

An Agenda to Rebuild a Thriving Eastern North Carolina Post Hurricane Florence

The damage to communities and the lives of thousands of people in Eastern North Carolina from Hurricane Florence is clear. The recovery process presents tremendous opportunities for North Carolina to rebuild with an eye towards a future where communities are resilient, local economies are inclusive and institutions—public and private—are committed to serving the community.

To do so, state policymakers must make critical investments and ensure that those dollars are not displacing other investments. The good news is that the General Assembly can access:

- The \$2 billion of the Rainy Day Fund and
- The \$500 million of unappropriated balance from the final budget

In addition, given the immediate needs in communities, the scheduled rate reductions on personal and corporate income for January 2019 should be postponed or cancelled. This would provide approximately \$900 million in one fiscal year and an ongoing source of revenue to build the systems to achieve resiliency.

The measure of our state is in our response to real crises and the following priorities have been identified as essential investments and policies that support rebuilding now and provide for a better future.

Align Systems to Serve the Public

1. Increase access to legal services through additional staffing so that residents can go through administrative processes and access resources to meet their households' needs and protect their assets. Examples of legal needs include, but are not limited to: access to relief, resolution of consumer scams, foreclosure and mortgage issues, denial of benefits and landlord/tenant issues. An alternative to a direct appropriation to Legal Aid of NC may be to include legal services in the definition of case management for the provision of case workers below.
2. Train and increase the number of case workers to work in key community institutions with specific focus on hard-to-reach populations.
3. Fund educational services for children in shelters through the homebound program model or another similar instructional method.

4. Provide school calendar flexibility to impacted districts that allow districts to make up days that were missed due to Florence and provide students with a full school year of instruction.
5. Provide those with limited English proficiency translated materials and have interpreters available to communicate effectively with personnel in shelters, assistance programs, and all other recovery efforts.

Build Inclusive, Healthy Communities

Given the demographics of Eastern North Carolina, including the areas hardest hit by the storm, we believe a significant portion of individuals and families displaced from housing by the storm include low and very low income renters. Therefore, it is critical to:

1. Provide temporary shelter for directly impacted families.
2. Ensure that landlords do not discriminate against tenants who are affected by the storm and have a subsidy.
3. Urge the activation of the Disaster Housing Assistance Program by FEMA to avoid people being stuck in motels for extended periods.
4. Absent action by FEMA, establish a state housing voucher program to provide housing support to people directly impacted.
5. Sufficiently fund housing development through the NC Housing Trust Fund, administered by the NC Housing Finance Agency to ensure displaced renters have affordable rental options.
6. Specifically fund efforts to meet the needs of lower income families, specifically those at 30% to 50% of the Area Median Income (AMI).
7. Increase funding of the State Acquisition Relocation Fund (SARF) in order to reflect rising housing and construction costs.
8. Expedite the development of new housing by offering pre-development financing tools to local governments, non-profits and public housing authorities.
9. Provide resources for "Housing Resource Centers" (modelled after the Mississippi model) that provide one stop sites connecting communities to programs, services and local governments.
10. Provide homeowners with resources to repair the damage to their homes above the \$33,000 limit set by FEMA assistance and after private insurance is applied. Funds should target homeowners who are 80% of AMI or below.

11. Establish a state-level Hurricane Damage Reduction Trust Fund to pay for local buy out and relocation initiatives, and other forward-looking mitigation programs.
12. Test water quality in groundwater drinking wells for residents who experienced flooding from Hurricane Florence.
13. Provide mental health services for families and evidence-based trauma programming in schools most deeply impacted by the Hurricane; including funding the hiring of counselors in directly affected schools.
14. Double funding for food banks.
15. Fund public health departments to develop public education programs around long-term health consequences of disaster and health care services to those directly affected
16. Provide state funding to serve Medicaid recipients with identified long-term conditions with additional treatments that are exacerbated by environmental conditions in the affected areas such as asthma
17. Rebuild and repair schools to ensure children are learning in a healthy environment and fund mold remediation efforts as well as testing of drinking water in schools.
18. Increase funding for the NC Clean Water Management Trust Fund to \$50,000,000 per year to protect and restore wetlands (to store and clean water); to acquire riparian buffers and floodplains, while also rolling back changes to the riparian buffer that were made after 2011; and to assist communities in converting properties bought out by FEMA into parks, greenways and green infrastructure.

Protect NC Workers

1. Clarify that it is the public policy of the state of North Carolina that employers in counties designated as emergency areas cannot terminate employees for failing to report to work as a result of the emergency. (The NC Department of Labor has issued guidance saying that employers can require employees to report to work even in those areas designated as “under emergency” by the Governor, and may terminate those employees who do not report to work under these conditions. This sets up a situation where an employee may have to choose between following state-mandated evacuation procedures and keeping their jobs, even if the latter puts their lives and the lives of their families in danger. Beyond the risk to employees’ lives, this guidance also conflicts with state and federal disaster response procedures, which may hamper the ability of emergency management officials to respond to disasters in the most effective way and put additional lives in danger. Additionally, the guidance may also conflict with the federal Occupational Safety and Health Administration’s general duty clause and its North Carolina equivalent requiring employers to provide safe workplaces. This guidance

may involve the issuance of regulations through NC Emergency Management and/or action by the General Assembly.)

2. NC DOL should assign additional OSHA inspectors to the hurricane-affected communities during cleanup efforts.
3. NC DOL should conduct outreach efforts to provide workers and employers, including home owners, information on how to protect workers from health hazards associated with hurricane cleanup; such as mold, polluted water, coal ash, hog manure, toxic waste sites, etc.
4. Emergency Management or NC DOL needs to provide N-95 respirators to companies and individuals assisting with cleanup (these could be donated).
5. NC DOL should prioritize conducting post-occupancy inspections of migrant housing in areas where flooding has occurred and publicize and enforce the Migrant Housing Act provision requiring employers to provide alternate housing if the housing is uninhabitable.
6. NC DOL should publicize forecasted hurricanes, disaster preparedness efforts, evacuations, and emergency shelters to migrant farmworkers; and reach out specifically to their growers to encourage them to help farmworkers with evacuations.
7. NC DOL and DES should monitor post-hurricane cleanup sites to ensure guest workers are not being required to perform off-contract work for which they are not trained.
8. NC Ag and DES encourage H2A employers whose crops have been destroyed to declare an Act of God so that workers may return home (note: this is not an OSHA request – it is a request for Dept. of Ag and ESC).

Strengthen Connections to Opportunity

1. Ensure federal, state and local work contracts for local businesses and particularly historically underutilized businesses by setting a target for a percent of contracts to engage these business owners.
2. Provide for additional programming in affected school districts to offer summer learning loss programs and additional after-school programming to support student achievement or provide other compensatory education to make sure instructional time is made up.
3. Set a maximum number of calendar days that can be missed (e.g. no more than five days or 50% of days missed) to ensure instructional time is not lost and fund additional calendar days.

4. Ensure community colleges and public universities directly affected by the Hurricane are first in line for capital investment repair dollars.
5. Fund small business gap loans for businesses waiting on federal SBA loans through low-cost products provided by the Golden Leaf Foundation and the NC Rural Center.
6. Support farmers transitioning to sustainable hog farming by funding the capping of hog lagoons and the use of the latest technology in this space.

Adapt to Thrive

1. Invest in a long-term disaster response system and relief structures that allow for emergency response and effective training of first responders.
2. Establish a position of Chief Resiliency Officer to institutionalize knowledge about the recovery and rebuilding process, monitor and track long-term progress.
3. Adopt a state floodplain management policy that sets a goal of 'no adverse impact' from new development.
4. Consider expanding the prohibition of new buildings to exclude building in 100-year flood zones.
5. Ensure the state tracks data on sea level rise using the scientific methods best able to plan for and prepare for changing dynamics to planning and preparations for disasters.
6. Require NC Division of Emergency Management and local governments use the existing state Flood Inundation Network and Alert Mapping (FIMAN) tools to inform planning decisions and development approvals.
7. Encourage local governments to implement hazard mitigation programs by providing technical assistance and funding.
8. Support long-term community planning for communities with attention to securing local resident participation and input in decision-making processes by:
 - a. Quantifying the economic impact of Hurricane Florence at the local level as well as state level;
 - b. Convening residents for interviews and focus groups to understand the priorities of the community;
 - c. Establishing Coordinating Councils with at least 1/3 of members being residents to inform rebuilding efforts;

- d. Specifically providing a seat at the table for residents in each county to be part of the decision-making process around:
 - 1) Allocation of CDBG DR funds and
 - 2) Distribution of state funds and contracts awarded.