SECTION .0500 - POST-DISASTER POLICIES

15A NCAC 07M .0501 DECLARATION OF GENERAL POLICY

It is hereby declared that the general welfare and public interest require that all state agencies coordinate their activities to reduce the damage from coastal disasters. As predisaster planning can lay the groundwork for better disaster recovery, it is the policy of the State of North Carolina that adequate plans for post-disaster reconstruction should be prepared by and coordinated between all levels of government prior to the advent of a disaster.

History Note: *Authority G.S. 113A-102; 113A-107; 113A-120; 113A-124(c);*
Eff. October 1, 1982.

15A NCAC 07M .0502 DEFINITIONS

Disaster planning activities are those activities which a local government undertakes in an effort to mitigate the possible effects of a coastal natural disaster, including the preparation and adoption of policies and implementation ordinances. All areas which have been identified as ocean hazard areas of environmental concern by the Coastal Resources Commission or as flood hazard areas by the Federal Emergency Management Agency shall be referred to as hazardous areas.

History Note: *Authority G.S. 113A-102; 113A-107; 113A-120; 113A-124(c);*
Eff. October 1, 1982.

15A NCAC 07M .0503 POLICY STATEMENTS

(a) The lead responsibility for directing all disaster warning, evacuation and relief activities lies with the Secretary of the Department of Crime Control and Public Safety. The North Carolina Coastal Management Program will assist the Department of Crime Control and Public Safety in preparing plans and providing services to disaster areas.

(1) The Coastal Resources Commission (hereafter referred to as "Commission") will establish procedures for streamlining permit procedures for post-disaster reconstruction.

(2) The Division of Coastal Management (hereinafter referred to as "Division") will provide staff support to Crime Control and Public Safety as requested. Types of assistance which may prove helpful are assistance with damage assessment, participation at the disaster assistance center, and advice and assistance to State and federal public assistance offices.

(3) The Commission will require that local governments include disaster planning activities in their land use plans.

(b) The most effective and cost-efficient manner of dealing with natural disasters is mitigation. The Commission hereby establishes guidelines for planning to mitigate the effects of natural disasters.

(1) The Commission will advise the North Carolina Building Code Council and the Federal Insurance Administration on standards for development in coastal hazard areas.

(2) The Commission will establish guidelines for local governments to establish reconstruction plans which contain:

(A) local plans and policies pertaining to desired relocation of public and private development;

(B) local policies pertaining to desired relocation of roads and utilities such as water, sewer, and electricity;

(C) local plans for possible public acquisition of hazardous areas, if desirable for public access or use;

(D) a detailed inventory of structures in hazardous areas to assist in determining damage;

(E) a list of property owners and addresses to assist in notifying of damage;

(F) local disaster plans shall be coordinated with mitigation plans prepared for the Federal Emergency Management Agency; and

(G) city and county plans shall be coordinated within counties and with adjoining jurisdictions.

(3) The Commission and office will advise the Department of Transportation and all public utilities as to the applicable policies and standards for development in areas where roads, bridges, water and sewer lines and other utilities are to be reconstructed or replaced. These policies include:

(A) Before damaged utilities and/or roads are rebuilt, the locations of existing easements and rights-of-ways in relation to new and future shorelines shall be assessed both as to their future safety from storm and erosion damage and their relationship to future development patterns.

(B) Within easements and rights-of-way, utilities and/or roads should be placed as far landward as practicable.

(C) If existing easements and rights-of-ways are too close to the shoreline to be safely used, new easements and rights-of-ways that are freer from coastal hazards shall be sought.

(D) If existing easements and rights-of-ways are too close to the shoreline to safely allow development seaward of them, the easements and rights-of-ways should be relocated landward unless there is public open-space acquisition of these lands.

(E) All utilities and roads shall be rebuilt according to sound coastal engineering practices and to the standards listed in (b)(6)(A) in this Rule to assure that damages from storms are minimized.

(4) The Commission and office will notify agencies responsible for public works projects that dunes, berms, and other flood control structures shall be rebuilt only in line with local plans.

(5) Temporary emergency housing should be located outside of hazardous areas.

(6) All repair and rebuilding of private and public structures shall be done in a safe and sound manner.

(A) All reconstruction shall comply with the standards of the Guidelines for Areas of Environmental Concern, North Carolina Building Code (including wind resistant standards), the National Flood Insurance Program and local reconstruction plans.

(B) If land is resubdivided, all lots shall allow adequate room for construction under the standards listed in this Rule.

(7) If located in areas desirable for public access or use, lots upon which structures have been destroyed should be acquired for public use.

(A) Local governments should establish policies in their local land use plans for public acquisition of highly vulnerable areas for public access and use in their land use plans.

(B) The Federal Emergency Management Agency and other state and federal agencies should provide monies for public acquisition rather than continuing to fund rebuilding in high hazard areas.

History Note: *Authority G.S. 113A-119; 113A-124(b);*
Eff. October 1, 1982;
Amended Eff. May 1, 1990.