

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2008-10
SENATE BILL 1872**

AN ACT TO EXTEND THE STUDY OF THE ALLOCATION OF WATER RESOURCES AND THEIR AVAILABILITY AND MAINTENANCE IN THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Whereas, the Environmental Review Commission and the University of North Carolina at Chapel Hill School of Government acknowledge that an extension of time is necessary in order to complete the work of the Water Allocation Study contemplated in the contract between the two parties and the work identified in Section 1(a) of S.L. 2007-518; and

Whereas, the University of North Carolina School of Government acknowledges in its Interim Report to the Environmental Review Commission that further work will be required beyond 2008 given the scope and importance of the study; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. Section 1(a) of S.L. 2007-518 reads as rewritten:

"SECTION 1.(a) The Environmental Review Commission, with the assistance of the Department of Environment and Natural Resources, shall study the allocation of surface water resources and their availability and maintenance in the State, including issues related to the transfer of water from one river basin to another, the withdrawal of water for consumptive use, and the accuracy and tolerance of equipment used to measure the flow of water transferred from one river basin to another river basin. The Commission shall evaluate the benefits of establishing formal and informal procedures for negotiating transfers of water from one river basin to another. The Commission shall also study and recommend measures to: (i) ensure that the purposes of the Regional Water Supply Planning Act of 1971, as set out in G.S. 162A-21, are fulfilled; (ii) provide for a comprehensive system for regulating surface water withdrawals for consumptive and nonconsumptive uses; (iii) provide for the establishment of a statewide plan for water resources development projects; (iv) provide for adequate resources for the Department so that it may develop and implement a comprehensive approach to water resources management; (v) ensure that all State laws regulating water resources are consistent with and fully integrated into the comprehensive system for regulating surface water withdrawals and the statewide plan for water resources development projects; and (vi) ensure that potential interstate conflicts related to water resources are avoided or minimized. In the conduct of this study, the Environmental Review

Commission may employ independent consultants as provided in G.S. 120-32.02 and G.S. 120-70.44. The Environmental Review Commission may submit ~~an interim report~~ reports to the 2008 and 2009 Regular Session ~~regular sessions~~ of the General Assembly and shall submit a final report of its findings and recommendations, including any legislative proposals, to the ~~2009~~ General Assembly on or before 1 October 2010."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 16th day of June, 2008.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 2:00 p.m. this 25th day of June, 2008