



# THE FLY PAPER

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## Vistas Changing at CFR

*Sir Tyler Drive growing and changing...*

HEADQUARTERS – The next time you pull into the parking lot at CFR, you will see some dramatic changes. The wooded lot across the street has been cleared, making way for another apartment complex. Last week in a meeting with CFR leaders, **Raiford Trask** of Trask Land Company unveiled a different project that's taking shape at the corner of Sir Tyler Drive and Military Cutoff Road.

"This property used to be one of our favorite hunting spots for ducks," said Trask, as he described the proposed development his company is submitting to the City of Wilmington. "Once it was annexed by the city and we could no longer hunt, it was decided to develop it."

In partnership with Harbor Retail Partners, the 40,000ft<sup>2</sup>+ project, entitled Renaissance North, may include a mix of tenants with a specialty grocery as the anchor, while avoiding fast food shops. CFR Directors and Governmental Affairs Committee were on hand to consider impacts to members. *(Continued Page 2)*

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**Legislative Luncheon**

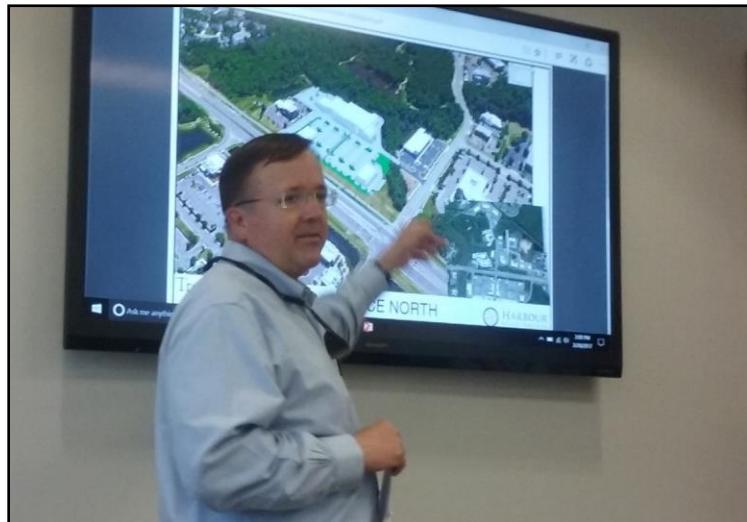
Friday, March 10  
11:30 am - 1 pm  
CFR 3rd Floor

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★ Senator MICHAEL LEE (D9)  
★ REP. CHRIS MILLIS (D16)  
★ REP. DEB BUTLER (D18)  
★ REP. TED DAVIS, JR. (D19)  
★ REP. HOLLY GRANGE (D20)

**Register Today!**

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**Proposed New Development:** Raiford Trask describes a development being proposed on Sir Tyler Driver to CFR leaders on February 28, 2017.

*“(Vistas Changing, continued from Page 1)*

In addressing traffic, we plan to add a second left turn lane from Sir Tyler Drive onto Military Cutoff Road going south,” said Trask. The group expects to submit its proposal to the City on March 21<sup>st</sup>, with the hope of beginning work August 1<sup>st</sup>, and completion the following summer.

“We’re hopeful that as the neighborhood builds out, that adequate traffic designs will allow for good flow,” said President-elect **Fred Gainey**.

## Rouzer Working to Protect MID and 1031

*Tax reform discussions flowing in Congress . . .*

HEADQUARTERS – “Congress recognizes the importance of the Mortgage Interest Deduction,” said Congressman **David Rouzer**, as he concluded a short meeting at the Terraces on Sir Tyler. “It’s one of the few deductions that has very strong support in the face of tax reform.”

The Republican-controlled Congress has placed tax reform as one of the top priorities for the year, which brings all deductions, such as MID, into discussion. In addition, 1031 Like-Kind Exchanges have also been mentioned as talks take place in Washington.

“I also support 1031 exchanges as they are not only important for the real estate community, but for many others in our district, including farmers,” said Rouzer. More information about tax reform can be found [here](#).



## Trump Quashes EPA’s Grab for Increased Authority

*President’s orders rollback of WOTUS . . .*

CAPE FEAR REGION – “Thank goodness this issue will finally be making an exit, thanks to the president’s executive order,” said **Stephen Hobbs**, Chairman of the Governmental Affairs Committee and a commercial practitioner. “For years, we have been fighting this effort by EPA to extend its regulations of navigable waters to every dry creek bed in the country.”

On Tuesday, President **Donald Trump** signed an executive order, directing the Environmental Protection Agency (EPA) and Army Corps of Engineers (ACE) to review its efforts to expand the definition of “waters of the United States,” a key term in the Clean Water Act.

“Because the rule had been finalized, it will not immediately go away,” said **Russell Riggs**, NAR Senior Policy Representative. “The President’s executive action will begin the process of rescinding and rewriting of the rule.” The executive order also requires the EPA Administrator and ACE Assistant Secretary to interpret future rulemaking based on US Supreme Court opinion *Rapanos v. United States* (547 U.S. 715 (2006)).

The current rule, was proposed April 21, 2014 in an effort to “clarify” which water bodies are “waters of the U.S.” and thereby regulated under the Clean Water Act. It was finalized and went into effect August 28, 2015, but on October 9, 2015, the rule was stayed nationwide by a federal court of appeals. As a finalized rule, the administration has to begin the regulatory process from the start to rescind or rewrite it.

The National Association of Realtors® and a large coalition of business and trade groups opposed the redefinition efforts during the Obama Administration. On two prior occasions, such efforts by the agency had been unsuccessful, because increased agency authority must come from Congress. See *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001); and *Rapanos v. United States*.

“Evidently, losing twice in the US Supreme Court was not enough to stop EPA from trying a third time,” said Hobbs.

“While it may take a bit of work to get this rule off the books or changed, farmers, Realtors®, and property owners can give a sigh of relief,” said **Jeff Sweyer**, owner of Century 21 Sweyer & Associates. “Can you imagine having to pull a federal permit every time a property owner walked by a mud puddle? If enacted, this would have been both a ‘taking’ of private property in my opinion, and would have cost the Cape Fear Region millions of dollars in lost economic development due to the additional regulations.” See Realtor® comments covered in the [Business Journal](#) and [StarNews](#).



## RAD Registration Begins!

WILMINGTON – Today the floodgates open! Now's your chance to register for Realtor® Action Day (RAD). What's RAD? It's one day when we mobilize as an entire association and do community building as a group. The past two years we've had great turnouts. We've planted sea oats, visited senior centers, and cleaned up parks. [Register by following this link](#).

## Flood Map Update

GREATER CAPE FEAR REGION – Concerns have arisen as the state works with FEMA on updating flood maps for the state. At meetings along the coast, residents have complained that the risks shown by the flood maps are inaccurate.

“In some areas, the maps reflect a risk of flooding where there’s been no history of it, while designating areas prone to flooding as low or no risk,” wrote **Mike Shutak** recently for the Carteret County News-Times.

The flood maps are used to determine the need for flood insurance, insurance rates based on projected risk. In addition, once the maps are finalized, local communities and counties are eventually required to adopt them to participate in the National Flood Insurance Program. The modeling methodology guidelines, standards and specifications for mapping the flood risk are prescribed by FEMA, most of which

are the same as what was used in the two previous flood risk map updates. The new coastal surge analysis incorporates over 25 years of new storm data, over which time North Carolina coastal areas experienced many new large storm events. North Carolina has collected additional high resolution topography and bathymetry as inputs to the surge and overland wave models that provide a greater resolution and removed a significant number of properties out of the VE and AE zones (~14,000).

“The preliminary maps were created using updated coastal surge and overland wave models, said Planner **Steve Garrett**, with the NC Floodplain Mapping Program. “The effective coastal storm surge analysis from 1980 was replaced with a new more accurate model and topographic and bathymetric datasets, better able simulate storm surge in inland bays, sounds and estuarine areas. Coastal storm surge modeling began with the collection and compilation of the best available topographic and bathymetric data in 2006, which was incorporated into the storm surge modeling completed in 2011.”

The updated model did not include data from either Hurricanes Irene (August, 2011) or Matthew (September 2016). “Communities were encouraged to submit appeals in areas where the maps could be improved. We’ve been working through a series of public meetings and appeal processes throughout the state,” said Garrett. Once all public input has been received and appeals processed, a Letter of Final Determination (LFD) is sought from FEMA by the State, requesting finalization of area maps.

### Status of Flood Maps

- **New Hanover/Pender/Brunswick Co.:** There have been two 90-day appeal periods, the second appeal periods ended October 3-4, 2016. It can take several months to resolve appeals and comments, and issue draft appeal resolution maps. After the community agrees to the resolution there will be a public 30-day or 90-day comment period before the LFD can be requested. With that in mind, it is hoped that the maps will be finalized by the end of the year, resulting in effective dates in 2018.
- **Duplin/Sampson Counties:** All appeals are resolved. LFD anticipated in July 2017.
- **Scotland County:** Maps currently effective.



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