

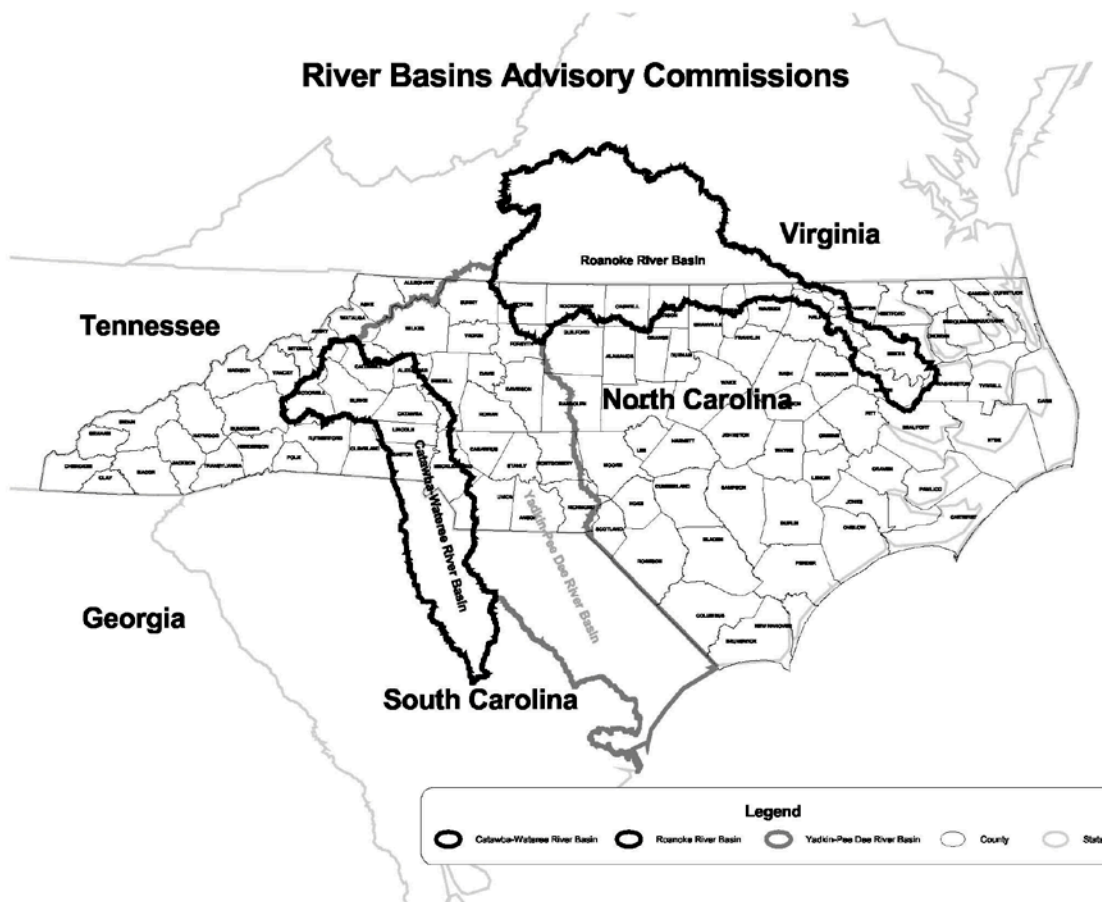
**Department of Environment and Natural Resources  
Division of Water Resources**

**STATUS REPORT TO THE GENERAL ASSEMBLY ON  
RIVER BASINS ADVISORY COMMISSIONS  
OCT. 1, 2009 THROUGH SEPT. 30, 2010**

The North Carolina General Assembly has established three river basin advisory commissions by statute: the Catawba/Wateree River Basin Advisory Commission, the Roanoke River Basin Advisory Commission and the Yadkin/Pee Dee River Basin Advisory Commission.

The formation of the Roanoke River Commission was authorized in Session Law 2002-117. The Catawba/Wateree River Basin Commission and Yadkin/Pee Dee River Basin Commission were created in 2004, with the passage of Session Law 2004-83.

The following figure highlights the three river basins.



The commissions were established for two primary reasons:

1. To provide a forum for discussion of issues related to water and other natural resources in the basin and
2. To provide guidance and recommendations regarding the use, stewardship and enhancement of the natural resources in the basin for the purposes of integrated river basin management.

### **Catawba/Wateree River Basin Advisory Commission**

This commission is comprised of 15 members and includes eight legislative representatives from the North Carolina and South Carolina General Assemblies. The remaining seven members include a representative of Duke Energy Carolinas, a representative from a South Carolina water or sewer utility, a member from the bi-state Catawba River task force, a representative from the North Carolina marine commissions in the basin, a member of a South Carolina lake homeowners' association on the river, a member from the Carolina's Partnership Inc. and a member of a North Carolina nonprofit land conservation trust.

Since Oct. 1, 2009, the Catawba/Wateree Commission has met three times: on Oct. 23, 2009, Feb. 26, 2010, and most recently on Aug. 27, 2010. During these meetings the commission received presentations on the proposed and adopted changes to water resource-related legislation in each state, as well as information concerning the water quality and stormwater management programs in the basin.

The commission also received an update on the ongoing activities of the Catawba-Wateree Water Management Group. This nonprofit group was formed to identify and support efforts to enhance the capacity of the river system to meet human water needs while maintaining its ecological health.

As provided in the authorizing legislation, the legislative members of the commission have appointed a representative from the Charlotte-Mecklenburg Utilities as an advisory member. Charlotte-Mecklenburg Utilities is the largest water utility in the basin and it provides water to communities in both North Carolina and South Carolina.

In 2007, the Attorney General for South Carolina filed a request with the U.S. Supreme Court for that body to determine an equitable apportionment of the Catawba River between the two states. The bi-state commission members have been interested in providing a forum to explore options to this situation. In November 2008, the commission sent a letter to the Attorneys General of both states requesting support for the commission's proposal to discuss potential settlement options.

In February 2009, the North Carolina Attorney General expressed support for the commission's proposal. Subsequently, at the Aug. 27, 2010, meeting of the commission, representatives of the South Carolina Attorney General's office expressed interest in discussing possible settlement options. The commission members present expressed their strong support for pursuing this possibility.

The N.C. Division of Water Resources provides staffing and assistance to the commission. There were no expenses for fiscal year 2009-2010 for meetings or per diem. The Division of Water Resources has established a website for the commission where meeting agendas, meeting summaries, speaker presentations and other relevant information are all available to interested parties. The website address is <http://www.ncwater.org/basins/rbac/index.php?tabid=1>.

### **Roanoke River Basin Bi-State Commission**

The Roanoke River Commission is comprised of 18 members and includes 12 legislative representatives from North Carolina and Virginia, as well as three non-legislative members from each state. In addition to the actual bi-state commission, each state has a supporting advisory committee made up of 21 members.

Since Oct. 1, 2009, the commission has met three times: on Dec. 3, 2009, March 31, 2010 and Aug. 18, 2010. During these meetings, the commission received presentations on the proposed and adopted changes to water resource management legislation in each state, as well as other water management concerns in the basin.

This commission's major focus has been on the allocation of the water supply storage in the John H. Kerr Reservoir. At the March 27, 2009, meeting the commission established a water allocation ad hoc committee. This committee, comprised of representatives from both states, has been tasked to study and recommend potential options for the allocation of the remaining water supply storage in Kerr Reservoir. This ad hoc committee prepared and presented a report containing several options regarding the water supply allocation for the Bi-State Commission's consideration at its March 31, 2010 meeting. This report is available at [http://www.ncwater.org/basins/RRBBC\\_Roanoke\\_Ad\\_Hoc\\_March\\_2010\\_Status\\_Report\\_revised\\_2010-03-30.pdf](http://www.ncwater.org/basins/RRBBC_Roanoke_Ad_Hoc_March_2010_Status_Report_revised_2010-03-30.pdf).

At the Aug. 18, 2010 meeting, the Bi-State Commission directed the Water Allocation Ad Hoc Committee to develop a memorandum of agreement (MOA) between the U.S. Army Corps of Engineers, the Commonwealth of Virginia and the State of North Carolina. The intended purpose of this MOA is to draft an equitable framework for the allocation of the remaining 28,000 acre feet of water supply in the reservoir for future discussions and negotiations between the members of the Bi-State Commission.

The N.C. Division of Water Resources and the Kerr-Tar Council of Governments provides staffing and assistance to the commission and the committee. Total expenses, including meeting expenses and members' per diem, for fiscal year 2009-2010 was \$87.78. The Kerr-Tar Council of Governments has received a grant that provides funding to support both the commission's and committee's activities.

### **Yadkin/Pee Dee River Basin Advisory Commission**

The Yadkin/Pee Dee Commission is comprised of 15 members and includes eight legislative representatives from North Carolina and South Carolina. The remaining seven members include a representative from Progress Energy, Alcoa Power Generating Inc., Weyerhaeuser Inc., a

North Carolina and South Carolina water or sewer utility, South Carolina agricultural entity, and a land development industry that does business within the basin.

Since its establishment, the Yadkin/Pee Dee River Basin Advisory Commission has never met, and neither state has appointed members to the commission. If this commission meets in the future, the NC Division of Water Resources would provide staffing and assistance. There were no expenses for fiscal year 2009-2010.