

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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SENATE BILL 1260  
Agriculture/Environment/Natural Resources Committee Substitute Adopted  
8/13/02  
Third Edition Engrossed 8/15/02

Short Title: Conserve Water/Promote Green Energy.

(Public)

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Sponsors:

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Referred to:

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June 6, 2002

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 DIRECT THE DEPARTMENT OF  
5 ENVIRONMENT AND NATURAL RESOURCES TO EVALUATE WATER  
6 CONSERVATION AND WATER EFFICIENCY PROGRAMS IN THE STATE,  
7 AND TO DIRECT THE UTILITIES COMMISSION TO STUDY METHODS TO  
8 FUND AND PROMOTE THE DEVELOPMENT OF GREEN POWER IN NORTH  
9 CAROLINA.  
10

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

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.** 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 operators of  
19 publicly owned and privately owned water supply systems. This section shall not be  
20 construed to authorize the Commission to adopt temporary rules. The Commission shall  
21 adopt permanent rules so that the rules will become effective following legislative  
22 review pursuant to G.S. 150B-21.3(b) by the 2005 Regular Session of the General  
23 Assembly.

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

37 **SECTION 5.** The Department of Environment and Natural Resources shall  
38 evaluate water conservation measures being implemented by commercial and industrial  
39 water users in the State and identify incentive programs and other voluntary programs  
40 that can help foster water conservation and water reuse. The Department shall report its  
41 findings and recommendations to the Environmental Review Commission on or before  
42 15 January 2003.

43 **SECTION 6.(a)** The North Carolina Utilities Commission shall include the  
44 following additional items in the study it is presently conducting for the Commission on

1 the Future of Electric Service in North Carolina referred to as "Investigation of Green  
2 Power and Public Benefit Fund Voluntary Check-Off Programs":

- 3 (1) Identification of funding mechanisms in addition to voluntary purchase  
4 of green power blocks that would stimulate green power production in  
5 the State.
- 6 (2) Identification of incentives in addition to funding mechanisms that  
7 would stimulate green power production in the State.
- 8 (3) Identification of barriers that would impede green power production in  
9 the State and strategies to address those barriers.
- 10
- 11 (4) Identification of appropriate methods of promoting the purchase of  
12 green power by the various electric customer groups.
- 13 (5) Identification of methods whereby the State can provide incentives and  
14 resources that would stimulate the production and use of green power  
15 that would protect water quality; promote water conservation and  
16 water reuse; protect air quality; protect public health, safety, welfare,  
17 and the environment; and provide for the safe and efficient disposal of  
18 animal waste in the State.

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

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