

Unintended Consequences of House Bill 819 -- Sea-Level Rise

The Proposed Committee Substitute for HB 819 Coastal Management Policies (McElraft) may have unintended consequences for local governments, homeowners, NC emergency management efforts and other public institutions.

- The bill restricts state agencies from using the latest and most accurate scientific data and methods to understand sea level rise, even though those agencies and local governments will be responsible for responding to its effects, including property damage and threats to human safety.
- The bill forbids and/or restricts local governments from devising their own policies if they are not consistent with the rate of sea level rise adopted by the Coastal Resources Commission. This restriction may prevent local governments that want to act proactively, and put them at a competitive disadvantage in obtaining federal grants to improve their community planning and public infrastructure.
- For example, the city of Wilmington has expressed concerns that the bill could “jeopardize [a pilot project] and result in a lost opportunity as well as potential future economic losses to our community.”
- Restricting state agencies and local governments from using the latest scientific data and methods could drive up coastal insurance rates if insurers believe that building standards, emergency management plans, and other critical policy are based on inadequate research or data.
- The bill requires the use of “historical data” to make projections of sea level rise, and forbids the use new and emerging scientific evidence that sea level rise is accelerating. This is a lot like being told to make investment decisions strictly on past performance, and not being allowed to consider market trends and research. Requiring state and local agencies to use this approach is simply bad science.
- The bill does not define “sea-level rise.” The term is very broad, and can mean everything from daily tidal changes, storm surges, in addition to long-term sea level changes. Once this language is in law, it could affect a much more encompassing set of issues than the bill now intends such as state programs that aim to reduce hurricane damage.
- The bill mandates the exact way that sea level rise must be measured. It prescribes technical requirements that many scientists believe are unnecessary and not affordable or impractical to implement. These costly and unrealistic requirements make it almost impossible to collect the data that the law requires.

- The bill undercuts the work of the N.C. Division of Emergency Management (DEM) to help prepare the state for hurricanes and flooding. It imposes requirements on DEM that could undercut several years of work funded with more than \$5 million obtained from U.S. Department of Homeland Security. This could mean that the DEM cannot fulfill its grant requirements, and means that much of the work that has been accomplished could be wasted.

In short, HB819 proposes a number of potentially far-reaching changes that may result in unintended consequences for coastal property owners, local governments, insurers, emergency managers and other organizations and agencies.

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