

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1872*

Short Title: Extend Water Allocation Study. (Public)

Sponsors: Senator Clodfelter.

Referred to: Agriculture/Environment/Natural Resources.

May 22, 2008

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND THE STUDY OF THE ALLOCATION OF WATER
2 RESOURCES AND THEIR AVAILABILITY AND MAINTENANCE IN THE
3 STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW
4 COMMISSION.
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6 Whereas, the Environmental Review Commission and the University of
7 North Carolina at Chapel Hill School of Government acknowledge that an extension of
8 time is necessary in order to complete the work of the Water Allocation Study
9 contemplated in the contract between the two parties and the work identified in Section
10 1(a) of S.L. 2007-518; and

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

15 The General Assembly of North Carolina enacts:

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

17 **"SECTION 1.(a)** The Environmental Review Commission, with the assistance of
18 the Department of Environment and Natural Resources, shall study the allocation of
19 surface water resources and their availability and maintenance in the State, including
20 issues related to the transfer of water from one river basin to another, the withdrawal of
21 water for consumptive use, and the accuracy and tolerance of equipment used to
22 measure the flow of water transferred from one river basin to another river basin. The
23 Commission shall evaluate the benefits of establishing formal and informal procedures
24 for negotiating transfers of water from one river basin to another. The Commission
25 shall also study and recommend measures to: (i) ensure that the purposes of the
26 Regional Water Supply Planning Act of 1971, as set out in G.S. 162A-21, are fulfilled;
27 (ii) provide for a comprehensive system for regulating surface water withdrawals for
28 consumptive and nonconsumptive uses; (iii) provide for the establishment of a statewide
29 plan for water resources development projects; (iv) provide for adequate resources for

1 the Department so that it may develop and implement a comprehensive approach to
2 water resources management; (v) ensure that all State laws regulating water resources
3 are consistent with and fully integrated into the comprehensive system for regulating
4 surface water withdrawals and the statewide plan for water resources development
5 projects; and (vi) ensure that potential interstate conflicts related to water resources are
6 avoided or minimized. In the conduct of this study, the Environmental Review
7 Commission may employ independent consultants as provided in G.S. 120-32.02 and
8 G.S. 120-70.44. The Environmental Review Commission may submit ~~an interim report~~
9 reports to the 2008 and 2009 Regular Session regular sessions of the General Assembly
10 and shall submit a final report of its findings and recommendations, including any
11 legislative proposals, to the ~~2009~~ General Assembly on or before 1 October 2010."

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