

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 873

Short Title: Amend Jordan Lake Reservoir H2O Quality Rules. (Public)

Sponsors: Representatives Jones, Ingle, Blust, and Faircloth (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Environment, if favorable, Appropriations.

May 2, 2011

A BILL TO BE ENTITLED

AN ACT TO AMEND THE JORDAN LAKE RESERVOIR WATER QUALITY RULES.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2(b) of S.L. 2009-216 reads as rewritten:

"SECTION 2.(b) Implementation. – Notwithstanding sub-subdivision (c) of subdivision (6) of Wastewater Discharge Rule 15A NCAC 02B .0270, each existing discharger with a permitted flow greater than or equal to 0.1 million gallons per day (MGD) shall limit its total nitrogen discharge to its active individual discharge allocation as defined or modified pursuant to Wastewater Discharge Rule 15A NCAC 02B .0270 no later than calendar year ~~2016~~2020."

SECTION 2. Section 3(d) of S.L. 2009-216 reads as rewritten:

"SECTION 3.(d) Control of Nutrient Loading From Existing Development. – The Department shall require implementation of reasonable nutrient load reduction measures for existing development in each subwatershed of the Jordan Reservoir, as provided in this act. The Department shall determine whether nutrient load reduction measures for existing development are necessary in each subwatershed of Jordan Reservoir and require implementation of reasonable nutrient reduction measures in accordance with an adaptive management program as follows:

...

(2) Stage 2 Adaptive Management Program to Control Nutrient Loading From Existing Development.

a. If the March 1, 2014 monitoring report or any subsequent monitoring report for the Upper New Hope Creek Arm of Jordan Reservoir required under Section 3(c) of this act shows that nutrient-related water quality standards are not being achieved, a municipality or county located in whole or in part in the subwatershed of that arm of Jordan Reservoir shall develop and implement a Stage 2 adaptive management program to control nutrient loading from existing development within the subwatershed, as provided in this act. If the March 1, ~~2017~~2020 monitoring report or any subsequent monitoring report for the Haw River Arm or the Lower New Hope Creek Arm of Jordan Reservoir required under Section 3(c) of this act shows that nutrient-related water quality standards are not being achieved, a municipality or county located in whole or in part in the subwatershed of that arm of Jordan Reservoir shall develop and implement a Stage 2 adaptive management program to control



1 nutrient loading from existing development within the subwatershed,
2 as provided in this act. The Department shall defer development and
3 implementation of Stage 2 adaptive management programs to control
4 nutrient loading from existing development required in a
5 subwatershed by this subdivision if it determines that additional
6 reductions in nutrient loading from existing development in that
7 subwatershed will not be necessary to achieve nutrient-related water
8 quality standards. In making this determination, the Department shall
9 consider the anticipated effect of measures implemented or scheduled
10 to be implemented to reduce nutrient loading from sources in the
11 subwatershed other than existing development. If any subsequent
12 monitoring report for an arm of Jordan Reservoir required under
13 Section 3(c) of this act shows that nutrient-related water quality
14 standards have not been achieved, the Department shall notify the
15 municipalities and counties located in whole or in part in the
16 subwatershed of that arm of Jordan Reservoir and the municipalities
17 and counties shall develop and implement a Stage 2 adaptive
18 management program as provided in this subdivision.

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20 **SECTION 3.** There is appropriated from the General Fund to the Savings Reserve
21 Account the sum of twenty-five thousand dollars (\$25,000) for the 2011-2012 fiscal year to be
22 available for any emergency use, including any environmental emergencies that may arise as
23 the result of delaying the implementation of the Jordan Lake Reservoir water quality rules as
24 required by this act.

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