

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 181
SENATE BILL 84

AN ACT TO REQUIRE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO REQUIRE THE DIRECTOR OF THE BUDGET TO REVIEW THE PLAN IN MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR FUNDING OF WATER RESOURCES DEVELOPMENT PROJECTS.

The General Assembly of North Carolina enacts:

Section 1. Article 21 of Chapter 143 of the General Statutes is amended by adding a new Part to read:

"Part 8A. Water Resources Development Projects.

"§ 143-215.73A. Water Resources Development Plan.

(a) Plan prepared. - Before 1 July in each calendar year, the Department of Environment, Health, and Natural Resources shall prepare a statewide plan for water resources development projects for a period of six years into the future. The plan shall be known as the Water Resources Development Plan. If the plan differs from the Water Resources Development Plan adopted for the preceding calendar year, the Department shall indicate the changes and the reasons for such changes. The Department shall submit the plan to the Director of the Budget for review.

(b) Projects listed. - The plan shall list the following water resources development projects based on their status as of 1 May of the year in which the plan is prepared:

- (1) Projects approved by the Congress of the United States.
- (2) Projects for which the Congress of the United States has appropriated funds.
- (3) Projects for which grant applications have been submitted under Part 8 of Article 21 of Chapter 143 of the General Statutes.
- (4) Projects for which grant applications have been submitted under Article 4 of Chapter 139 of the General Statutes.
- (5) Projects planned as federal reservoir projects but for which no federal funds are scheduled and for which local governments are seeking State financial assistance.

(c) Project priorities and funding recommendations. - The Department shall assign a priority to each project within each of the five categories listed under subsection (b) of this section either by giving the project a number, with '1' assigned to the highest priority, or by recommending no funding. The Department shall state its

reasons for recommending the funding, deferral, or elimination of a project. The Department shall determine the priority of a project based on the following criteria: local interest in the project, the cost of the project to the State, the benefit of the project to the State, and the environmental impact of the project.

(d) Project information. - For each project listed under subsection (b) of this section, the Water Resources Development Plan shall:

- (1) Provide a brief description.
- (2) If federal, list the estimated cost of each of the following phases that have not been completed as of 1 July, (i) feasibility study, (ii) construction, (iii) operation and maintenance, and the amount of State funds required to match the federal funds needed.
- (3) If State or local, list the estimated cost to complete the project and amount of State funds required under G.S. 143-215.71 or G.S. 139-54.
- (4) Indicate the total cost to date and the State share of that cost.
- (5) Indicate the status.
- (6) Indicate the estimated completion date.

(e) Distribution of the plan. - The Director of the Budget shall provide copies of the plan to the members of the Advisory Budget Commission when the Advisory Budget Commission meets to deliberate on the biennial budget or on the revised budget for the second year of the biennium. The Director of the Budget shall also provide copies of the plan to the General Assembly along with the recommended biennial budget and the recommended revised budget for the second year of the biennium.

(f) Budget recommendations. - The Director of the Budget shall determine which projects, if any, will be included in the recommended biennial budget and in the recommended revised budget for the second year of the biennium. The budget document transmitted to the General Assembly shall identify the projects or types of projects recommended for funding."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 3rd day of June, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives