GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2003

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SENATE BILL 1409

Short Title: Regional Water Supplies/Study/Funds. (Public)

Sponsors: Senator Shaw.

Referred to: Appropriations/Base Budget.

May 28, 2004

A BILL TO BE ENTITLED 1 2 AN ACT TO ESTABLISH THE REGIONAL WATER SUPPLY AUTHORITY TO 3 ASSIST CUMBERLAND COUNTY, MOORE COUNTY, THE CITY OF 4 SHELBY, THE CITY OF STATESVILLE, AND CERTAIN OTHER DROUGHT 5 STRICKEN COMMUNITIES WITH THE DEVELOPMENT AND FUNDING OF REGIONAL WATER SUPPLY SYSTEMS, TO DIRECT THE DEPARTMENT OF 6 7 ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN 8 ENGINEERING STUDY AND REPORT OF A PROPOSED DAM AND 9 RESERVOIR TO BE LOCATED ON THE CAPE FEAR RIVER IN 10 CUMBERLAND COUNTY, TO **DIRECT** THE **DEPARTMENT** OF 11 ENVIRONMENT AND NATURAL RESOURCES TO APPLY FOR A GRANT 12 TO FUND THE PLANNING, DEVELOPMENT, AND CONSTRUCTION OF 13 REGIONAL WATER SUPPLY SYSTEMS, AND TO APPROPRIATE FUNDS TO 14 THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO 15 ASSIST WITH THE COST OF IMPLEMENTING THIS ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 162A of the General Statutes is amended by adding a new article to read:

"Article 2A.

"Regional Water Supply Authority.

"§ 162A-24.1. Regional Water Supply Authority.

There is created within the Department of Environment and Natural Resources the Regional Water Supply Authority. The purpose of the Authority is to assist with the development and funding of regional water supply systems that shall serve the areas of Cumberland County, Moore County, the City of Shelby, the City of Statesville, and any other area of the State that the Secretary of Environment and Natural Resources has certified either has a serious public health hazard related to the water supply system, or that a drought emergency is present or imminent in the community. Priority designation for any State funding available for water supply planning, development, or construction

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shall be given to the local governments assisted by the Regional Water Supply Authority. The Department of Environment and Natural Resources, the Department of Health and Human Services, the Department of Administration, the Department of Commerce, and the Department of Agriculture and Consumer Services shall notify the Authority when State or federal funds are available for the development of regional water supplies to ensure that the local governments served by the Authority are provided priority with regard to possible funding sources. The Regional Water Supply Authority shall also assist in fulfilling the functions set out in G.S. 162A-23 for the local governments identified in this section."

SECTION 2. The Department of Environment and Natural Resources shall, pursuant to G.S. 143-355(b), conduct an engineering study and report of a proposed water resources project consisting of constructing and establishing a dam and reservoir, to be located on the Cape Fear River in Cumberland County, for the purpose of establishing a regional public drinking water supply. The Department shall develop for budget and planning purposes estimates of the costs of the proposed project. The Department shall request the North Carolina Congressional Delegation to apply to the Congress of the United States for appropriations for this water resources development project.

SECTION 3. The Department of Environment and Natural Resources shall apply for a grant from the Clean Water Management Trust Fund under Article 13A of Chapter 113 of the General Statutes to assist local governments served by the Regional Water Supply Authority to plan, develop, and construct regional water supply systems.

SECTION 4. There is appropriated from the General Fund to the Department of Environment and Natural Resources the sum of thirty-five thousand dollars (\$35,000) for the 2004-2005 fiscal year for the study and report under Section 2 of this act and to apply for the grant under Section 3 of this act.

SECTION 5. The Department of Environment and Natural Resources shall use any State or federal funds available for water resources development projects to assist in constructing and establishing regional water supply systems for local governments served by the Regional Water Supply Authority.

SECTION 6. This act becomes effective July 1, 2004.