

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1291*
PROPOSED COMMITTEE SUBSTITUTE S1291-PCS85358-SY-6

Short Title: Water Infrastructure Needs/Close Info Gaps.

(Public)

Sponsors:

Referred to:

May 20, 2010

A BILL TO BE ENTITLED

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

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

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

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

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



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

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

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

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

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

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

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