

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

S

D

SENATE DRS15189-MH-42 (2/24)

Short Title: Study Interbasin Transfer Netting.

(Public)

Sponsors: Senator Bingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY
ISSUES RELATED TO THE USE OF INTRABASIN AND INTERBASIN NETTING BY
CONTRACT AMONG WATER UTILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. The Environmental Review Commission, with the assistance of the Department of Environment and Natural Resources, shall study the feasibility and environmental impact of intrabasin and interbasin netting of water withdrawals and discharges by contract among water systems subject to regulation by the North Carolina Utilities Commission ("water utilities"). The Commission shall address, at a minimum, the following issues:

- (1) The advisability of and statutory changes needed to allow water utilities located in the same river basin to combine their existing interbasin transfer certificate capacities within a particular river basin so that the net transfers do not exceed the statutory threshold imposed by G.S. 143-215.22L for a new interbasin transfer certificate.
- (2) The advisability of and statutory changes needed to allow water utilities to elect to enter into regional agreements to create a net water balance between river basins utilizing each utility's current interbasin transfer certificate so that the net transfers between basins do not exceed the statutory threshold imposed by G.S. 143-215.22L for a new interbasin transfer certificate.
- (3) How the measures described in paragraphs (1) and (2) above would impact the purposes and findings set forth in the Regional Water Supply Planning Act of 1971, as set out in G.S. 162A-21.

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 to the 2010 Regular Session of the 2009 General Assembly and shall submit a final report of its findings and recommendations, including any legislative proposals, to the 2011 General Assembly.

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

