



2015-2016 General Assembly

## HOUSE BILL 97: 2015 Appropriations Act, Sec. 14.6.(c)-(g): Deep Draft Navigation Channel Dredging and Maintenance

**Committee:**

**Introduced by:**

**Analysis of:** Sec. 14.6 (c) through (g) of S.L. 2015-241

**Date:**

**Prepared by:** Jeff Cherry

Legislative Analyst

**SUMMARY:** *Subsecs. 14.6(c) through (g) of S.L. 2015-241 enact various provisions regarding the dredging and maintenance of the deep draft navigation channels providing access to the State Ports facilities at Wilmington and Morehead City, as follows:*

- *Establishes the Deep Draft Navigation Channel Dredging and Maintenance Fund (Fund) to receive State and private funds for completion of projects improving navigational access to State Port facilities. Projects funded from the Fund must include a one to one cost share between State Ports Authority (SPA) and private funding.*
- *Directs the SPA and the Department of Environment and Natural Resources (DENR) to enter into a Memoranda of Agreement with the United States Army Corps of Engineers to allow for nonfederal funding of dredging and related studies at the State Ports (in the case of SPA) and for Oregon Inlet (in the case of DENR).*
- *Directs the Department of Administration to initiate negotiations with the federal government for acquisition of federal lands necessary for management of the deep draft navigation channel providing access to State Port facilities at Morehead City.*
- *Provides that a decision by the Secretary of Environment and Natural Resources to waive or modify the Fund cost-share requirement does not create a contested case subject to administrative review under the Administrative Procedures Act.*

*These sections became effective July 1, 2015.*

Kory Goldsmith  
Director



H 9 7 - S M M H - 4 - S L

Legislative Drafting  
(919) 733-6660