

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**SENATE BILL 1260
Agriculture/Environment/Natural Resources Committee Substitute Adopted
8/13/02**

Short Title: Conserve Water/Promote Green Energy.

(Public)

Sponsors:

Referred to:

June 6, 2002

A BILL TO BE ENTITLED

1
2 AN ACT TO DIRECT UNITS OF LOCAL GOVERNMENT TO EVALUATE THEIR
3 EFFORTS TO CONSERVE WATER, TO DIRECT THE ENVIRONMENTAL
4 MANAGEMENT COMMISSION TO ADOPT RULES GOVERNING WATER
5 CONSERVATION AND WATER REUSE, TO DIRECT THE DEPARTMENT OF
6 ENVIRONMENT AND NATURAL RESOURCES TO EVALUATE WATER
7 CONSERVATION AND WATER EFFICIENCY PROGRAMS IN THE STATE,
8 AND TO DIRECT THE UTILITIES COMMISSION TO STUDY METHODS TO
9 FUND AND PROMOTE THE DEVELOPMENT OF GREEN POWER IN NORTH
10 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
28 surface water transfers as defined by G.S. 143-215.22G. Local plans and revised plans

1 shall be submitted to the Department once they have been approved by the unit(s) of
2 local government."

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

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

13 **SECTION 3.** Pursuant to subdivisions (1) and (8) of G.S. 143-354(a), the
14 Environmental Management Commission shall develop and implement rules governing
15 water conservation and water reuse. The rules shall establish minimum standards and
16 practices for water conservation and water reuse for all significant classes of water
17 users. In developing these rules, the Commission shall consult with operators of
18 publicly owned and privately owned water supply systems. This section shall not be
19 construed to authorize the Commission to adopt temporary rules. The Commission shall
20 adopt permanent rules so that the rules will become effective following legislative
21 review pursuant to G.S. 150B-21.3(b) by the 2005 Regular Session of the General
22 Assembly.

23 **SECTION 4.** The Department of Environment and Natural Resources shall
24 evaluate water conservation and water reuse measures being implemented by State
25 government agencies, institutions, and facilities. The Department shall report its
26 findings and recommendations to the Environmental Review Commission on or before
27 15 January 2003.

28 **SECTION 5.** The Department of Environment and Natural Resources shall
29 evaluate water conservation measures being implemented by commercial and industrial
30 water users in the State and identify incentive programs and other voluntary programs
31 that can help foster water conservation and water reuse. The Department shall report its
32 findings and recommendations to the Environmental Review Commission on or before
33 15 January 2003.

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

- 38 (1) Identification of funding mechanisms in addition to voluntary purchase
39 of green power blocks that would stimulate green power production in
40 the State.
- 41 (2) Identification of incentives in addition to funding mechanisms that
42 would stimulate green power production in the State.
- 43 (3) Identification of barriers that would impede green power production in
44 the State and strategies to address those barriers.

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- (4) Identification of appropriate methods of promoting the purchase of green power by the various electric customer groups.
- (5) Identification of methods whereby the State can provide incentives and resources that would stimulate the production and use of green power that would protect water quality; promote water conservation and water reuse; protect air quality; protect public health, safety, welfare, and the environment; and provide for the safe and efficient disposal of animal waste in the State.

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

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