

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 1291*

Short Title: Water Infrastructure Needs/Close Info Gaps. (Public)

Sponsors: Senators Hoyle, Albertson; and Atwater.

Referred to: Agriculture/Environment/Natural Resources.

May 20, 2010

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL
2 RESOURCES, IN CONJUNCTION WITH OTHERS, TO DEVELOP A STATEWIDE
3 SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS
4 THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS AND TO
5 DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM
6 THE ENVIRONMENTAL PROTECTION AGENCY SURVEYS INTO THE STATE
7 WATER SUPPLY PLAN, AS RECOMMENDED BY THE LEGISLATIVE STUDY
8 COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

9
10 Whereas, the data currently available to determine the State's water and wastewater
11 needs are the Environmental Protection Agency surveys of publicly owned water and
12 wastewater systems conducted every four years by the Department of Environment and Natural
13 Resources and the North Carolina Rural Economic Development Center Water 2030 report;
14 and

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

18 Whereas, while both the EPA surveys and Water 2030 are useful tools, there
19 continue to be gaps in the information used to determine the State's water and wastewater
20 infrastructure needs, particularly with regard to economic development and growth related
21 infrastructure needs, water system efficiency measures, and costs related to the development of
22 new water sources; Now, therefore,

23 The General Assembly of North Carolina enacts:

24 **SECTION 1.(a)** Statewide survey of water and wastewater infrastructure needs to
25 supplement EPA survey. – The Department of Environment and Natural Resources, in
26 conjunction with the Environmental Finance Center at the School of Government at the
27 University of North Carolina at Chapel Hill and the Rural Economic Development Center, shall
28 establish a task force to develop a statewide survey to build on the base of the existing
29 Environmental Protection Agency water and wastewater infrastructure survey process that will
30 provide a more accurate assessment of statewide water and wastewater infrastructure needs.
31 The task force may also consider requesting information required to update the Water 2030
32 report as part of the survey design. The Department of Environment and Natural Resources
33 shall be the lead agency in this group effort.

34 The survey shall be designed to obtain information relevant to and that addresses the
35 following information gaps that have been identified in the current databases:

- 36 (1) Information on water and wastewater infrastructure needs related to
37 economic development and population growth.



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

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

14 **SECTION 1.(c)** Reporting requirement for statewide survey plan. – The task force
15 shall report its findings and recommendations and shall present the proposed statewide survey
16 and the proposed methodology for conducting the survey to the Legislative Study Commission
17 on Water and Wastewater Infrastructure by November 1, 2010. The report shall include the
18 estimated cost to implement the survey and shall also include any legislative changes that may
19 be needed to implement the proposed survey.

20 **SECTION 2.(a)** Plan to incorporate information from needs survey into State
21 water supply plan. – The Department of Environment and Natural Resources shall develop a
22 plan to incorporate relevant information obtained from the Environmental Protection Agency
23 surveys into the State water supply plan which is based on information provided by local water
24 supply plans prepared pursuant to G.S. 143-355.1. In devising the plan to incorporate the needs
25 survey information into the State water supply plan, the Department may consider whether
26 there are modifications regarding the information collected as part of the local water supply
27 plans or the methodology used to prepare the local water supply plans that would make it easier
28 to incorporate the needs survey information into the State water supply plans, and if so, what
29 those modifications would be.

30 **SECTION 2.(b)** Reporting requirement for plan to incorporate infrastructure needs
31 survey information into State water supply plan. – The Department of Environment and Natural
32 Resources shall present its plan for incorporating the information from the Environmental
33 Protection Agency water and wastewater infrastructure needs surveys into the State water
34 supply plan to the Legislative Study Commission on Water and Wastewater Infrastructure by
35 November 1, 2010. The Department of Environment and Natural Resources shall include in its
36 presentation the estimated cost of the plan and any legislative changes that may be required to
37 implement the plan.

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