

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**HOUSE BILL 1215
Senate Agriculture/Environment/Natural Resources Committee Substitute
Adopted 10/2/02**

Short Title: Conserve Water/Promote Green Energy.

(Public)

Sponsors:

Referred to:

April 12, 2001

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT UNITS OF LOCAL GOVERNMENT TO EVALUATE THEIR
2 EFFORTS TO CONSERVE WATER, TO DIRECT THE ENVIRONMENTAL
3 MANAGEMENT COMMISSION TO ADOPT RULES GOVERNING WATER
4 CONSERVATION AND WATER REUSE, TO ESTABLISH A GOAL TO
5 REDUCE WATER CONSUMPTION BY STATE AGENCIES BY AT LEAST
6 TEN PERCENT, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND
7 NATURAL RESOURCES TO EVALUATE WATER CONSERVATION AND
8 WATER EFFICIENCY PROGRAMS IN THE STATE, AND TO DIRECT THE
9 UTILITIES COMMISSION TO STUDY METHODS TO FUND AND PROMOTE
10 THE DEVELOPMENT OF GREEN POWER IN NORTH CAROLINA.

11 The General Assembly of North Carolina enacts:

12 **SECTION 1.** G.S. 143-355(1) reads as rewritten:

13 "(1) Each unit of local government that provides public water service or that plans
14 to provide public water service shall, either individually or together with other units of
15 local government, prepare a local water supply plan and submit it to the Department.
16 The Department shall provide technical assistance with the preparation of plans to units
17 of local government upon request and to the extent that the Department has resources
18 available to provide assistance. At a minimum, local units of government shall include
19 in local water supply plans all information that is readily available to them. Plans shall
20 include present and projected population, industrial development, water use within the
21 service area, present and future water supplies, an estimate of the technical assistance
22 that may be needed at the local level to address projected water ~~needs,~~needs, current and
23 future water conservation and water reuse programs, and any other related information
24 as the Department may require in the preparation of a State water supply plan. Local
25 plans shall be revised to reflect changes in relevant data and projections at least once
26 each five years unless the Department requests more frequent revisions. The revised
27 plan shall include the current and anticipated reliance by the local government unit on
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1 surface water transfers as defined by G.S. 143-215.22G. Local plans and revised plans
2 shall be submitted to the Department once they have been approved by the unit(s) of
3 local government."

4 **SECTION 2.** G.S. 143-355(m) reads as rewritten:

5 "(m) In order to assure the availability of adequate supplies of good quality water
6 to protect the public health and to support desirable economic growth, the Department
7 shall develop a State water supply plan. The State water supply plan shall include the
8 information and projections required to be included in local ~~plans, plans,~~ a summary of
9 water conservation and water reuse programs described in local plans, a summary of the
10 technical assistance needs indicated by local plans, and shall indicate the extent to
11 which the various local plans are compatible. The State plan shall identify potential
12 conflicts among the various local plans and ways in which local water supply programs
13 could be better coordinated."

14 **SECTION 3.(a)** Pursuant to subdivisions (1) and (8) of G.S. 143-354(a), the
15 Environmental Management Commission shall develop and implement rules governing
16 water conservation and water reuse. The rules shall establish minimum standards and
17 practices for water conservation and water reuse for all significant classes of water
18 users. In developing these rules, the Commission shall consult with representatives of
19 the following:

- 20 (1) Publicly owned and privately owned water supply systems.
- 21 (2) State agencies.
- 22 (3) Local governments.
- 23 (4) Business and industrial users of water.
- 24 (5) Environmental protection and natural resource advocacy groups.
- 25 (6) Electric utilities.
- 26 (7) Agricultural and horticultural users of water.
- 27 (8) Residential users of water.

28 **SECTION 3.(b)** Section 3 of this act shall not be construed to authorize the
29 Commission to adopt temporary rules. The Commission shall adopt permanent rules so
30 that the rules will become effective following legislative review pursuant to G.S.
31 150B-21.3(b) by the 2005 Regular Session of the General Assembly.

32 **SECTION 4.** There is hereby established a goal to reduce water
33 consumption by State agencies by at least 10 percent (10%). As used in this section, the
34 term "State agencies" includes all agencies of the executive branch of the government of
35 North Carolina, the General Assembly, the General Court of Justice, and The University
36 of North Carolina. For State agencies that purchase water or that otherwise have
37 reliable records of their water consumption for the 2001-2002 fiscal year, the goal shall
38 apply to the consumption of water during the 2002-2003 fiscal year as compared to
39 water consumed during the 2001-2002 fiscal year. State agencies that do not have
40 reliable records of their water consumption during the 2001-2002 fiscal year shall (i)
41 endeavor to reduce water consumption to the maximum extent possible during the
42 2002-2003 fiscal year, (ii) maintain records of their water consumption during the
43 2002-2003 fiscal year, and (iii) determine their progress toward achieving the goal on
44 the basis of reductions in water consumed during the 2003-2004 fiscal year.

1 **SECTION 5.(a)** The Department of Environment and Natural Resources
2 shall evaluate water conservation measures being implemented in the State and identify
3 incentive programs and other voluntary programs that can help foster water
4 conservation and water reuse. In conducting its study, the Department shall specifically
5 evaluate water conservation measures being implemented or advocated by the
6 following:

- 7 (1) Publicly owned and privately owned water supply systems.
- 8 (2) State agencies.
- 9 (3) Local governments.
- 10 (4) Business and industrial users of water.
- 11 (5) Environmental protection and natural resource advocacy groups.
- 12 (6) Electric utilities.
- 13 (7) Agricultural and horticultural users of water.
- 14 (8) Residential users of water.

15 **SECTION 5.(b)** The Department shall submit an interim report no later than
16 15 March 2003, and shall submit a final report no later than 15 February 2004, as to its
17 findings and recommendations to the Environmental Review Commission and the
18 Environmental Management Commission.

19 **SECTION 6.(a)** The North Carolina Utilities Commission shall include the
20 following additional items in the study it is presently conducting for the Commission on
21 the Future of Electric Service in North Carolina referred to as "Investigation of Green
22 Power and Public Benefit Fund Voluntary Check-Off Programs":

- 23 (1) Identification of funding mechanisms in addition to voluntary purchase
24 of green power blocks that would stimulate green power production in
25 the State.
- 26 (2) Identification of incentives in addition to funding mechanisms that
27 would stimulate green power production in the State.
- 28 (3) Identification of barriers that would impede green power production in
29 the State and strategies to address those barriers.
- 30 (4) Identification of appropriate methods of promoting the purchase of
31 green power by the various electric customer groups.
- 32 (5) Identification of methods whereby the State can provide incentives and
33 resources that would stimulate the production and use of green power
34 that would protect water quality; promote water conservation and
35 water reuse; protect air quality; protect public health, safety, welfare,
36 and the environment; and provide for the safe and efficient disposal of
37 animal waste in the State.

38 **SECTION 6.(b)** The North Carolina Utilities Commission shall make its
39 final report on its investigation of green power and public benefit fund voluntary
40 check-off programs, including the additional items set forth in subsection (a) of this
41 section, to the Commission on the Future of Electric Service in North Carolina and the
42 Environmental Review Commission not later than 15 March 2003. The delivery of this
43 report shall not preclude either of the receiving commissions from asking for additional
44 information or reports on these subjects.

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SECTION 7. This act is effective when it becomes law.