

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2010-149  
HOUSE BILL 1748**

AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

Whereas, North Carolina recognizes that water is our most basic and precious natural resource; and

Whereas, North Carolina has experienced several years of extreme drought over the past decade and will likely continue to experience extreme drought in the future; and

Whereas, North Carolina should identify and promote best management practices and leadership efforts in water efficiency and water conservation; and

Whereas, agriculture is one of the largest industries in the State, with an annual economic impact of over \$70 billion each year and employing over 640,000 people; and

Whereas, agriculture suffers acutely from the effects of water scarcity and drought, while at the same time playing an important role in the sustainable management of available water resources; and

Whereas, farmers and agricultural landowners can play an important role in helping to protect current and future water resources; and

Whereas, the United States Environmental Protection Agency conducts an assessment of the national public water system capital improvement needs every four years as part of its Drinking Water Infrastructure Needs Survey and Assessment, but this survey does not consider agricultural water infrastructure needs; and

Whereas, the Department of Agriculture and Consumer Services, in conjunction with the Division of Soil and Water Conservation of the Department of Environment and Natural Resources, the North Carolina Farm Bureau Federation, other agricultural organizations, and farmers are currently in the process of developing a strategic plan for protecting agricultural water resources; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.** The Department of Agriculture and Consumer Services and the Division of Soil and Water Conservation of the Department of Environment and Natural Resources shall continue to work with the North Carolina Farm Bureau Federation, other agricultural organizations, and farmers to develop a plan that will identify agricultural water infrastructure needs that are not accounted for in the surveys of water infrastructure needs conducted by the United States Environmental Protection Agency. The plan shall include the following:

- (1) A mechanism for reporting the results of the data gathered to the General Assembly in a manner that is helpful in assessing legislative and budgetary issues that the General Assembly may need to address.
- (2) Methods to identify current and future agricultural water-use needs and methods to ensure that those needs are met.



(3) Methods to identify best management practices for water conservation and water efficiency by agricultural water users in the State.

(4) A schedule to update the plan on a regular basis.

**SECTION 2.** The Department of Agriculture and Consumer Services and the Department of Environment and Natural Resources shall work with farmers and agricultural landowners to encourage voluntary practices that conserve water, increase the efficiency of private water use, and increase the water storage capacity of agricultural lands. The Department of Agriculture and Consumer Services and the Department of Environment and Natural Resources shall jointly design a cost-share program to provide technical and financial support to farmers and agricultural landowners who want to implement best management practices to protect water resources related to agricultural use.

**SECTION 3.** The Department of Agriculture and Consumer Services and the Department of Environment and Natural Resources shall report to the Legislative Study Commission on Water and Wastewater Infrastructure by November 1, 2010, on the development of the plan to identify agricultural water infrastructure needs, the identification of best management practices for water conservation and water efficiency by agricultural water users in the State, and the design of the cost-share program. The report shall include the estimated costs of implementing the plan and cost-share program, the proposed methodology and time frame for implementing the plan and cost-share program, possible sources of funding for the cost-share program, and any legislative changes needed to implement the plan and cost-share program.

**SECTION 4.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1<sup>st</sup> day of July, 2010.

s/ Walter H. Dalton  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 2:53 p.m. this 22<sup>nd</sup> day of July, 2010