



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 186: Cape Fear Water Resources Availability Study

2015-2016 General Assembly

Committee:	Senate Agriculture/Environment/Natural Resources	Date:	July 15, 2015
Introduced by:	Reps. Catlin, Szoka, Glazier	Prepared by:	Jennifer Mundt
Analysis of:	PCS to Second Edition H186-CSTA-12 [v.1]		Committee Staff

SUMMARY: *The Proposed Committee Substitute (PCS) for House Bill 186 would direct the Environmental Review Commission (ERC), with the assistance of the Department of Environment and Natural Resources (DENR), to study the availability of surface water and groundwater resources in the Cape Fear River Basin.*

CURRENT LAW: G.S. 143-355(o) directs DENR to develop basinwide hydrologic models for each of the 17 major river basins in North Carolina that include surface water and groundwater resources within the river basin, transfers into and out of the river basin that are required to be registered pursuant to the statutes governing interbasin transfers, other withdrawals, ecological flow, in-stream flow requirements, projections of future withdrawals, an estimate of return flows within the river basin, inflow data, local water supply plans, and other information DENR deems relevant. The statute directs DENR to submit completed models to the Environmental Management Commission (EMC) for approval following notice and receipt of public comment.

BILL ANALYSIS: The PCS would direct the ERC, with DENR's assistance, to study the aggregate uses of and surface water and groundwater in or affecting the Cape Fear River Basin (Basin) by all users. The study must include the following:

- A summary of the current and 50-year projected water-use demands and the available water supply for the portions of the counties that are within the Basin.
- An evaluation of the adequacy of currently available supplies to meet long-range demand and identification of areas that do not have a sustainable long-term water supply to meet anticipated demand.
- Identification of potential conflicts among users and mechanisms for minimizing conflicts.
- An enhanced review of the increased demands on groundwater and limited surface water resources in the portions of Brunswick, New Hanover, and Pender counties located within the Basin.

The ERC may make an interim report to the 2016 General Assembly and must submit a final report of its findings and recommendations, including legislative proposals, to the 2017 General Assembly.

The PCS (i) removes the requirement that the study's findings be included in DENR's Basin Plan and (ii) makes technical changes.

EFFECTIVE DATE: This act is effective when it becomes law.

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Director



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BACKGROUND: According to the [November 2014 DENR report on the development of basinwide hydrologic models](#), the Cape Fear River Basin model was first completed in 2003, was updated and validated by DENR in 2013, and presented to the EMC in 2014 for approval.