodhazarddata and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service.
Center at https://msc.fema.gov for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")


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<td>City of Cash</td>
<td>City Hall, 4391 Highway 18, Cash, AR 72421.</td>
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<td>City of Jonesboro</td>
<td>City Hall, 300 South Church Street, Jonesboro, AR 72401.</td>
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<td>City of Lake City</td>
<td>City Hall, 406 Court Street, Lake City, AR 72437.</td>
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<td>City of Monette</td>
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<td>Town of Egypt</td>
<td>Town Hall, 11063 Highway 91, Egypt, AR 72427.</td>
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<td>Unincorporated Areas of Craighead County</td>
<td>Craighead County Annex, 511 Union, Room 115, Jonesboro, AR 72401.</td>
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[FR Doc. 2020–20481 Filed 11–30–20; 8:45 am]
BILLING CODE 9110–12–P

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R3-ES-2020–0136; FFS1140300000–201]

Draft Environmental Assessment and Proposed Habitat Conservation Plan; Receipt of an Application for an Incidental Take Permit, High Prairie Wind Energy Facility, Schuyler and Adair Counties, Missouri

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment and information.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application from TG High Prairie, LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act (ESA), for its High Prairie Wind Energy Facility. If approved, the ITP would be for a 6-year period and would authorize the incidental take of covered species, including the endangered Indiana bat, threatened northern long-eared bat, and the little brown bat, currently under discretionary review. While the ITP is for 6 years, the wind energy project is scheduled to be operational for thirty years and intensive monitoring conducted during this permit term will inform the need for future avoidance or a new long-term ITP that will comply with a new NEPA analysis and habitat conservation plan (HCP). The applicant has prepared a HCP that describes the actions and measures that the applicant would implement to avoid, minimize, and mitigate incidental take of the covered species for the first 6 years. We also announce the availability of a draft environmental assessment, which has been prepared in response to the permit application in accordance with the requirements of the National Environmental Policy Act (NEPA). We request public comment on the application, which includes the applicant's proposed HCP, the Service's draft environmental assessment, prepared pursuant to NEPA and associated documents. We provide this notice to seek review and comment from the public and Federal, Tribal, State and local governments.

DATES: We will accept comments received or postmarked on or before December 31, 2020.

ADDRESSES: Document availability: Electronic copies of the documents this notice announces, as well as public comments we receive, will be available online in Docket No. FWS–R3–ES–2020–0136 at http://www.regulations.gov.

Comment submission: In your comment, please specify whether your comment addresses the proposed HCP, draft EA, or any combination of the aforementioned documents, or other supporting documents. You may submit written comments by one of the following methods:

- Online: http://www.regulations.gov.


Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 1–800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), have received an application from TG High Prairie LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.), for its High Prairie Wind Energy facility (facility). The facility is located in
Criteria for Appeals of Flood Insurance Rate Maps

November 30, 2011

FEMA
This document outlines the criteria for appealing proposed changes in flood hazard information on Flood Insurance Rate Maps (FIRMs) during the appeal period. The Department of Homeland Security’s Federal Emergency Management Agency (FEMA) applies rigorous standards in developing and updating flood hazard information and provides communities with an opportunity to review the updated flood hazard information presented on new or revised FIRMs before they become final.

1. Background

The regulatory requirements related to appeals are found in Part 67 of the National Flood Insurance Program (NFIP) regulations. Additional FEMA procedural details are provided in Procedure Memorandum No. 57, Expanded Appeals Process, dated November 30, 2011. Detailed information on appeals can also be found in Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials and FEMA’s Document Control Procedures Manual. All referenced documents are accessible through the “Guidance Documents and Other Published Resources” webpage, located at: http://www.fema.gov/plan/prevent/fhm/frm_docs.shtm.

As outlined in these documents, an appeal period is provided for all new or modified flood hazard information shown on a FIRM, including additions or modifications of any Base (1-percent-annual-chance) Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway. SFHAs are areas subject to inundation by the base (1-percent-annual-chance) flood and include the following SFHA zone designations: A, AO, AH, A1-A30, AE, A99, AR, AR/A1-A30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-V30, VE, and V. Therefore, a statutory 90-day appeal period is required when a flood study, Physical Map Revision (PMR), or Letter of Map Revision (LOMR) is proposed in which:

- New BFEs or base flood depths are proposed or currently effective BFEs or base flood depths are modified;
- New SFHAs are proposed or the boundaries of currently effective SFHAs are modified;
- New SFHA zone designations are proposed or currently effective SFHA zone designations are modified; and
- New regulatory floodways are proposed or the boundaries of currently effective floodways are modified.

Clarification on the necessity for an appeal period is provided for certain specific circumstances outlined below:

- Edge matching of effective floodplain boundaries or information. This usually occurs in first-time countywide flood mapping projects when effective BFEs, base flood depths,
SFHAs, or floodways are extended to an adjacent community that previously had differing or no BFEs, base flood depths, SFHAs, or floodways shown on their effective FIRM in order to fix a map panel to map panel mismatch. In these instances, an appeal period is required because BFEs, base flood depths, SFHAs, or floodways are changing or being shown for the first time in the area.

- **Redelineation of effective floodplain boundaries.** This occurs when an effective SFHA boundary is redrawn on the FIRM using new or updated topography to more accurately represent the risk of flooding. In these instances an appeal period is required because the SFHA boundary is changing. However, the appeal period will only apply to the updated SFHA boundary delineations, not the methodology used to originally establish BFEs/flood depths (since this will not have changed).

- **Revisions to SFHA zone designations.** A revision to an SFHA zone designation may occur with or without a BFE and/or boundary change. For example, when a Zone VE floodplain is changed to a Zone AE designation to reflect the updated location of a Primary Frontal Dune (PFD), the BFE and SFHA boundary may not necessarily change. For any change in SFHA zone designation, including the removal of an SFHA designation from a FIRM, an appeal period is required.

- **Regulatory floodway boundaries.** When the effective floodway boundary is redrawn on the FIRM to more accurately represent the extent of the encroachment, an appeal period is required.

- **MT-1 cases.** When the SFHA or floodway boundary is amended due to the issuance of a Letter of Map Amendment (LOMA), Letter of Map Revision based on Fill (LOMR-F), Letter of Map Revision - Floodway, or other MT-1 case, an appeal period is not required.

- **Annexation of effective floodplain boundaries.** When a new or revised FIRM shows new community boundaries which include effective BFEs, base flood depths, SFHAs, or floodways, an appeal period is not required, provided no BFE, base flood depth, SFHA, or floodway changes apply.

However, in cases where the flood hazard information in the annexed area has never received due process (for example, if the area is shown for information only on all FIRMs depicting the area), an appeal period is required.

- **Reissuance of effective LOMRs:** When a LOMR is reissued after not being incorporated into a revised FIRM, an appeal period is not required.
• **Updates that do not impact flood hazard data:** When flood studies, PMRs, or LOMRs result in changes to FIRMs that do not impact BFEs, base flood depths, SFHAs, or floodways, an appeal period is not required.

• **Datum Conversions:** An appeal period is not required specifically for a datum conversion (e.g., a conversion from NGVD 29 to NAVD 88).

### 1.1. Additional Procedures for LOMRs

Beginning with LOMRs issued on or after December 1, 2011, the following procedures will apply:

In order to provide sufficient due process rights for changes due to LOMRs, any LOMR in a compliant community that requires an appeal period will become effective 120 days from the second newspaper publication date, following FEMA’s current policy. This allows time to collect appeals, as well as provides for newspaper publication schedule conflicts. LOMRs in non-compliant communities or in communities that require adoption of the LOMR will become effective following the six month compliance period.

Evidence of public notice or property owner notification of the changes due to a LOMR will continue to be requested during the review of the LOMR request. This will help to ensure that the affected population is aware of the flood hazard changes in the area and the resultant LOMR. However, evidence of property owner acceptance of the changes due to a LOMR will no longer be requested. Because all LOMRs that require an appeal period will become effective 120 days from the second newspaper publication date, the receipt of such acceptance will have no effect on the effective date of the LOMR; therefore, there is no need for the requester to pursue acceptance.

### 2. Appeal Eligibility Requirements

Areas that are eligible for appeal include:

• Areas showing new or revised BFEs or base flood depths

• Areas showing new or revised SFHA boundaries (including both increases and decreases in the extent of the SFHA)

• Areas where there is a change in SFHA zone designation

• Areas showing new or revised regulatory floodway boundaries (including both increases and decreases in the extent of the regulatory floodway).

The area of concern must be within the scope of the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundary changes and
be supported by scientific and/or technical data. The criteria for data submittals are outlined in Title 44, Chapter 1, Code of Federal Regulations, Section 67.6(b) and in this document.

The statutory 90-day appeal period cannot be extended. FEMA may provide an additional 30 days for a community after the 90-day appeal period has ended to submit supporting and clarifying data for an appeal received during the appeal period. No appeals will be accepted after the 90-day appeal period.

Challenges that do not relate to new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways are not considered appeals. Challenges received by FEMA during the appeal period that do not address these items will be considered comments. Comments include, but are not limited to the following:

- The impacts of changes that have occurred in the floodplain that should have previously been submitted to FEMA in accordance with 44 Code of Federal Regulations, Section 65.3;
- Corporate limit revisions;
- Road name errors and revisions;
- Requests that changes effected by a LOMA, LOMR-F, or LOMR be incorporated;
- Base map errors; and
- Other possible omissions or potential improvements to the mapping.

Any significant problems identified by community officials or residents (at formal meetings or otherwise) will be addressed appropriately.

3. Supporting Data and Documentation Required for Appeals

The BFEs and base flood depths presented in Flood Insurance Study (FIS) reports and shown on FIRMs are typically the result of coastal, hydrologic and hydraulic engineering methodologies. Floodway configurations, generally developed as part of the hydraulic analyses, are adopted by communities as a regulatory tool for floodplain management and are delineated on FIRMs along with SFHAs.

Because numerous methodologies have been developed for estimating flood discharges and flood elevations/depths, and other flood hazard information under a variety of conditions, FEMA contractors, mapping partners, and others whose data and documentation FEMA approves and uses, such as communities, regional entities and State agencies participating in the Cooperating Technical Partners (CTP) Program, use their professional judgment in selecting methodologies that are appropriate for the conditions along a particular segment of a particular flooding source.
For FEMA contracted flood studies and PMRs the approach to be used will usually be discussed with community officials at the beginning of the flood study or PMR mapping process.

Because the methodologies are the result of attempts to reduce complex physical processes to mathematical models, the methodologies include simplifying assumptions. Usually, the methodologies are used with data developed specifically for the flood study, PMR, or LOMR. Therefore, the results of the methodologies are affected by the amount of data collected and the precision of any measurements made.

Because of the judgments and assumptions that must be made and the limits imposed by cost considerations, the correctness of the BFEs, base flood depths and other flood hazard information is often a matter of degree, rather than absolute. For that reason, appellants who contend that the BFEs, base flood depths, or other flood hazard information is incorrect because better methodologies could have been used, better assumptions could have been made, or better data could have been used, must provide alternative analyses that incorporate such methodologies, assumptions, or data and that quantify their effect on the BFEs, base flood depths or other flood hazard information. FEMA will review the alternative analyses and determine whether they are superior to those used for the flood study, PMR, or LOMR and whether changes to the FIS report and/or FIRM, or LOMR are warranted as a result.

Unless appeals are based on indisputable mathematical or measurement errors or the effects of natural physical changes that have occurred in the floodplain, they must be accompanied by all data that FEMA needs to revise the preliminary version of the FIS report and FIRMs. Therefore, appellants should be prepared to perform coastal, hydrologic and hydraulic analyses, to plot new and/or revised Flood Profiles, and to delineate revised SFHA zone and regulatory floodway boundaries as necessary.

An appeal must be based on data that show the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways to be scientifically or technically incorrect. All analyses and data submitted by appellants must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate. The data and documentation that must be submitted in support of the various types of appeals are discussed in the subsections that follow.

3.1. Appealing BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways

Scientifically incorrect BFEs, base flood depths, SFHA zone designations, or regulatory floodways:
Proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways are said to be scientifically incorrect if the methodology used in the determination of the BFEs,
base flood depths, SFHA zone designations, or regulatory floodways is inappropriate or incorrect, or if the assumptions made as part of the methodology are inappropriate or incorrect. An appeal that is based on the proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways being scientifically incorrect would, therefore, contend that the use of a different methodology or different assumptions would produce more accurate results. A list of National Flood Insurance Program-accepted hydrologic, hydraulic and coastal models is available on FEMA’s website at http://www.fema.gov/plan/prevent/fhm/en_modl.shtml. To show that an inappropriate or incorrect coastal, hydraulic or hydrologic methodology has been used, an appellant must submit the following data, as applicable:

- New hydrologic analysis based on alternative methodology and if applicable, updated hydraulic/floodway or coastal analyses based on the updated discharge values;
- New hydraulic/floodway analysis based on alternative methodology and original flood discharge values (if the appeal does not involve the hydrologic analysis);
- New coastal analyses based on alternative methodology and original stillwater elevations (if the appeal does not involve the hydrologic analysis);
- Explanation for superiority of alternative methodology;
- As applicable, revised Summary of Discharges Table, Flood Profiles, Transect Data Table, Summary of Stillwater Elevations Table, and Floodway Data Table (FDT); and
- Revised SFHA zone boundaries and, if applicable, regulatory floodway boundary delineations.

**Technically Incorrect BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways:**
The proposed BFEs, base flood depths, SFHA zone designation or regulatory floodways are said to be technically incorrect if at least one of the following is true.

- **The methodology was not applied correctly.**
  - To show that a hydrologic methodology was not applied correctly, an appellant must submit the following:
    - New hydrologic analysis in which the original methodology has been applied differently;
    - Explanation for superiority of new application;
    - New hydraulic/floodway or coastal analysis based on flood discharge values from new hydrologic analysis;
• Revised Summary of Discharges Table and/or Flood Profiles and, if applicable, FDT; and

• Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.

  o To show that a hydraulic methodology was not applied correctly, an appellant must submit the following information. (Please note that an appeal to a floodway configuration cannot be solely based on surcharge values.)

  • New hydraulic/floodway analysis, based on original flood discharge values, in which the original methodology has been applied differently;

  • As applicable, revised Flood Profiles, FDT and other FIS report tables as needed; and

  • Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.

  o To show that a coastal methodology was not applied correctly, an appellant must submit the following:

    • New coastal analysis, based on the original stillwater elevations, in which the original methodology has been applied differently;

    • Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.

• The methodology was based on insufficient or poor-quality data.

  o To show that insufficient or poor-quality hydrologic data were used, an appellant must submit the following:

    • Data believed to be better than those used in original hydrologic analysis;

    • Documentation for source of data;

    • Explanation for improvement resulting from use of new data;

    • New hydrologic analysis based on better data;

    • New hydraulic/floodway or coastal analysis based on flood discharge values resulting from new hydrologic analysis;

    • Revised Summary of Discharges Table, Flood Profiles and, if applicable, FDT; and

    • Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.

  o To show that insufficient or poor-quality hydraulic data were used, an appellant must submit the following:
- Data believed to be better than those used in original hydraulic analysis;
- Documentation for source of new data;
- Explanation for improvement resulting from use of new data;
- New hydraulic analysis based on better data and original flood discharge values;
- Revised Flood Profiles and, if applicable, FDT; and
- Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
  - To show that insufficient or poor-quality coastal analysis data were used, an appellant must submit the following:
    - Data believed to be better than those used in original coastal analysis;
    - Documentation for source of new data;
    - Explanation for improvement resulting from use of new data;
    - New coastal analysis based on better data and original stillwater elevation values; and
    - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.

- **The application of the methodology included indisputable mathematical or measurement errors.**
  - To show that a mathematical error was made, an appellant must identify the error. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
  - To show that a measurement error (e.g., an incorrect surveyed elevation used in the flood study, PMR, or LOMR) was made, appellants must identify the error and provide the correct measurement. Any new survey data provided must be certified by a Registered Professional Engineer or Licensed Land Surveyor. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.

- **The methodology did not account for the effects of natural physical changes that have occurred in the floodplain.**
  - For appeals based on the effects of natural physical changes that have occurred in the base floodplain, appellants must identify the changes that have occurred and provide the data FEMA needs to perform a revised analysis. The data may include new stream channel and floodplain cross sections or coastal transects.
3.2. Appeals to SFHA Boundaries

The supporting data required for changes to SFHA zone boundaries will vary, depending on whether the boundaries are for flooding sources studied by detailed methods or flooding sources studied by approximate methods, as discussed below.

**Flooding sources studied by detailed methods**

Usually, detailed SFHA zone boundaries are delineated using topographic data and the BFEs and base flood depths resulting from the hydraulic analysis performed for the flood study, PMR, or LOMR. If topographic data are more detailed than those used by FEMA or show more recent topographic conditions, appellants should submit that data and the revised SFHA zone boundaries for FEMA to incorporate into the affected map panels. All maps and other supporting data submitted must be certified by a Registered Professional Engineer or a Licensed Land Surveyor and must reflect existing conditions. Maps or data prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified. For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data.*

**Flooding Sources Studied by Approximate Methods**

Usually, where BFEs or base flood depths are not available, flood zone boundaries are delineated with the best available data, including flood maps published by other Federal agencies, information on past floods, and simplified hydrologic and hydraulic analyses. If more detailed data or analyses are submitted, FEMA will use them to update the flood hazard information shown on the affected map panels. Such data and analyses may include the following:

- Published flood maps that are more recent or more detailed than those used by FEMA;
- Analyses that are more detailed than those performed by FEMA or that are based on more detailed data than those used by FEMA;
- Topographic data and resulting updated SFHA boundaries.

For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data.*

Please note that, when applicable, appeals related to the *methodology* used to develop an approximate flood zone boundary must follow the guidelines established for appeals to BFEs, base flood depths, SFHA zone designations, or regulatory floodways under Section 3.1 above. However, since flood profiles, FDTs, Summary of Discharges Tables, Transect
Data Tables, and Summary of Stillwater Elevations Tables are not developed in support of approximate floodplain boundaries, these data will not need to be submitted for appeals to flooding sources studied by approximate methods.

All submitted data and analyses must be certified by a Registered Professional Engineer or a Licensed Land Surveyor. Maps prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified.

Additional Guidance on Appeal Submittals Involving Topographic Data
For appeal submittals that involve topographic data, the following additional guidelines must be followed:

- The data must be more detailed/accurate, and/or reflect more recent topographic conditions, and be in a digital Geographic Information System (GIS) format preferably;
- The appeal submittal must clearly state which flooding sources are being appealed based on the updated topographic data;
- Updated SFHA boundary delineations that reflect the submitted topographic data for each appealed flooding source must also be provided, preferably in digital GIS format;
- All topographic data submitted must adhere to FEMA’s current data capture standards for such data;
- If necessary, a data sharing agreement must be provided.

4. Appeal Period Procedures

Appeals and comments must be resolved by following the procedures below:

- Acknowledgement by FEMA of the receipt of an appeal in writing, ensuring that acknowledged appeals include ALL of the criteria discussed above.

- Acknowledge the receipt of comments. This can be done either in writing, by FEMA, or through a documented phone conversation between the mapping partner and the community that submitted the comments. At a minimum FEMA must notify the community in writing that it did not receive any appeals. This can be done by separate correspondence or by the inclusion of language in the Letter of Final Determination (LFD).
• FEMA or the mapping partner will evaluate any scientific or technical data submitted for compliance with existing mapping statues, regulations, or Guidelines and Standards.

• FEMA or the mapping partner will request any additional scientific or technical data required to properly review the appeal or comment.

• FEMA or the mapping partner will make a recommendation to FEMA on the resolution of the appeal or comment.

• FEMA or the mapping partner will prepare a draft appeal resolution letter (if all the criteria for an appeal are met).

• The assigned mapping partner shall dispatch the signed FEMA appeal resolution letter and if warranted, Revised Preliminary copies of the FIRM and FIS report to the community CEO and floodplain administrator and all appellants. All correspondence must be prepared and issued on FEMA Headquarters or FEMA Regional letterhead.

• FEMA provides a comment period of 30 days following the date the appeal or comment resolution letter is issued. Any comments received during the 30 day comment period must be addressed and resolved before proceeding with the LFD. Extensions to this 30 day period can only be granted with FEMA Headquarters approval.

5. General Technical Guidance

Detailed guidance on the supporting documentation that must be submitted in support of an appeal can be found in Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials.

Unless appeals are based on the use of alternative models or methodologies, the hydrologic and hydraulic analyses that appellants submit must be performed with the models used for the flood study, PMR, or LOMR. Generally, when appellants are required to submit hydrologic or hydraulic analyses, those analyses must be performed for the same recurrence interval floods as those performed for the flood study, PMR, or LOMR. The vertical datum used in any data submitted must match the datum used in the preliminary FIS report and FIRM. Further, SFHA boundaries are to be shown on a topographic map (preferably, in digital form) whose scale and contour interval are sufficient to provide reasonable accuracy.

New flooding information cannot be added to a FIRM in such a way as to create mismatches with the flooding information shown for unrevised areas. Therefore, in performing new analyses and developing revised flooding information, appellants must tie the new BFEs, base flood
depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundaries into those shown on the maps for areas not affected by the appeal.

All analyses and data submitted by appellants, including those that show mathematical or measurement errors must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate.

6. Scientific Resolution Panel (SRP)

FEMA’s Scientific Resolution Panel (SRP) process reinforces FEMA’s commitment to work with communities to ensure the flood hazard data depicted on FIRMs is built collaboratively using the best science available.

When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The SRP serves as the independent third party. To be eligible for an SRP, an appeal must include supporting information or data to substantiate that the BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways proposed by FEMA are scientifically or technically incorrect. An SRP request is an option only after FEMA and a local community have been engaged in a collaborative consultation process for at least 60 days without a mutually-acceptable resolution of an appeal.
SCIENTIFIC RESOLUTION PANELS

The Federal Emergency Management Agency (FEMA), through its flood hazard mapping program, Risk MAP (Risk Mapping, Assessment, and Planning), identifies flood hazards, assesses flood risks, and partners with states, tribes and local communities to provide accurate flood hazard and risk data to guide them in taking effective mitigation actions. The resulting National Flood Insurance Program (NFIP) maps provide the basis for community floodplain management regulations and flood insurance requirements.

What is a Scientific Resolution Panel?
FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on Flood Insurance Rate Maps (FIRMs) are developed collaboratively, using the best science available.

Flood hazards are constantly changing, and FEMA updates FIRMs through several methods to reflect those changes. When proposed changes to a FIRM are met with conflicting technical and/or scientific data during a regulatory appeal period, an independent third-party review of the information may be appropriate. An SRP serves as an independent third party.

The SRP process benefits both FEMA and the community:
- It offers a neutral review process by independent third parties.
- It confirms FEMA's commitment to using the best science for the purpose of accurately depicting flood hazards on flood maps.
- It provides an additional opportunity for resolving community appeals involving conflicting technical and/or scientific data.

While FEMA had previously established an SRP process, the Biggert-Waters Flood Insurance Reform Act of 2012 formally established a statutory SRP process. The Appeal and Comment Processing Guidance for Flood Risk Analysis and Mapping, which incorporates the legislative requirements for the SRP, is available at www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping.

For Additional Information
For more information on appeals, see the FEMA document Appeals, Revisions, and Amendments to National Flood Insurance Program Maps: A Guide for Community Officials at www.fema.gov/media-library/assets/documents/17930

Part 67 of the NFIP regulations, which pertains to appeals, is available at http://www.fema.gov/guidance-documents-other-published-resources


Templates and Other Resources: www.fema.gov/media-library/assets/documents/32786?id=7577

Other Important Links:
- NIBS Scientific Review Panel website: www.floodsrp.org/
- Information on Recent and Upcoming Map Changes: www.fema.gov/status-map-change-requests
- Flood Insurance: www.floodsmart.gov

RISK MAPPING, ASSESSMENT, AND PLANNING PROGRAM (RISK MAP)
The Federal Emergency Management Agency's Risk MAP Program delivers quality data that increases public awareness and leads to action to reduce risk to life and property. Risk MAP is a nationwide program that works in collaboration with states, tribes, and local communities using best available science, rigorously vetted standards, and expert analysis to identify risk and promote mitigation action, resulting in safer, more resilient communities.
Who Can Request an SRP?
A community, tribe, or other political entity with the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction can request that FEMA use an SRP when conflicting technical and/or scientific data have been presented. For additional information, review the Appeal and Comment: Processing Guidance for Flood Risk Analysis and Mapping at www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping.

When Can Communities Request an SRP?
A community can request an SRP if the following requirements have been met:
- It has not yet received a Letter of Final Determination (LFD) from FEMA.
- Conflicting technical and/or scientific data, submitted during the 90-day appeal period, resulted in different flood hazards than those proposed by FEMA.
- At least 60 days of community consultation with FEMA (but no more than 120 days) have taken place.

Additionally, a community that receives a FEMA-issued resolution letter and has not previously exercised the SRP process will have 30 days from the issuance of the letter to request an SRP.

Independent Panel Sponsor
The SRP process is managed by the National Institute for Building Sciences (NIBS), a non-profit organization independent of FEMA. NIBS will administer the SRPs, ensuring that proper guidelines and procedures are employed and maintaining a cadre of experts from which panel members are selected.

Panel Member Selection
Five panelists are convened for each appeal brought to the SRP request. Panel members are technical experts in surface water hydrology, hydraulics, coastal engineering, and other engineering and scientific fields that relate to the creation of FIRM maps and Flood Insurance Studies (FIS) throughout the United States.

Based on the technical challenges associated with each request, NIBS develops a list of potential members with relevant expertise, from its cadre of experts. NIBS also checks that those listed are available to serve, do not reside in the state from which the appeal or data were filed, and have no personal or professional interest in its findings for the flood risk project.

NIBS provides the list to the community and FEMA to select the panel members. The community selects at least the simple majority (three), and FEMA selects the remaining panel members from the short list of cadre members, based on the technical challenges of the appeal or data submittal.
The Process

To request a review by an SRP, the community's Chief Executive Officer or designee completes an SRP Request Form and submits it to FEMA during the time periods outlined above. Once FEMA confirms that the situation and the conflicting technical and/or scientific data are eligible for an SRP, it forwards the SRP Request Form to NIBS, which will initiate the panel selection process and develop a list of potential members.

Once the panel is convened, panel members are provided with a summary of the issue, FEMA's data, and the data the community submitted during the 90-day appeal period. Panel members review the data and, on a point-by-point basis, deliberate and make a decision based on the scientific and/or technical challenges.

If the community feels it is necessary to make an oral presentation in support of its request, it must include a justification on the SRP Request Form.

Resolution

The panel must present its written report to the community and FEMA within 90 days of being convened, and that report will be used by the FEMA Administrator for making the final determination. A panel determination must be in favor of either FEMA or the community on each distinct element of the dispute, and the panel may not offer any alternative determination as a resolution. In the case of a dispute submitted by the community on behalf of an owner or lessee of real property in the community, the panel determination must be in favor of either FEMA, the community, or the owner/lessee on each distinct element of the dispute.

If changes to the maps are recommended in the panel's determination, and FEMA elects to implement the panel's determination, FEMA will incorporate the changes into a revised Preliminary FIRM and, if appropriate, FIS report. The revised products will be available to the community for review, with a resolution letter, before FEMA issues an LFD.

Once the SRP provides its determination and FEMA issues its resolution letter to implement the recommendations, the SRP recommendations are binding on all appellants and not subject to judicial review.

If the FEMA Administrator elects not to accept the panel's findings, the Administrator will issue a written justification within 60 days of receiving the report from the SRP. Under these circumstances, the appellants maintain their right to appeal FEMA's final determination to the appropriate Federal District Court.
Figure 1: SRP Timeline

FEMA Flood Mapping
Scientific Resolution Panel (SRP) Timeline

2nd news publication of proposed flood hazard determinations

Resolution Letter issued

Mapping Process continues

Community submits SRP request

FEMA forwards eligible SRP request to NIBS for Panel selection process

Resolution Letter issued

Community submits scientific/technical data

90-day Appeal Period

Community consultation

Community selects Panel

Panel presents written recommendation

FEMA informs community (within 90 days if in agreement with SRP)

Mapping Process

FEMA reviews SRP recommendation

Max. 30 days

Short list Panel members

SRP (Panel) Process

Community can submit an SRP request to FEIS no less than 60 days and no more than 120 days after the start of the community consultation phase.

OR

within 36 days after receiving the Resolution Letter
OBCF honors 2020 champions, elects 2021 board

The Outer Banks Community Foundation announced its 2020 Champion Award recipients, elected five board members and celebrated $1.8 million in grants and scholarships in 2020 at the organization’s annual meeting, held virtually on February 16.

The meeting featured an 18-minute video highlighting several grant and scholarship recipients, including Beach Food Pantry, the YMCA, Pea Island Preservation Society and Cape Hatteras United Methodist Men.

Community Foundation membership unanimously elected David Clawson, finance director for Dare County; Michael Lewis, executive director for Outer Banks Hotline; and Jason Waughtel, senior vice president, regional executive for the coastal region for Southern Bank and Trust, to the board of directors. Additional board terms for Lynda Hester, US Coast Guard (retired), and David Shuffler, senior partner at Alexander Haas, were unanimously approved by membership.

OBCF honored its most prestigious honor to two over-arching groups, in recognition and appreciation of two years of unwavering generosity following Hurricane Dorian and the COVID-19 epidemic. "The entire community" was honored for their generosity throughout these years of hardship; another group, "anonymous donors" were thanked and recognized for their behind-the-scenes support, which often was significant. Three groups were additionally honored for their tireless efforts and extraordinary contributions in 2020: Cape Hatteras United Methodist Men, Interfaith Community Outreach and Ocracoke Firehouse Committee.

Cape Hatteras United Methodist Men, one of the Community Foundation’s 2020 Champion Award recipients, is a group of volunteers who consistently provide critical services to their neighbors. The group runs a food pantry, helps when there is financial hardship, elevates and repairs homes and more. They are there for their community immediately after a storm or crisis, but also in the months following. When conferring the award, OBCF executive director Lorelei Costa said, "This is one of the most professionally run organizations...they're thoughtful, they're careful, they're well organized, and they're amazing."

Ocracoke Firehouse Committee is another of the Community Foundation’s 2020 Champion Award recipients. "We didn’t have a partner on the island with the capacity to get the money out to storm victims," said Costa when presenting the award. "You need a checking account, case managers, help for folks to identify what they need...we went down to Ocracoke and spoke with the folks from the Fire Department. Our meeting took place a week after Dorian, and the Ocracoke Firehouse Committee, all volunteers, stepped up to help. Many had significant damage to their own homes, or had family members with significant damage, but they stepped up."

Interfaith Community Outreach (ICO) also is an OBCF 2020 Champion Award recipient. ICO staff and volunteers help people in the community with a variety of financial needs. Residents who are in need go to them for help after hurricanes, fires, losing a job, accidents, illness and more. ICO partnered with OBCF in 2019 by going to Ocracoke and helping with case management. They helped the community again in 2020 during the COVID-19 school closures.

"I called Jennifer earlier last year [during COVID], when the board identified the need to help working families with childcare...we needed a partner that would help families pay for whatever childcare they could find," said Costa when conferring the award. "Interfaith Community Outreach stepped up.

Board members who completed their terms in 2020, Scott Brown and Nancy Sugg of Martins Point and Greg Honeycutt of Ocracoke were genuinely thanked for their years of outstanding service and leadership," stated an OBCF press release.

OBCF 2021 board president Clark Twiddy offered thanks to membership and requested feedback to improve meetings. He concluded the meeting by addressing all, saying "We look forward to seeing you after our vaccines, in the office, and around the Outer Banks. Take a moment to think about your Community Foundation, and how you can make sure it remains our Community Foundation for decades to come."
New video conference capabilities for students at the Hyde County Davis Center

Improved video connection just got closer for Hyde County students.

Beaufort County Community College has completed installation of computers with webcams and speakers for students to use at the Hyde County Davis Center. The equipment is available for BC-CC students or any other students who need a good internet connection with video and audio capability for online learning.

Time at the computers may be reserved by calling Karen Carawan, HDCD coordinator, at 252-940-6231. The center is open Monday through Thursday from 9 a.m. until 2 p.m. and reservations are important.

Additionally, the BHM Regional Library, which has a location at the Hyde County Davis Center, has installed a hotspot to cover the parking lot of the center, so even if the center is closed, students may still use the wi-fi connection outside. Contact the BHM Library at Englar at 252-925-2222. The Hyde County Davis Center also offers an array of continuing education classes, such as free high school equivalency, free English language acquisition and CPR training.

The Coastland Times
Wed., Feb. 24, 2021
Mattamuskeet students selected to participate in nurse aid program

Seven students at Hyde County Schools’ Mattamuskeet Campus have been recognized for their selection to participate in the nurse aid level 1 class at the Davis Center in Engelhard.

“Laker pride all over this one! Despite these challenging times, we want to recognize these amazing students...” stated the announcement from Mattamuskeet.

Students recognized are Evelin Coronel, Marisol Campos, Rachel Brooks, Charity Spencer, Hermiah Simpson, Diamond Smith and Emily Gibbs.

The program is sponsored by Beaufort County Community College and Hyde County Schools reports that all of the students received the BCCC Foundation Scholarship, and the Art & Alice Kenney Scholarship.

Gibbs received the Golden Leaf Scholarship.

Smith was also accepted into the Pharmacy Tech program at BCCC, where she received the BCCC Foundation Gordon Darragh Scholarship.

“We are very proud of our students and cannot wait to see what’s next for them,” stated the announcement. “Congratulations!”
**HYDE COUNTY COOPERATIVE EXTENSION**
**COMMISSIONER REPORT**
**February 2021**

**FEBRUARY PROGRAMS**

2021 Virtual Road Show Production & Pesticide Recertification Meetings – Andrea Gibbs has been planning and prepping for meetings as well as helping growers register, get set up to use Zoom, and check their pesticide credit status. Some farmers do not feel comfortable using Zoom or do not have access to good internet. I am working with these farmers to make sure they are getting the information they need.

- January 19 - Pest Management – 64 attendees
- January 27 – Corn & Soybean Production – 34 attendees
- January 28 – V Training – 46 attendees
- February 2 – Pest Management – 36 attendees
- February 3 – Blackland Cotton Meeting – 40 attendees
- February 9 – Weed Management in Canals & Ditches – 50 attendees
- February 10 – Corn & Soybean Production – 35 attendees
- February 11 – V Training – 29 attendees

ECA Scholarship Application: open for youth and adult applications; two applications submitted (one youth, one adult); view info: [go.ncsu.edu/readext?762338](http://go.ncsu.edu/readext?762338)

Safe Plates: Agent Pilot Program in progress now. Hyde Co. intended to have participants in March pilot for virtual class to resume national food managers’ safety certification. Testing will be proctored in-person.

Mobile Food Pantries: Mailed recipe cards to mobile pantry sites. Swan Quarter, Engelhard, and Scranton: 285 total recipe cards.

Juvenile Crime Prevention Council (JCPC): Our JCPC program is moving right along with the 14-youth enrolled. We have recently had a small, socially distanced face-to-face meeting with some of our youth to help address and improve social skills development. We are currently working on fractions by using fun activities such as baking personal cakes. The H.Y.D.E Kids program has continued its weekend backpack program with great success – and it is making the youth feel extra special during these uncertain times.

4-H Club Update: All of the groups/clubs in Hyde County 4-H have went through the re-chartering process and is officially established and up to date with federal requirements. As things slowly begin to return to normal, clubs will reconsider how to host meetings face-to-face. Until then, they will continue to be utilized in virtual platforms to keep youth engaged. The virtual format has been working very well and the youth are enjoying it each month.

The Hyde County Shooting Sports team recently had an Eastern Regional meeting with NC State staff and Shooting Sports specialists, to go over new rules and regulations for the upcoming 4-H tournament in August.
Practices for the team will start back in the month of March. If new participants are interested they can enroll anytime in March and are encouraged to reach out to our Extension Office.

The 4-H Teen Council has continued to meet virtually and last held its monthly meeting on February 11, 2021. During the meeting, the youth learned about self-leadership and character development through an advanced curriculum. The curriculum uses a unique way to teach tough concepts through the use of images. It has been very effective and has kept the youth very engaged!

The ATV Safety and Fishing clubs will be put on hold until late spring/early summer due to restrictions due to the pandemic. We are still planning to have this offered to our youth and we are excited!

Other 4-H Updates: Hyde County 4-H is working hard on the upcoming 4-H Livestock Show and Sale. Please stay tuned for more details as the time nears.

**UPCOMING EVENTS**

**Virtual Winter Production Meetings**
- Auxin Training – February 18 & 24, March 2, 11, 15, 24, & 29

**Hyde County 4-H Photography Contest** – February 2020

**4-H Full of Beans Ag Video Series** – February 2020

**Hyde County Teen Council Meeting** – March 11th Every Second Thursday of the Month

**Northeast District Teen Retreat** – March 26th – 27th

**Mobile Refrigerated Local Foods Trailer:** Building in progress.

**Venison Sausage Class – Meat Grinding:** postponed; view info: [go.ncsu.edu/readext?764860](go.ncsu.edu/readext?764860)
**COVID-19 Board Meeting Guidance**

Remote meetings are recommended until the pandemic subsides. For hybrid meetings, districts should provide an adequate remote participation option for the public. Supervisors must identify themselves by name when making motions or seconds, and all votes must be conducted by roll call. Any in-person gathering should follow the state’s guidance for personal safety by everyone wearing masks or face shields, maintaining safe distances, and limiting indoor gatherings to no more than 10 people.

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**Soil & Water Conservation Commission**

- The following actions were taken at the January Meeting –
  - Adopted an updated Job Approval Authority Policy
  - Appointed an ad-hoc committee to research the possibilities of requiring an agricultural connection on each board.

- **February and March Meetings** – The NC Soil and Water Conservation Commission (SWCC) will have a special called meeting on Feb. 24th at 8am to consider FY 2022 Technical Assistance Allocations. The next regularly scheduled meeting is Mar. 17th at 9am. A work session is scheduled for Mar. 16th at 6pm. Both meetings will be remote. District items should be submitted to the Division by Mar. 1st. Meeting access details (including web links) are posted to the SWCC webpage (below) and sent out via the district listservs. [https://www.ncagr.gov/SWC/commission/index.html](https://www.ncagr.gov/SWC/commission/index.html)
**Winter District Employee Training Series** – Registration is open for this training series running from January to March. All Staff and Supervisors are welcome to attend. Check out the latest scheduled trainings and previous recorded webinars at: https://www.ncagr.gov/SWC/professional_development/training.html

### Upcoming February Trainings:

- **Feb 3, 9-10am**  
  Urban Agriculture and Innovative Production  
  Presenter, Stuart Lee (NRCS)

- **Feb 3, 1:30-2:30pm**  
  CCAP Online Tests and Job Approval Authority  
  Presenters, Tom Hill and Jeff Young (DSWC), Jessica Perrin (Durham)

- **Feb 10, 9:00-10:00am**  
  Digging into the Properties of Soil  
  Presenter, Dalton Buchanan (DSWC)

- **Feb 10, 1:30-2:30pm**  
  Forestry Training Session  
  Presenters, Tom Gerow and A.J. Lane (NCFS)

- **Feb 17, 9:00-10:00am**  
  Riparian Buffer Rules in Nutrient Sensitive Watersheds  
  Presenters, Joey Hester (DSWC), Shelton Sullivan (NCDWR), Christy Perrin & Grace Fullmer (WRRI)

- **Feb 17, 1:30-3:00pm**  
  Partnership Model for SWCDs & Public Schools  
  Presenters, Erin Hines (Gaston SWCD), Karen Archer and Angela Upchurch (Gaston County Schools’)

**Master Agreements and Required Paperwork** – The Division is in the process of issuing new Master Agreements for districts (FY 20-23). Districts are asked to review their previous Master Agreement (FY 17-20) and subsequent amendments to ensure information is correct. This year, districts must ensure they are registered in the System for Awards Management (SAM). Staff Secondary Employment Certification Forms, 2020 approved Board Meeting minutes, and Supervisor Term of Office documents (Oath of Office, Employment Certification Forms, Annual Disclosure Forms, Election Reports) are required to be uploaded by Feb. 28th to your district’s SharePoint site. Send matching fund applications to Helen Wiklund (helen.wiklund@ncagr.gov) by **Mar. 31st**. Additional details and resources are found at: https://www.ncagr.gov/SWC/districts/forms.html and https://www.ncagr.gov/SWC/districts/DistrictAgreements.html

Consider **voluntarily returning** unencumbered AgWRAP (AG) funds to the Division. Voluntarily returning AG funds will not impact future allocations. **Districts may request additional AG funding for specific projects via this form (opens Feb. 1st)**. Funding will be allocated on a first come, first served basis; however, allocations will be made to fund a single request in each District before additional projects are funded. Submit first round requests by Sunday, Feb. 28; first allocations will be awarded March 2. Requests will be reevaluated weekly after Feb. 28. Multiple requests may be submitted in the order of how they were ranked locally; the highest priority project should be entered first.
Ag Cost Share (CS) funds are available for spring supplemental allocations. Please see the Supplemental Allocations Policy to follow requirements and understand methodology. Requests for supplemental allocations via this form will be accepted beginning February 1st. 75% of your district’s CS allocation must be encumbered to contracts to be eligible for a supplemental allocation.

- **Supervisor Training Credits** – Supervisor Training Credits (STCs) have been updated and are now posted on the Division’s website. Please let us know if corrections are needed.
  
  http://www.ncagr.gov/SWC/professional_development/SupervisorTrainingProgram.html

- **Executive Committee** – The next Executive Committee Meeting will be March 16th at 3pm and will be held virtually.

- **School of Government Training** – UNC School of Government and NCASWCD will hold three regional Basic Training for SWCD Supervisors sessions virtually in February (Coastal 2/2; Mountain 2/16; Piedmont 2/23). Registration closed Jan. 29th; however interested individuals, who missed the deadline, may still be able to attend. Contact Bryan Evans (ncaswcd@gmail.com) with participation requests.

  https://www.ncagr.gov/SWC/professional_development/UNCSOG.html

- **Mutual Aid Agreement (MAA)** – A template MAA was circulated to districts last summer. The MAA seeks to provide a coordination framework between Districts, allowing employees to assist across district/county lines with activities due to increased workload or to gain JAA and other professional skills. Contact Bryan Evans or your Regional Coordinator if you have questions about the MAA.

  School of Government: Basic Training for SWCD Supervisors is required within first year of service by Soil and Water Conservation Commission policy for the following:
  - Newly Appointed Supervisors (2020-2024)
  - Newly Elected Supervisors (2020-2024)
  - Re-elected Supervisors who have not previously attended (2020-2024)
  - Mid-term Supervisor Appointments in 2020 who have not previously attended
  - Re-appointed Supervisors must have attended as a condition of their re-appointment

- **NACD UPDATE**
  - The 75th National Association of Conservation District’s Annual Meeting will be held completely virtual from February 1-10. Register today! https://www.nacdnet.org/news-and-events/annual-meeting/
  - The 2021 Southeast Region Meeting is currently planned for Aug 8 – 10, 2021 in Gulf Shores, Alabama.
**Miscellaneous Opportunities & Resources**

- **NC Envirothon** – [http://www.ncenvirothon.org](http://www.ncenvirothon.org)

  Next State Envirothon Committee Meeting is March 31st at 1pm! The NC State Envirothon Contest will be held **virtually** in April. Stay tuned for additional details regarding how testing and oral presentations will function this year. Team registration is **$50 per team** and the **deadline to register is March 31st**.

- **Biltmore House Envirothon Raffle** – The drawing will be held at the next State Envirothon Committee Meeting: March 31st at 1pm. Make final ticket purchases ($10 each) through your Envirothon Committee representatives. Contact Lea-Ann Branch for more information (leaann.branch@burkenc.org).

- **National Conservation Planning Partnership (NCPP) Producer Survey** – The NCPP is conducting a producer survey to address needs for conservation planning and to design improved templates for conservation plans. Please promote the survey with producers. [https://www.nationalconservationplanningpartnership.com/](https://www.nationalconservationplanningpartnership.com/)

- **Riparian Buffer Rules Survey** – NC Division of Water Resources and NCSU’s Water Resources Research Institute, is developing outreach and training materials for government staff, developers and interested community members in the areas of the state subjected to Riparian Buffer Protection Rules. The focus areas for this effort include the Neuse, Tar-Pamlico, and Catawba River Basins; Goose Creek watershed, Jordan Lake watershed, and the Randleman Lake watershed. To receive outreach and education materials regarding riparian buffer rules read and respond to the [survey (click here)](https://www.ncaswcd.org/index.php/news/foundation-careers-in-conservation-scholarship/). Also, consider attending the **Winter Training Series session on Riparian Buffer Rules and Nutrient Sensitive Watersheds scheduled on Feb. 17th**.

- **NC Foundation for Soil and Water Conservation - Careers in Conservation Scholarship Program** Applications are currently being accepted. **Deadline to apply is Feb 7th, 2021.** This scholarship program encourages students to pursue careers in natural resource management. All students who will be enrolled in a natural resource related degree track at a NC Community College, College, or University as of Fall 2021 are eligible to apply. Districts are encouraged to share the information and write letters of support. Only **online applications** will be accepted. Program criteria and application materials can be found on NCASWCD’s website at: [https://ncaswcd.org/index.php/news/foundation-careers-in-conservation-scholarship/](https://ncaswcd.org/index.php/news/foundation-careers-in-conservation-scholarship/)

- **EPA Student and Educator Award Nominations**– EPA’s Office of Environmental Education is now accepting applications for the 2021 President’s Environmental Youth Awards (PEYA) and Presidential Innovation Awards for Environmental Educators (PIAEE). **Nomination Deadline: Feb. 19, 2021.** [https://www.epa.gov/newsreleases/epa-calls-nominations-2021-presidents-environmental-student-and-teacher-awards-0](https://www.epa.gov/newsreleases/epa-calls-nominations-2021-presidents-environmental-student-and-teacher-awards-0)
Lead for North Carolina (LFNC) – LFNC is a fellowship program designed to recruit, train, and place the state’s most promising young leaders in paid local government fellowships to strengthen public institutions, support local communities, and cultivate a new generation of public service leaders. Through this fellowship twenty recent college graduates will be matched with a community that is facing considerable challenges and has a significant need for young talent and innovative thinking. Fellows can work on a variety of projects including environmental sustainability, hurricane recovery and resiliency, and citizen engagement initiatives among other projects. **Deadline to apply to host a fellow: Feb. 19th.** More details available here: [https://drive.google.com/file/d/1PhcxHSeHW3Q7iILMAR7Uj4D-psJP1HYee/view](https://drive.google.com/file/d/1PhcxHSeHW3Q7iILMAR7Uj4D-psJP1HYee/view)  

EPA Environmental Justice and Systemic Racism Speaker Series – The EPA is launching the Environmental Justice (EJ) and Systemic Racism Speaker Series. The first session will highlight The Mapping Inequality Project, a unique collaboration on redlining and current environmental challenges that provides publicly-accessible digitized versions of redlining maps for about 200 cities. This project has generated trailblazing work in the area of EJ and systemic racism. Two of its founders will discuss the genesis, philosophy, methodology, and impact of this game-changing project. [https://www.eventbrite.com/e/the-mapping-inequality-project-tickets-136940963107](https://www.eventbrite.com/e/the-mapping-inequality-project-tickets-136940963107)

USDA Advisory Committee on Urban Agriculture – USDA is seeking members for a new advisory committee on urban agriculture. Any interested person or organization may nominate qualified individuals for membership. Self-nominations are also welcome. More information available here. The 12-person committee will advise the Secretary of Agriculture. USDA is seeking nominations for individuals representing a broad spectrum of expertise, including:

- **Four** agricultural producers (two agricultural producers in an urban area or urban cluster and two agricultural producers who use innovative technology).
- **Two** representatives from an institution of higher education or extension program.
- **One** representative of a nonprofit organization, which may include a public health, environmental or community organization.
- **One** representative of business and economic development, which may include a business development entity, a chamber of commerce, a city government or a planning organization.
- **One** individual with supply chain experience, which may include a food aggregator, wholesale food distributor, food hub or an individual who has direct-to-consumer market experience.
- **One** individual from a financing entity.
- **Two** individuals with related experience or expertise in urban, indoor and other emerging agriculture production practices, as determined by the Secretary.
[https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/newsroom/releases/?cid=NRCSEPRD1721228](https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/newsroom/releases/?cid=NRCSEPRD1721228)

**Scholarships** – NCCDEA offers a Professional Growth and Student scholarship for members. Application materials are found on their website. Send completed applications to Caroline Wicker (cwicker@hendersoncountync.gov) by Feb. 26, 2021.

**Newsletter Submissions** – Shelby Cook (Swain) is looking for submissions for the next edition of The Grapevine, NCCDEA’s newsletter. Submit announcements, events, new employees, retirements, marriage and birth announcements, etc. to Shelby.cook@swaincountync.gov.
• **EPA Nominations for National Environmental Justice Advisory Council (NEJAC)** - The EPA invites nominations from a diverse range of qualified candidates to be considered for appointment to its NEJAC. The Agency is seeking nominations to fill approximately eight new vacancies for terms through September 2022. Vacancies are anticipated to be filled by September 2021. Any interested person or organization may nominate qualified persons to be considered for appointment to this advisory council. Individuals are encouraged to self-nominate. The nomination process for NEJAC Membership is open until Mar. 24, 2021. Seeking nominations for individuals representing a broad spectrum of expertise, including:
  - Two community-based organization representatives (2 vacancies)
  - Two state and local government representatives (2 vacancies)
  - One tribal government/indigenous organization representative (1 vacancy)
  - One NGO representative (1 vacancy)
  - Two academia representatives (2 vacancies)

https://www.epa.gov/environmentaljustice/nominations-nejac#nominations

• **NC Science Festival** – North Carolina Science Festival is a month long celebration of science every April. Sign up to host an event in your county today!
https://www.ncsciencefestival.org/host-event

• **Organic Growers School Spring Conference** – This virtual Spring Conference features workshops on organic growing and sustainable living. This year the conference will offer 12 tracks and more than 30 workshops. More details available at: https://organicgrowersschool.org/conferences/spring/

• **NC Water Resources Research Institute's (WRRI) Annual Conference** – WRRI will host its 23rd Annual Conference virtually on March 25 and 26. Registration for the 2021 Annual Conference will be free and limited to the first 300 registrants.
https://wrri.ncsu.edu/conference/
Available Grants


- **NC Land and Water Fund (Formerly CWMTF)** - Annual application period opens Dec. 7th, 2020. Funds acquisition, restoration, innovative stormwater, and planning projects. **Deadline: 12AM Feb 1, 2021.** [https://nclwf.nc.gov/apply](https://nclwf.nc.gov/apply)


- **NACD Urban Agriculture Conservation Grants** – NACD will again award up to 18 grants of no more than $50,000 to conservation districts in Fiscal Year 2021 pending the finalization of funds from NRCS. **Deadline: Feb. 15, 2021 at 11:59 PM (local time)** [https://www.nacdnet.org/about-nacd/what-we-do/urban-and-community/](https://www.nacdnet.org/about-nacd/what-we-do/urban-and-community/)


- **Whole Kids Garden Grant** – Provides a $3,000 monetary grant to support a new or existing edible educational garden at a K-12 school or nonprofit. Application period opens February 15, 2021. **Deadline: Mar. 31, 2021** [https://www.wholekidsfoundation.org/programs/school-gardens-grant](https://www.wholekidsfoundation.org/programs/school-gardens-grant)

- **NC Ag in the Classroom** - The application period for agricultural outreach grants (up to $500) to North Carolina teachers is open. **Deadline: Apr. 15, 2021** [https://www.ncfb.org/ag-in-the-classroom/](https://www.ncfb.org/ag-in-the-classroom/)

- **Urban & Community Forestry Grant Program** – This NC Forest Service program provides cost-share grants to enhance the benefits and sustainable management of urban forests. Request for Proposals open Mar. 1, 2021. **Deadline: Apr. 30, 2021** [https://www.ncforestservice.gov/Urban/urban_grant_program.htm](https://www.ncforestservice.gov/Urban/urban_grant_program.htm)

- **2021 Restoration & Resilience COVID-19 Recovery Fund** - National Environmental Education Foundation (NEEF) obtained $128,000 in grant funding to support public lands that have been impacted by increased use during the COVID-19 pandemic. **Deadline: Applications are accepted on a rolling basis until June 1, 2021.** [https://www.neefusa.org/grants/2021/restoration-resilience-fund?utm_source=Grants-RRFund&utm_medium=Email&utm_campaign=01252021](https://www.neefusa.org/grants/2021/restoration-resilience-fund?utm_source=Grants-RRFund&utm_medium=Email&utm_campaign=01252021)

Upcoming Events & Deadlines

Feb 1- 10 – NACD Virtual Annual Conference
Feb 2 – School of Government Training – Coastal Region
Feb 3 – Winter Training Series: Urban Agriculture and Innovative Production 9am
Feb 3 – Winter Training Series: CCAP Online Tests and JAA 1:30pm
Feb 7 – **DEADLINE** Careers in Conservation scholarship program application period closes
Feb 10 – Winter Training Series: Digging into the Properties of Soil 9am
Feb 10 – Winter Training Series: Forestry BMPs and Water Quality 1:30pm
Feb 16 – School of Government Training – Mountain Region
Feb 17 – Winter Training Series: Riparian Buffer Rules in Nutrient Sensitive Watersheds 9am
Feb 17 – Winter Training Series: Partnership Model for SWCDs & Public Schools 1:30pm
Feb 18 – Area 5 Spring Meeting (tentative)
Feb 23 – School of Government Training – Piedmont Region
Feb 24 – Area 7 Spring Meeting
Feb 25 – Area 4 Spring Meeting
Feb 26 – **DEADLINE** NC CDEA Professional Growth and Student Scholarship Applications
Feb 28 – **DEADLINE** for New Term and Annual Paperwork to be uploaded to SharePoint
Feb 28 – **DEADLINE** AgWRAP Supplemental Allocation Requests (First Round) Due
Mar 1 – **DEADLINE** Ag Cost Share Spring Supplemental Allocation Requests Due
Mar 2 – Area 1 Spring Meeting
Mar 3 – Area 8 Spring Meeting
Mar 4 – Area 3 Spring Meeting
Mar 8 – **DEADLINE** to submit district items for March 17 SWCC Meeting
Mar 9 – Area 6 Spring Meeting
Mar 10 – Winter Training Series: JAA Update and New Online Training Calendar 9am
Mar 10 – Winter Training Series: Marketing Your District to the Public 1:30pm
Mar 11 – Area 2 Spring Meeting
Mar 12 – Area 2 Envirothon
Mar 16 – Coastal Envirothon
Mar 16 – NCASWCD Spring Executive Committee Meeting 3pm
Mar 16 – SWCC Work Session 6pm
Mar 17 – SWCC Business Session 9am
Mar 17 – Winter Training Series: Public Records Requests to SWCDs 1:30pm
Mar 18 – Area 4 and Area 7 Envirothon
Mar 23 – Area 3 and Area 8 Middle School Envirothon Competition
Mar 24 – Area 1 and Area 8 High School Envirothon Competition
Mar 24 – Winter Training Series: Wildlife Management 9am
Mar 24 – Winter Training Series: Introduction to Hemp Agriculture 1:30pm
Mar 31 – **DEADLINE** Matching fund applications due to H. Wiklund
Mar 31 – NC State Envirothon Committee Meeting and Biltmore Raffle Drawing
Mar 31 – **DEADLINE** NC Envirothon Team Registration due for State Contest
Apr 1 – **DEADLINE** Area Education Contest Entries due to S. Weitzel for State Contests
MINUTES
Of
Hyde Soil and Water Conservation District
Held at: The Hyde Government Center in the Multi-Purpose Room

Meeting Number 3                     Date: December 8, 2020

Supervisors Present:
J.W. Spencer
Chad Spencer
Earl O’Neal
Daren Hubers
Demock Mann

Others Present:
Debbie Cahoon
Cruise Gibbs
Daniel Brinn
Eric Pare - call in
Bill Gardiner – call in
Brandy Pugh, Clerk of Court

Prior to the meeting being called to order, Brandy Pugh, Hyde County Clerk of Court administered Supervisor Oath of Office on the following individuals:

- Demock Mann – new appointment
- Earl O’Neal – re-appointment
- Chad Spencer – elected position

The meeting was called to order by J. W. Spencer, Chairman. J.W. welcomed Demock Mann to the Board and shared that the Board was excited about working with him and felt his input would be invaluable.

The first item of business, was recognition of length of service awards. J.W. recognized Chad Spencer for 10 years of Service and Earl O’Neal was recognized for 25 years of service as Hyde District Supervisors. Debbie shared that the length of service awards would be mailed to each supervisor for their service to the District.

The next item of business, was a review of the minutes taken at the October 20, 2020 meeting. Daren made a motion to accept the minutes as presented. His motion was seconded by Chad and the motion carried.

Next, was board approval of the agenda. Daniel requested that Hurricane Matthew Contract #17-175-4015 Amendment #05-2021 be added to the agenda. Cruise requested that cost share application for Tunnell Farms Land Smoothing practice be added to the agenda. A motion was made by Daren to accept the additions to agenda as presented the motion was seconded Earl and the motion carried.

In the next item of business was review of the October budget report for the district. Debbie reported that she had met with Logan in the Finance office to go over some differences in the budget figures and the adjustments were being made. Debbie
reported that all budget lines were within approved limits. Debbie also included a lease schedule A from Acme for Board review. Debbie shared that the finance office was working through some verbiage in the lease agreement before moving forward with the truck purchase.

The next item of business was an update on the North Carolina Agriculture Cost Share Program. Cruise presented the following contracts for board approval:

- Jeff Farrow #48-2021-002 Supplemental for a Water Control Structure in the amount of $1,480.00
- John Burleson #48-2021-003 for Cover Crop & Land Smoothing in the amount of $15,000.00
- Jason Williams #48-2021-004 for Cover Crop & Land Smoothing in the amount of $13,500.00

Chad made a motion to accept the contracts as presented, the motion was seconded by Daren and the motion carried.

Cruise presented the following application exhausting the remainder of the District Cost Share funds:

- Tunnell Farms application for Land Smoothing in the amount of $7,236.00 with a supplemental of $264.00 if the District does not receive a spring allocation

Daren made a motion to accept the application as presented, the motion was seconded by Demock and the motion carried.

Next, Daniel presented the Amendment on Hurricane Matthew Contract #17-175-4015 granting an extension until December 31, 2021. This work is for sediment removal on Mattamuskeet Association and others. Daren made a motion to accept the amendment as presented, the motion was seconded and the motion carried. Daniel also reported that he hoped to have a scope of work from Ocracoke to present at the next board meeting concerning the Hurricane Dorian allocation of funds in the amount of $34,000.00.

In the next item of business was an update on the Swan Quarter Watershed. Daniel reported that a request had been made to NRCS Engineer, Joy Sherrod requesting pipe placement through the dike to drain through woodland on the Farrow Road owned by Chuck Williams. A map identifying the site has been emailed to Joy and are awaiting a date for a site visit.
Next, Bill gave an NRCS Report. Bill reviewed the NRCS Annual Civil Rights Responsibilities for Partners Checklist with the Board and asked if they had any questions concerning this annual review. The Board reviewed the documents and then Chad made a motion to accept the checklist as presented and it was seconded by Daren and the motion was approved. All supervisors signed and dated the document. Debbie scanned and emailed signed document to Bill.

Next, Eric Pare, gave a Division report. Eric encouraged the Board to attend the upcoming annual meeting being held virtually this year. Eric explained that the $35.00 registration fee was to assist with the technical setup for voting capacity in standing committee meetings. A copy of his Division updates were included in the supervisor packets.

The last item of business was Staff Activity Reports. Cruise reported that he had been laying off ditches for John Burleson and assisting Ty with laying off some ditches. Cruise reported that he had to add more flags to Burleson tract due to flags being plowed up in a section. Cruise reported that Newman’s Seafood Marsh Sill project received funds from CCAP and now we are waiting to receive funds from an EEG grant. Cruise reported that he had worked with Tom Hill to set up a time and date for a visit to go over some designs and what the next steps will be on the CCAP project. Cruise stated that he had been working with ACME in providing necessary lease paperwork for the finance office to review. Cruise reported that he had completed his training for nutrient management and would have to complete three plans and submit for review before being eligible for job approval authority. Debbie reported that she had attended several education online meetings and had attended the Virtual Area 5 Fall meeting. She reported that she had drafted a letter concerning a cooperator exceeding state cap guidelines for cost share for board review and then mailed letters after board approval. Debbie reported that she continues to manage and facilitate the work of the District office through the administrative duties for cost share, watershed and stream debris.

Chad made a motion to adjourn the meeting Daren seconded the motion and the motion carried.

The next meeting will be scheduled at a later date.

Signed:  
Earl O'Neal
State Soil & Water Conservation Commission, DENR
1614 Mail Service Center, Raleigh, NC  27699-1614