

**North Carolina Environmental Management Commission -
Water Allocation Committee
Meeting Summary**

512 N. Salisbury Street
Ground Floor Hearing Room, Archdale Building
Raleigh, NC

9:30-10:30 A.M
Wednesday, May 12, 2010

Water Allocation Committee (WAC):

Commissioner Mayor Darryl D. Moss, Chair
Commissioner Stephen Smith, EMC Chair
Commissioner Frank Crawley, EMC Counsel
Commissioner Donnie Brewer
Commissioner William L. Hall, Jr.
Commissioner David H. Moreau
Commissioner Jeffrey Morse
Commissioner Dickson Phillips, III
Commissioner Forrest R. Westall, Sr.

Item I. Preliminary Matters

1. Committee Chairman, Commissioner Mayor Darryl D. Moss, called the meeting to order. Pursuant to Executive Order Number One, the committee chairman called upon committee members to evaluate the matters to come before the committee and to identify any known conflict of interest or the appearance of a conflict of interest. There were no known conflicts of interest.

2. Minutes and Agenda

The Committee approved the minutes of the March meeting as a true and accurate summary of the proceedings, with the exception of Commissioner Forrest R. Westall being left off the summary. The agenda was amended to take off Item III, the information items, which included an update on Interbasin Transfers and the Jordan Lake water supply allocation.

Item II. Action Item

1. Neuse Regional WASA Request to Modify Interbasin Transfer Procedures.

Mr. Tom Reeder gave the background on Neuse WASA's inter-basin transfer request. Mr. Reeder indicated that while the Department does not have a position on the request, the Division considers Neuse WASA to be a model for how to do local and regional water supply planning. The member systems of Neuse WASA, which are within the Central Coastal Plain Capacity Use Area, have achieved a 75 percent reduction in ground water withdrawals and, as a result, the water levels in the aquifer have responded significantly. Mr. Wayne Miles, CDM, gave Neuse WASA's presentation next. They are planning to request an IBT certificate and asked for permission to submit a petition that could be considered under the old statutes (NCGS §143-215.22I) in accordance with NCGS 143-215-22 L

Section 7 (b). Mr. Wayne Malone, Chairman, Neuse WASA Board, provided closing summary comments regarding their request. [Neuse WASA presentation link.](#)

Discussion:

The committee discussed the request from Neuse WASA. Dr. Moreau noted that by accepting the petition prior to January 1, 2011 Neuse WASA would not be required to complete an Environmental Impact Statement prior to filing a petition. Further, Dr. Moreau noted that the only thing the Water Allocation Committee would be doing is advising NRWASA to proceed in submitting the petition. If someone wants to challenge the project they can. The question came up as to whether the WAC should review Greenville's petition simultaneously. It was decided they would receive Greenville's in July, as scheduled. Mr. Forest Westall, Sr. agreed with Dr. Moreau and said that Neuse WASA does not need to complete an environmental document at this time. Mr. Stephen Smith commended Neuse WASA on being a national model. Mr. Smith questioned whether it was reasonable to proceed under the old rules and act on a petition without environmental documents. Mr. Smith indicated that it is not the Committee's role to give legal advice and submitting the petition should be based on Neuse WASA's interpretation. Dr. Moreau said that the Committee should accept the petition without comment and wait for the environmental documents before making a final decision. Mr. Donnie Brewer indicated that Neuse WASA could submit draft environmental documents and that the Committee would not be making a final decision based on the draft. Mr. Brewer questioned whether the old statute required a public hearing immediately upon receipt of the petition. Mayor Darryl D. Moss suggested language that the Committee could consider in developing a motion. The language is as follows: The Water Allocation Committee will consider the Neuse WASA petition upon receipt. **Mr. Stephen Smith** made the motion to accept the petition upon receipt. Dr. Moreau seconded the motion. Mr. Donnie Brewer recused himself. All members voted yea and the motion carried. The Committee decided they needed to get an opinion from the Attorney General's Office on an interpretation of the statutes when the petition is submitted later this year.

Adjournment

There being no further business, **Chairman Mayor Darryl D. Moss**, dismissed the assembly at 10:40 A.M.