

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

S

2

SENATE BILL 1291*

Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/1/10

Short Title: Water Infrastructure Needs/Close Info Gaps.

(Public)

Sponsors:

Referred to:

May 20, 2010

A BILL TO BE ENTITLED

1
2 AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL
3 RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO
4 DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT
5 INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER
6 INFRASTRUCTURE NEEDS AND TO DEVELOP A PLAN FOR INCORPORATING
7 THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL
8 PROTECTION AGENCY SURVEYS INTO THE STATE WATER SUPPLY PLAN, AS
9 RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND
10 WASTEWATER INFRASTRUCTURE.

11 Whereas, the two primary sources of data currently available to determine the
12 State's water and wastewater needs include the United States Environmental Protection Agency
13 surveys of publicly owned water and wastewater systems conducted every four years by the
14 Department of Environment and Natural Resources and the North Carolina Rural Economic
15 Development Center Water 2030 Initiative; and

16 Whereas, the Water 2030 Initiative, completed in 2005, provides a snapshot of
17 projected water and wastewater infrastructure needs through 2030, but was funded as a onetime
18 overview, and has not been fully updated since 2005; and

19 Whereas, while both the United States Environmental Protection Agency surveys
20 and Water 2030 Initiative are useful tools, there continue to be gaps in the information used to
21 determine the State's water and wastewater infrastructure needs, particularly with regard to
22 economic development and growth-related infrastructure needs, water system efficiency
23 measures, and costs related to the development of new water sources; Now, therefore,
24 The General Assembly of North Carolina enacts:

25 **SECTION 1.(a)** Statewide Survey of Water and Wastewater Infrastructure Needs
26 to Supplement Current Surveys. – The Department of Environment and Natural Resources, in
27 conjunction with the Environmental Finance Center at the School of Government at the
28 University of North Carolina at Chapel Hill and the Rural Economic Development Center, shall
29 establish a task force to develop a statewide survey to build on the base of the existing United
30 States Environmental Protection Agency water and wastewater infrastructure survey process
31 that will provide a more accurate assessment of statewide water and wastewater infrastructure
32 needs. The task force may also consider requesting information required to update the Water
33 2030 Initiative as part of the survey design. The Department of Environment and Natural
34 Resources shall be the lead agency of the task force.

35 The survey shall be designed to obtain information relevant to and that addresses the
36 following information gaps that have been identified in the current information sources:



- 1 (1) Information on water and wastewater infrastructure needs related to
2 economic development and population growth.
- 3 (2) Information on water and wastewater system service areas.
- 4 (3) Information on drinking water needs relevant to determining the need and
5 the cost of proposed reservoir construction.
- 6 (4) Information on infrastructure needs to address failing water and wastewater
7 systems.
- 8 (5) Information on the infrastructure needs related to water system efficiency to
9 address the issue of water loss.

10 **SECTION 1.(b)** Update and Reporting of Survey Information. – When designing
11 the survey described in subsection (a) of this section, the task force shall also consider how
12 often the information provided by the survey should be updated. The task force shall also
13 consider how the survey results can be formulated and summarized to provide an updated and
14 easily understood report for use by the General Assembly on combined water and wastewater
15 infrastructure needs and shall develop a model format for that report.

16 **SECTION 1.(c)** Reporting Requirement for Statewide Survey Plan. – The task
17 force shall report its findings and recommendations, including the proposed statewide survey
18 and the proposed methodology for conducting the survey, to the Legislative Study Commission
19 on Water and Wastewater Infrastructure by November 1, 2010. The report shall include the
20 estimated cost to implement the survey and any legislative changes required to implement the
21 survey.

22 **SECTION 2.(a)** Plan to Incorporate Information From Needs Survey Into State
23 Water Supply Plan. – The Department of Environment and Natural Resources shall develop a
24 plan to incorporate relevant information obtained from the United States Environmental
25 Protection Agency surveys into the State water supply plan developed pursuant to
26 G.S. 143-355(m). In devising the plan to incorporate the needs survey information into the
27 State water supply plan, the Department shall consider possible modifications to the
28 information collected as part of the local water supply plans or the methodology used to
29 prepare the local water supply plans that would make it easier to incorporate the needs survey
30 information into the State water supply plans.

31 **SECTION 2.(b)** Reporting Requirement for Plan to Incorporate Infrastructure
32 Needs Survey Information Into State Water Supply Plan. – The Department of Environment
33 and Natural Resources shall report its plan for incorporating the information from the United
34 States Environmental Protection Agency water and wastewater infrastructure needs surveys
35 into the State water supply plan to the Legislative Study Commission on Water and Wastewater
36 Infrastructure by November 1, 2010. The report shall include the estimated cost to implement
37 the plan and any legislative changes required to implement the plan.

38 **SECTION 3.** This act is effective when it becomes law.