



Division of Water Resources Update

Environmental Review Commission
January 18, 2011

Overview

- Resolution of Supreme Court Lawsuit
- Implementation of SL 2010-143
 - Improve River Basin Modeling
- Update on Coastal Capacity Use Area

Settlement of Supreme Court Lawsuit

- Originally filed by SC in 2007
 - Disputed NC's use of Catawba River water
 - Precipitated by Concord-Kannapolis IBT
- Parties reached a settlement in December 2010
 - NC/SC/Duke Energy/Catawba River Water Supply Proj.
- Dismissed from Supreme Court on December 14
- Catawba-Wateree Bi-State Commission played a pivotal role in negotiating the settlement

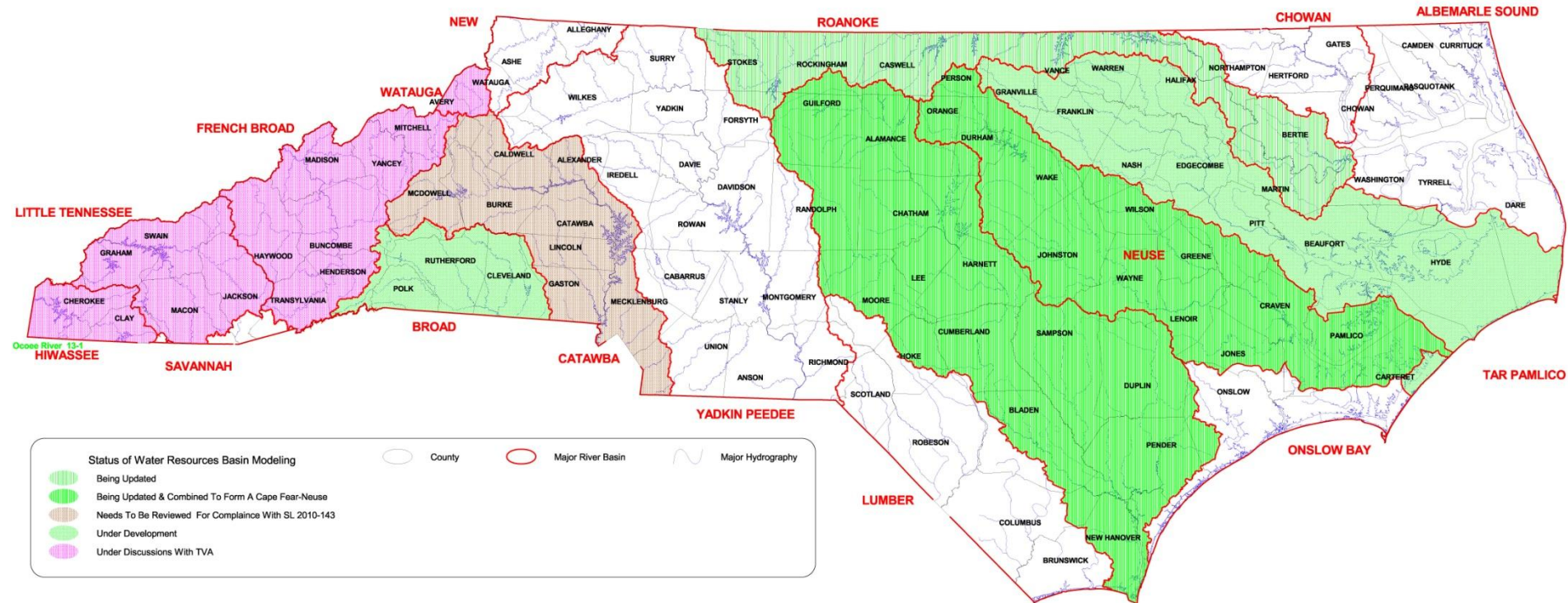
What did NC give up to settle?

- Nothing that it is not already doing
- Agreed to abide by Comprehensive Relicensing Agreement for Duke Energy's FERC license
 - NC already a signatory to this agreement
 - Includes Low Inflow Protocol (LIP) for drought periods
- Agreed to abide by existing statutory requirements for approval & notice of future IBTs in the Catawba
 - New IBT statutory requirements adopted in 2007 & 2008
 - SC must adopt similar measures for their portion of basin
- Agreed to evaluate water supply needs in the Catawba-Wateree Basin every 10 years

Implementation of SL 2010-143

- DENR to develop models for all 17 river basins
 - Mandated incorporation of ecological flows
- Establishment of eco-flows science advisory board
- Required approval of models by EMC

Status of NC Hydrologic Basin Models



Implementation of SL 2010-143

- Hydrologic Models Completed or Under Development
 - Neuse Model: Completed
 - Cape Fear update/merger of Cape Fear/Neuse into 1 model
 - Roanoke Model: Underway
 - Tar Model: Underway
 - Broad Model: Underway
- Other Modeling Activity
 - Review of the existing Catawba Model w/Catw. WMG
 - Initiate discussions w/TVA about the Tennessee Basin

Implementation of SL 2010-143

- Ecological-Flows Science Advisory Board
 - Established w/membership specified in Bill
 - Facilitated by Natural Resource Leadership Institute of NCSU
 - Process/meetings ongoing
 - Meetings broadcasted over internet
 - Goal is to conclude in 2-3 years

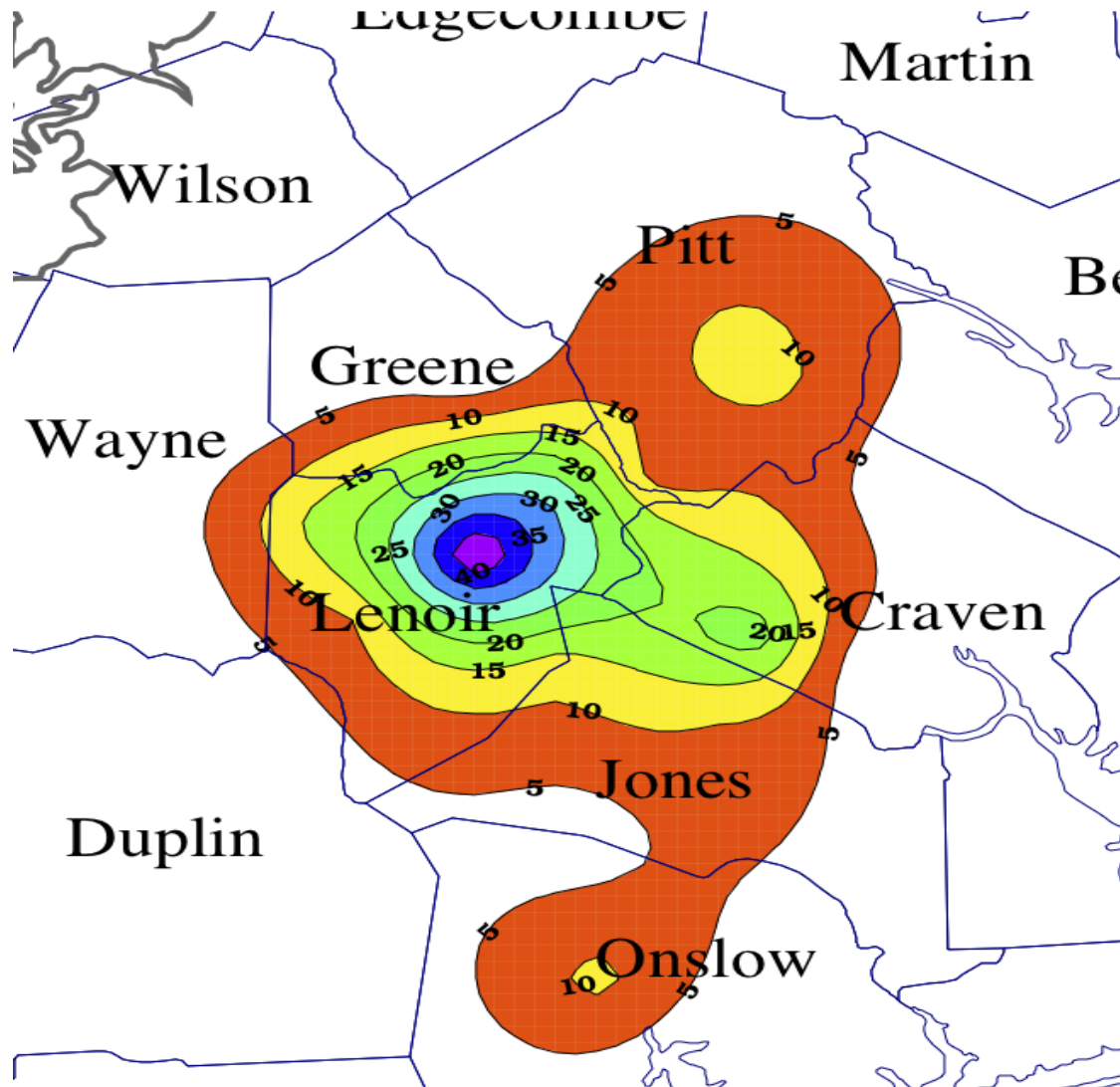
Implementation of SL 2010-143

- Model Approval by EMC
 - EMC Technical Advisory Group established
 - Will oversee and guide model development
 - First model approval process in Fall 2011

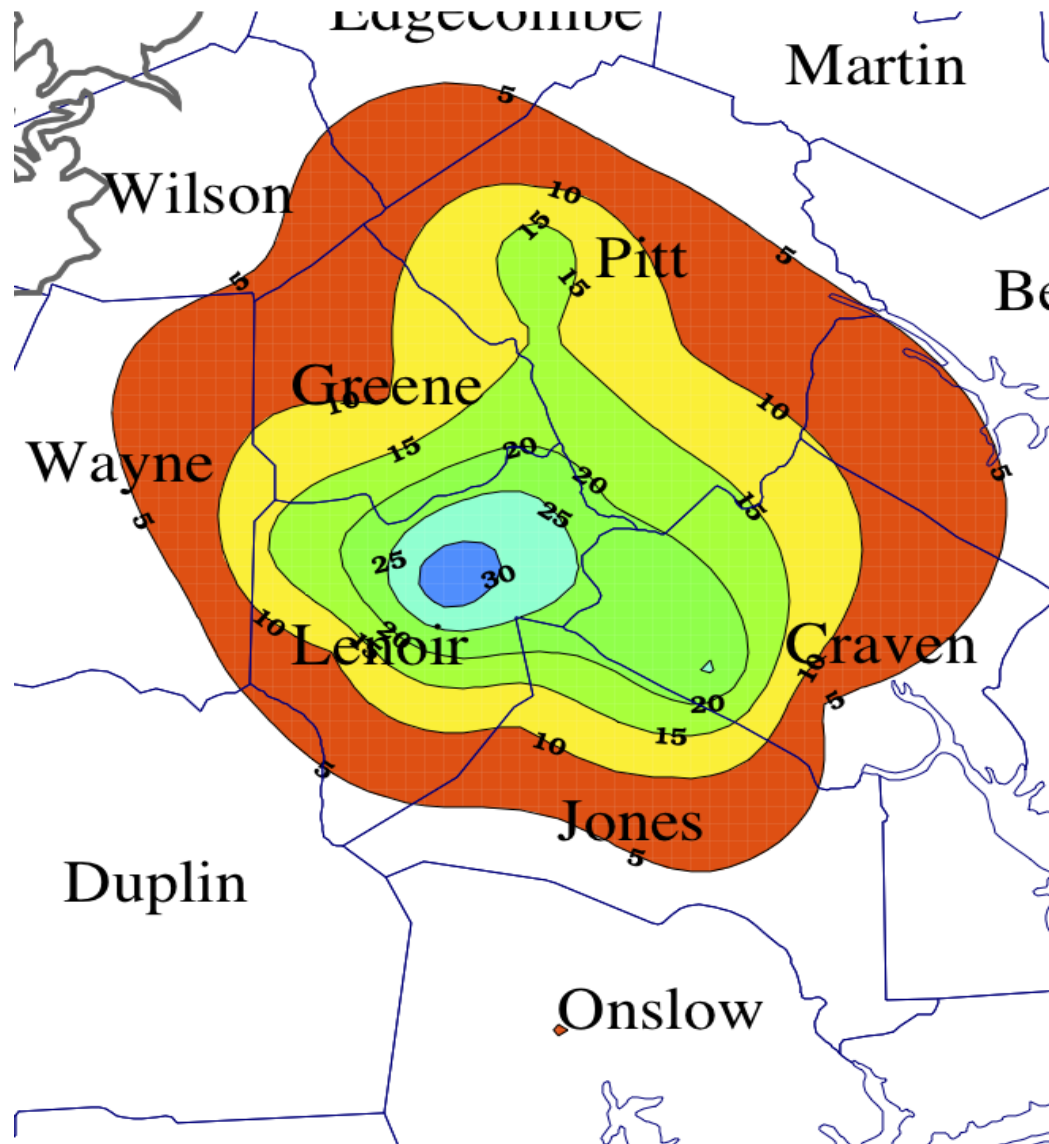
Update on Capacity Use Area

- Continued recovery of confined aquifers
- Approval of Greenville Utilities Comm. IBT request
 - GUC service area will switch to Tar surface water
- Termination of International Paper withdrawal in VA
 - Withdrawal in VA was extracting NC groundwater

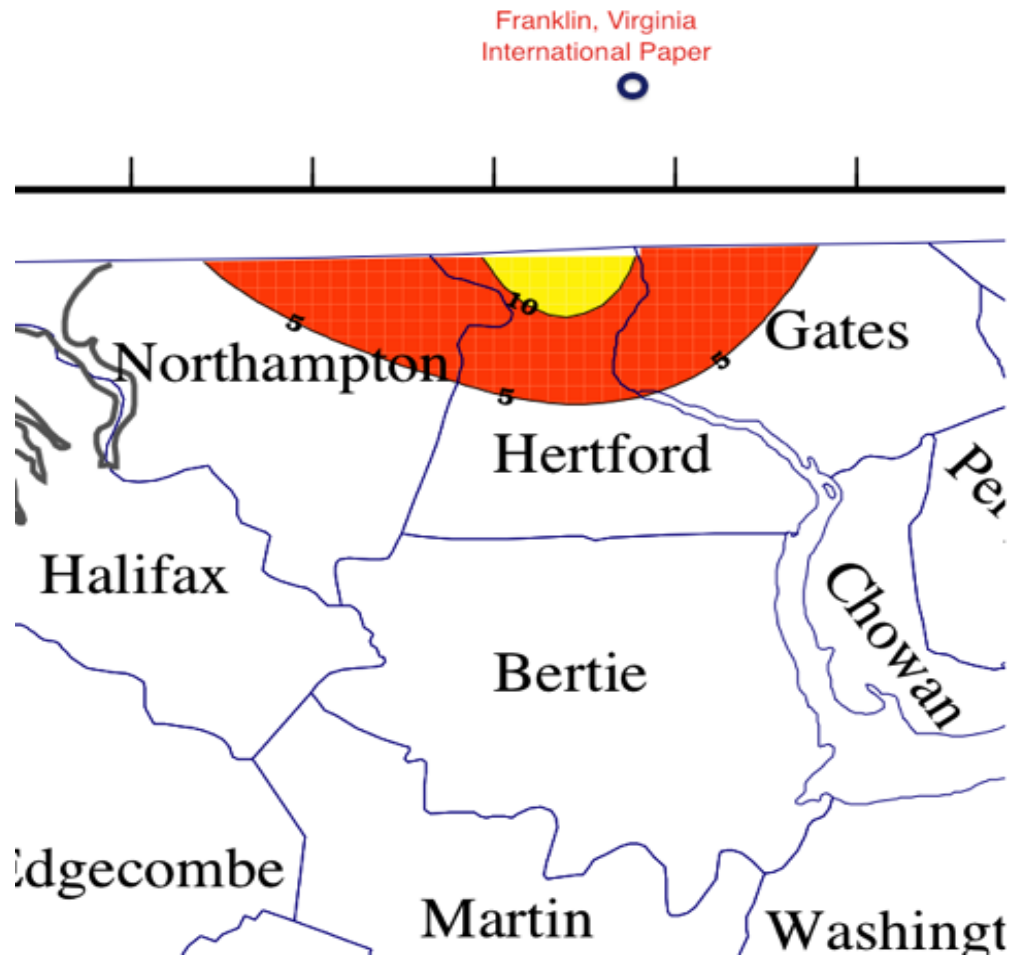
Black Creek Aquifer in CUA



Upper Cape Fear Aquifer in CUA



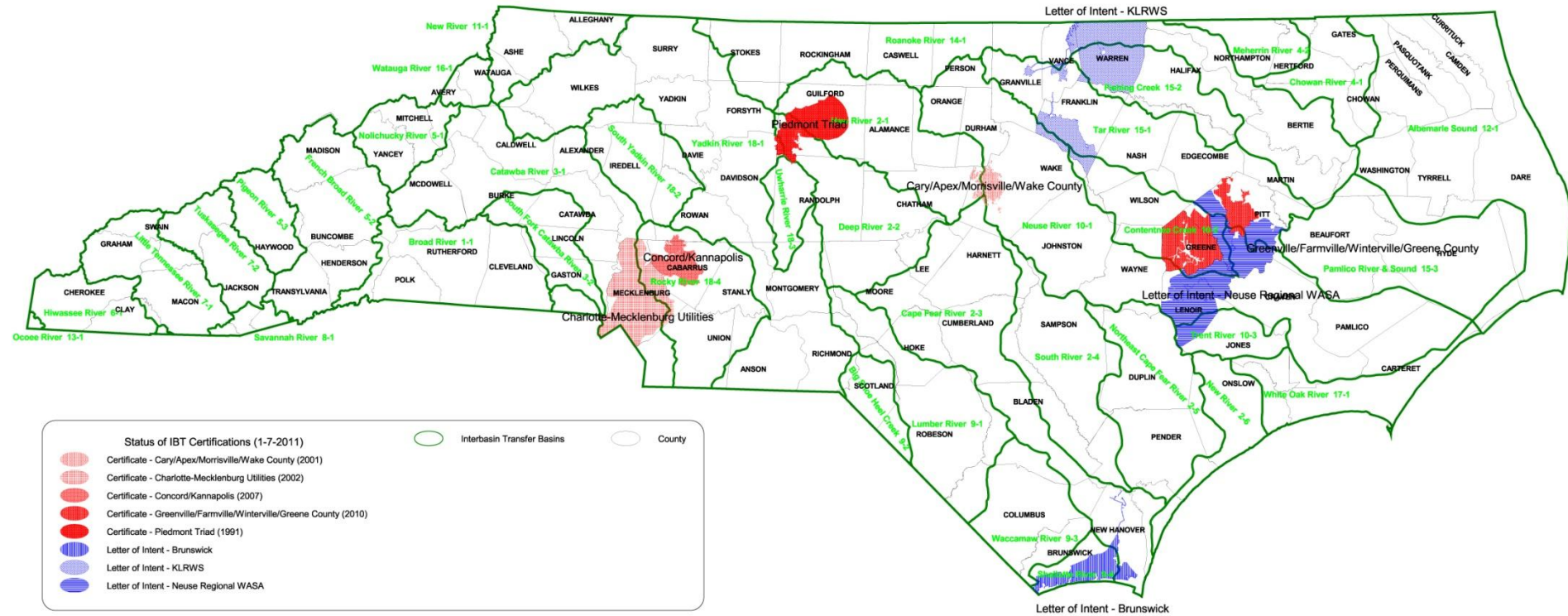
Lower Cape Fear Aquifer



Lessons Learned from Capacity Use Area

- Program is functioning as expected
- Difficulty in developing rules was worth it
- Long-term, proactive water resource planning is possible in North Carolina
- Buy-in/participation of major stakeholders in program development is critical
 - Local government/public utility input

NC Interbasin Transfers



Major DWR Projects for 2011

- Allocation of Water Supply in Kerr Lake w/ VA
- Kerr Lake IBT request
- Little River Reservoir
- Jordan Lake Reallocation
- Continued development of hydrologic models
- Continued progress with Eco-Flows SAB

Questions?

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