

**NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION**

**WATER ALLOCATIONS COMMITTEE
MEETING AGENDA**

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

**9:00 AM – 11:00AM
Wednesday, November 13, 2013**

Executive Order No. One mandates that the Chair inquire as to whether any member knows of any conflict of interest or appearance of conflict with respect to matters before the Commission. If any member knows of a conflict of interest or appearance of conflict, please so state at this time.

Steve P. Keen, Chairman, Presiding

I. Preliminary Matters

1. Call to Order
2. Approval of minutes from the July meeting
 - **Minutes from the July meeting were approved.**
3. Revisions or additions to the agenda

II. Action Item

**1. Request to approve the 2013 Central Coastal Plain Capacity
Use Assessment (CCPCUA) Report**

Nat Wilson

- According to the CCPCUA rules, aquifer conditions have to be reviewed every five years. The last aquifer assessment was in 2008.
- A public meeting was held in Kinston on April 16 to receive comments related to the draft 2013 CCPCUA assessment report. A second draft of the report was circulated in June. The final report was presented to you yesterday. The conclusions of the assessment are that DWR does not recommend changes to the rules.
- DWR does not recommend any changes to the reduction zone map or the reduction percentages. DWR would like to use rule provision 15A NCAC 2E .0502 (p) which allows for temporary permits to add more flexibility to manage reductions. DWR

needs more flexibility than the broad brush reduction zones. G.S. 143-215.15(c)(ii) allows for temporary permit issuance in capacity use areas. The attorney general's office confirms that use of temporary permits in the CCPCUA will not require rule making.

- The division needs flexibility to offer permit holders a different plan than reduction schedule in the rule; DWR will only offer different plan if the reduction wells meet certain criteria; Economic hardship may be a valid factor for a different reduction plan.
- The latest public comments were in favor of not changing the rules and using temporary permits with reduction well criteria.
- The committee voted to approve the CCPCUA assessment to go before the EMC on Thursday.
- For CCPCUA questions, contact Nat Wilson at nat.wilson@ncdenr.gov, or 919-707

III. Informational Items

1. Update on Current Interbasin Transfers

Linwood Peele

- Kerr Lake Regional Water System: Maximum daily IBT request based on 2040 demand.
 - 22.48 million gallons a day (mgd) from the Roanoke to Tar.
 - 1.63 mgd from Roanoke to Fishing.
 - 2.40 mgd from Roanoke to Neuse.
 - Running draft Roanoke OASIS model.
 - The draft environmental impact statement is expected in 2014.
- Union County: Maximum daily IBT request based on 2040 demand.
 - 28 mgd from the Yadkin to the Rocky
 - Notice of Intent submitted in Aug. 2013
 - Three public meetings held in Oct. 2013
 - Environmental impact statement is currently being developed.
- Wake County (Cary/Apex/Morrisville):
 - Has an existing IBT certificate for 24 mgd
 - Wants to transfer 35 mgd from the Haw to the Neuse based on 2045 demands.
 - Notice of Intent submitted in Sept. 2013
 - The environmental document is currently being developed.
- Brunswick County: Existing allowable IBT for 10.5 mgd
 - Average daily IBT request based on 2040 demand
 - 16.19 from the Cape Fear to the Shallotte
 - 0.81 from the Cape Fear to the Waccamaw
 - 17 mgd total
 - April 2013: A findings of no significant impact was issued for the environmental assessment document.
 - June 2013: The draft petition was submitted.
 - Sept. 2013: A public hearing was held on the draft petition.
 - Oct. 2013: The hearing officer's report was issued.
 - Nov. 2013: Waiting for a determination by the EMC.

- Hearing officer's recommendations and draft certificate to be presented at the full EMC meeting.
- The EMC will choose to approve, in whole, or in part, or deny the petition based on the findings of fact.
- Contact for interbasin transfer questions, contact Harold Brady at Harold.brady@ncdenr.gov, or 919-707-9005.

2. Jordan Lake Allocations: Round 4

Don Rayno

Description:

- The project was built from 1967-1982 by the Army Corps for flood control, water quality, water supply, recreation, and fish and wildlife conservation.
- N.C. partnered with the federal government to include water supply storage.
- The EMC is responsible for allocating water supply storage to units of local government that request it.

Allocation:

- 2 Levels (affects repayment costs)
 - Level 1 20-year need and use within 5 years
 - Level 2 up to 30-year need
- 30 day comment period upon receipt of applications
- Limit diversions off the watershed to 50% of yield
- "Coordinate" review of diversions off watershed with review of allocation request
- Assign, reassign, or transfer allocations based on needs, alternative sources available, average degree of utilization, financial commitment, effects on yield, and the level of cooperation with other local governments.

Application:

- Projected population and water use
- Service area
- Available water sources
- Yield, quality, and cost of water sources other than JL that could provide water; including regionalization
- Conservation and demand management plans
- Plans to use JL water Intake, treatment, wastewater treatment, cooperative arrangements, development schedule
- Cost of developing each alternative source
- Financial commitment for JL storage

Current Status:

- 60% - Level 1 allocations
- 3% - Level 2 allocations
- 37% - Unallocated Decisions based on alternative analysis using hydrologic modal and a 50-year water supply plan
- Preserving unallocated amount has been a priority
- EMC approval to initiate Round 4 of Jordan Lake water supply allocations January 14, 2010 Postponed decision on how to handle review of IBTs Issue non-IBT allocations after review

- Issue all allocations after review of all requests including those needing an IBT certificate

Current Proposed Schedule:

- 6/1/13-Round 4 application instruction
- 3/1/14-Applicants submit draft applications.
- 8/1/14-Applicants submits final applications.
- 11/13/14-DWR will provide an update to the EMC.
- 3/11/15-Water supply plan and DWR's allocation recommendations presented to the Water Allocation Committee. Public review of Water Supply Plan and allocation recommendations.
- 9/9/15-Respond to comments and revision if necessary. Present recommendations to Water Allocations Committee.
- 11/12/15-EMC decision at the November 2015 meeting. EMC has not determined their final procedures for making allocation determinations if there are IBT's.
- For question about the Jordan allocation process, contact Don Rayno at don.rayno@ncdenr.gov, or 919-707-9025.

3. Hydrologic Modeling Overview and 2014 Schedule

Kathy Stecker

- Hydrologic models are used as tools for water resources planning for water quantity. They are not regulatory tools for water allocation, flood analysis, water quality, or to directly model groundwater.
- The models are water balance tools that subtracts outflow from inflow, which equals the change in storage.
- Session law 2010-143 says each model shall include:
 - Surface water and groundwater resources
 - Registered transfers into and out of basin
 - Other withdrawals
 - Ecological flow
 - Instream flow requirements
 - Projections of future withdrawals
 - Estimate of return flows within basin
 - Inflow data
 - Local water supply plans
- The division works with neighboring state to develop hydrologic models.
- Approval of the models includes: placing a notice in the N.C. Register, a 60-day comment period and EMC approval.
- Other uses include:
 - Surface water and groundwater resources
 - Registered transfers into and out of basin
 - Other withdrawals
 - Ecological flow
 - Instream flow requirements
 - Projections of future withdrawals
 - Estimate of return flows within basin

- Inflow data
- Local water supply plans
- DWR's Current Hydrologic Models use:
 - "OASIS" developed by Hydrologics for the Cape Fear, Neuse, Roanoke, Tar, and Broad basins.
 - "CHEOPS" developed by HDR for the Catawba.
- The process includes:
 - Data compilation
 - Model development
 - **Calibration: Adjustments to improve agreement between model and real system (contractor)**
 - **Validation: Adjustments to improve agreement between model and real system (contractor)**
 - **Certification Model and documentation have been reviewed and judged sufficient for their intended use (DWR)**
 - Public review and comment
 - Revision, if needed
 - **EMC approval**
 - Application
- The EMC's approval is based on:
 - DWR certification and supporting documentation
 - Public comment
 - "TAG"? and WAC concurrence
 - Other considerations?
- Draft 2014 Schedule:
 - Cape Fear: Public review in Dec/Jan, to the WAC/EMC in March.
 - Tar: Public review in Dec/Jan., to the WAC/EMC in March.
 - Roanoke: Public review in Jan/Feb, to the WAC/EMC in May.
 - Catawba: Public review in Jan/Feb, to the WAC in May, and EMC in July.
 - For questions about the modeling process, contact Kathy Stecker at kathy.stecker@ncdenr.gov, or at 919-807-6422.

IV. Concluding Remarks

Adjournment: The Chairman adjourned the meeting at 10:26 am.