

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**SENATE BILL 1294\*  
PROPOSED COMMITTEE SUBSTITUTE S1294-PCS55610-SY-5**

Short Title: Conserve & Protect Ag Water Resources.

(Public)

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Sponsors:

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Referred to:

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May 20, 2010

A BILL TO BE ENTITLED

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

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

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

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

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

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

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

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

30       Whereas, the Department of Agriculture and Consumer Services, in conjunction  
31 with the Division of Soil and Water Conservation of the Department of Environment and  
32 Natural Resources, the North Carolina Farm Bureau Federation, other agricultural  
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1 organizations, and farmers are currently in the process of developing a strategic plan for  
2 protecting agricultural water resources; Now, therefore,  
3 The General Assembly of North Carolina enacts:

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

- 11 (1) A mechanism for reporting the results of the data gathered to the General  
12 Assembly in a manner that is helpful in assessing legislative and budgetary  
13 issues that the General Assembly may need to address.
- 14 (2) Methods to identify current and future agricultural water-use needs and  
15 methods to ensure that those needs are met.
- 16 (3) Methods to identify best management practices for water conservation and  
17 water efficiency by agricultural water users in the State.
- 18 (4) A schedule to update the plan on a regular basis.

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

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

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