



**Proposed Interbasin Transfer
Certificate Modification
Towns of Cary, Apex, Morrisville
and Wake County**

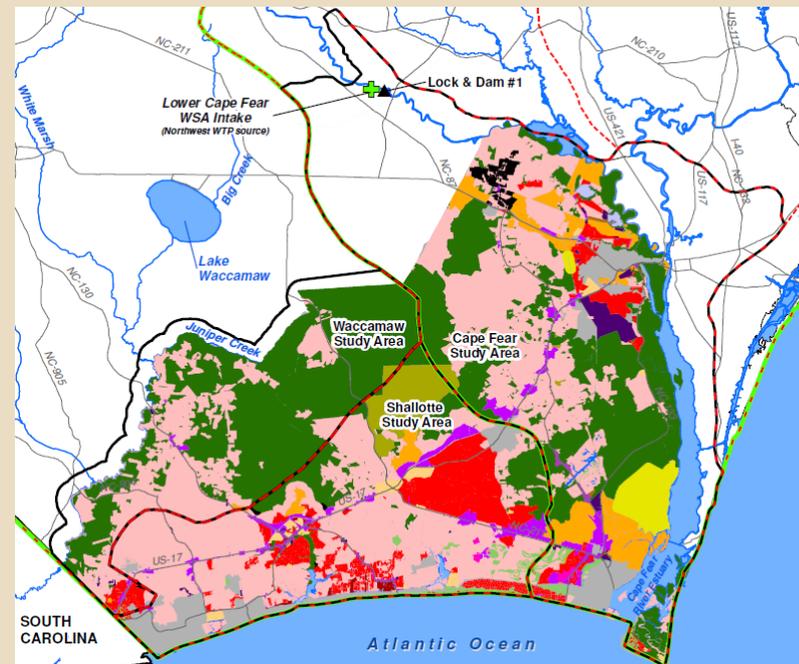
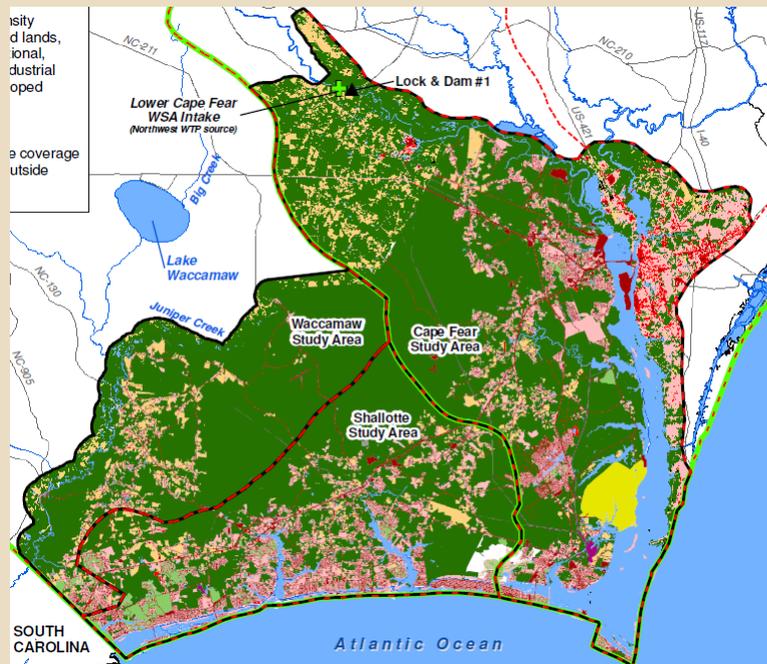
**Public Hearing
Town of Apex Public Works Building
January 7, 2015**

Outline

- IBT Basics
 - What is a transfer?
- Cary & Apex Regional IBT Project
 - Description
 - Timeline
 - Statutory Process
- Final Decision = EMC

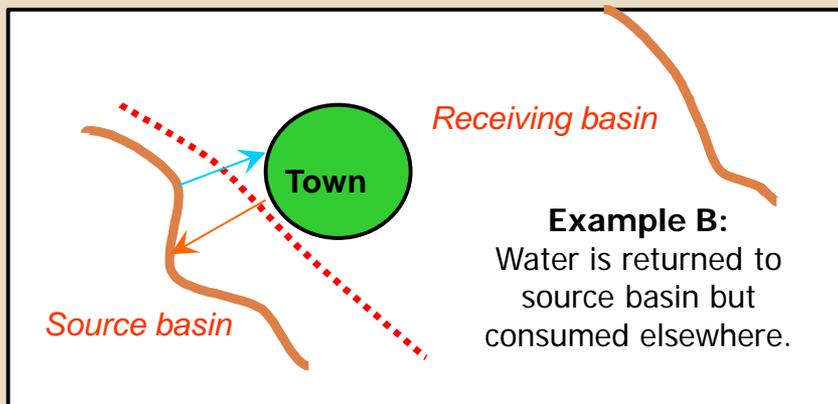
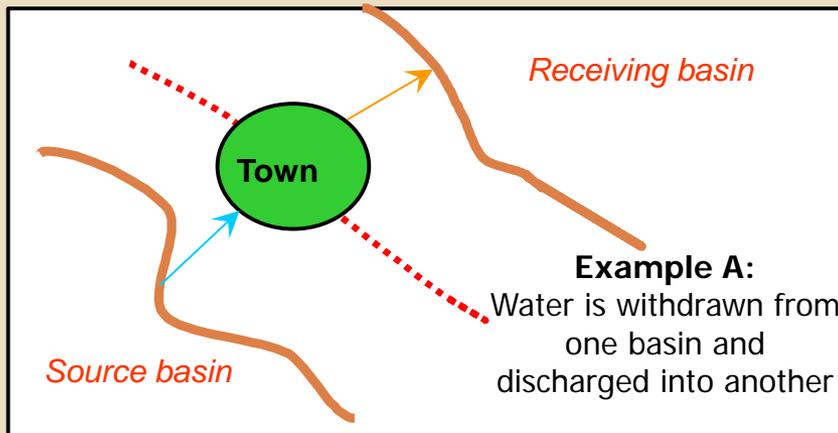
Definition & Purpose

- The withdrawal of surface water from one river basin and discharge of all or any part of the water in a river basin different from the origin.
- The purpose of the Interbasin Transfer Law is to ensure it is good public policy to move water from one river basin into another.



Simplified View of IBT

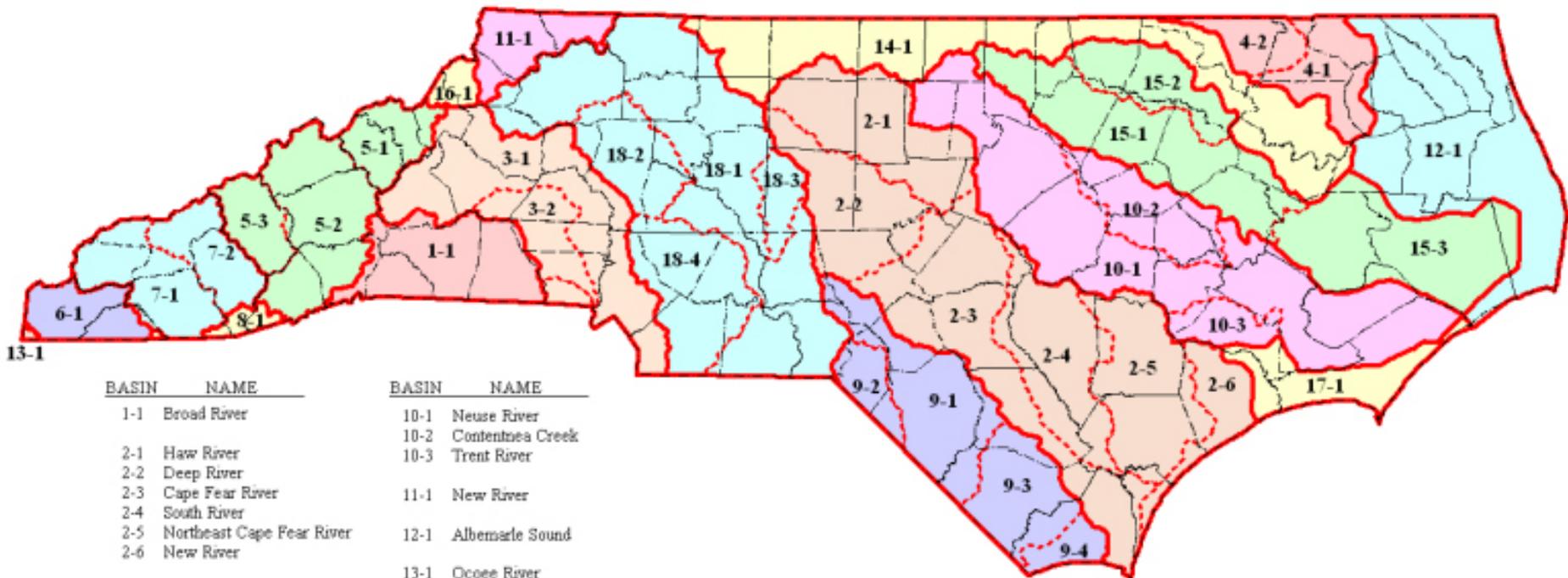
- Transfer = Withdrawal – Return
 - Net Transfer, Not Gross



The amount of a transfer is determined by the amount of water moved from the source basin to the receiving basin, less the amount of water returned to the source basin.

Major River Basins & Sub-Basins in North Carolina

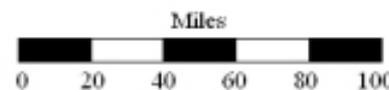
As defined in G.S. 143-215.22G



BASIN	NAME	BASIN	NAME
1-1	Broad River	10-1	Neuse River
2-1	Haw River	10-2	Contentnea Creek
2-2	Deep River	10-3	Trent River
2-3	Cape Fear River	11-1	New River
2-4	South River	12-1	Albemarle Sound
2-5	Northeast Cape Fear River	13-1	Ocoee River
2-6	New River	14-1	Roanoke River
3-1	Catawba River	15-1	Tar River
3-2	South Fork Catawba River	15-2	Fishing Creek
4-1	Chowan River	15-3	Pamlico River & Sound
4-2	Meherrin River	16-1	Watauga River
5-1	Nolichucky River	17-1	White Oak River
5-2	French Broad River	18-1	Yadkin River
5-3	Pigeon River	18-2	South Yadkin River
6-1	Hirvassee River	18-3	Uwharrie River
7-1	Little Tennessee River	18-4	Rocky River
7-2	Tuckasegee River		
8-1	Savannah River		
9-1	Lumber River		
9-2	Big Shoe Heel Creek		
9-3	Waccamaw River		
9-4	Shalotte River		

Legend

- Sub-Basin River Boundary
- Major River Basin Bounda
- County Boundary



Statutory Thresholds and Changes

- 2 million gallons per day (mgd) or more, calculated as a daily average of a calendar month.
 - Not to exceed 3 mgd maximum day.
- Increase an existing/grandfathered transfer (exceeding 2 mgd) determined by the system capacity as of July 1, 1993.
- The NC General Assembly has made at least eight significant changes to the 1993 IBT Law.
- Six IBT Certificates have been issued.
- Current statute § 143-215.22L had significant revisions in Session Law 2013-388 (codified as § 143-215.22L.(v)).
 - **Provided a process for modifying an issued Certificate.**
 - **Changed the measuring statistic from maximum annual day to average day over a calendar month.**



IBT Certificate Modification

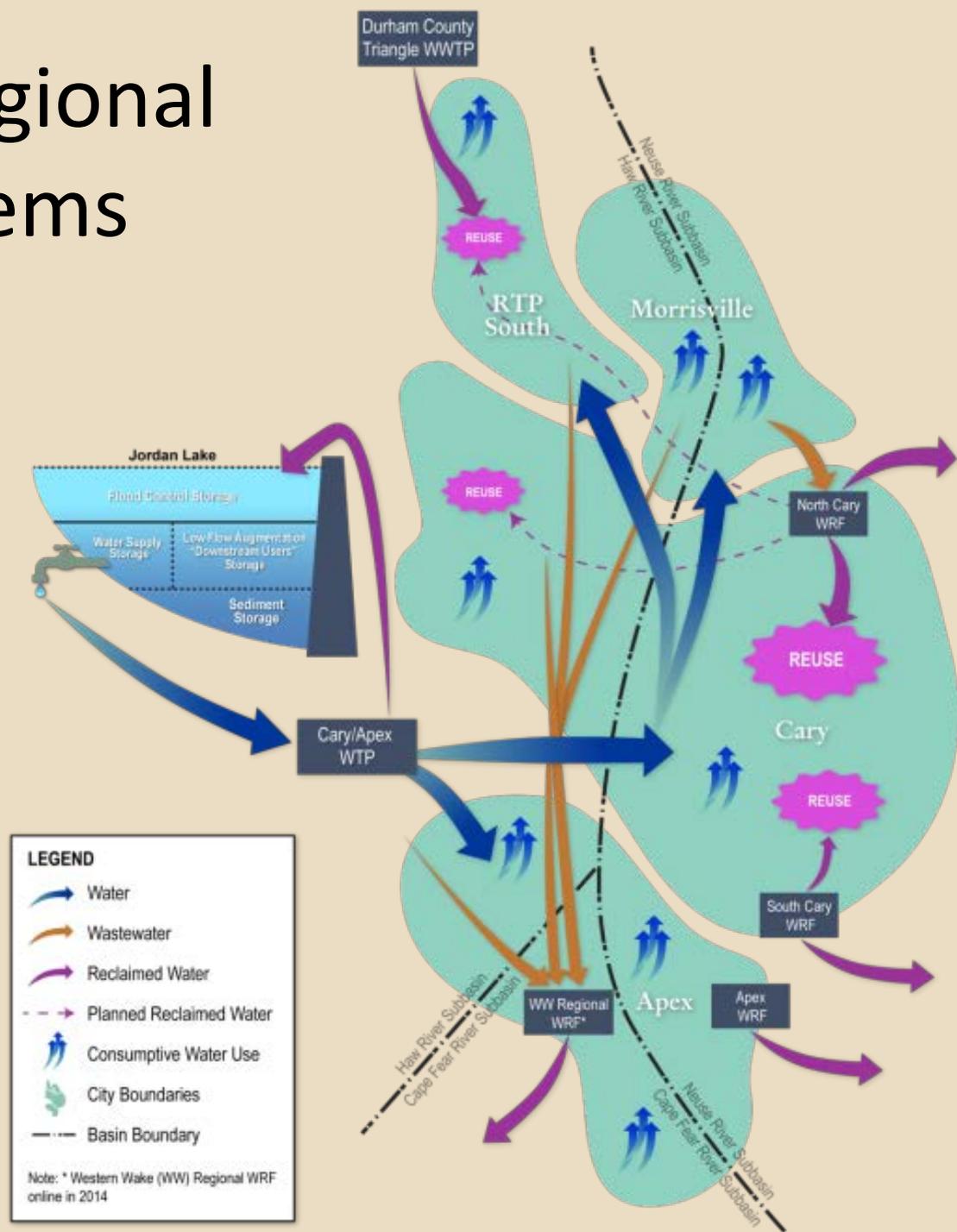
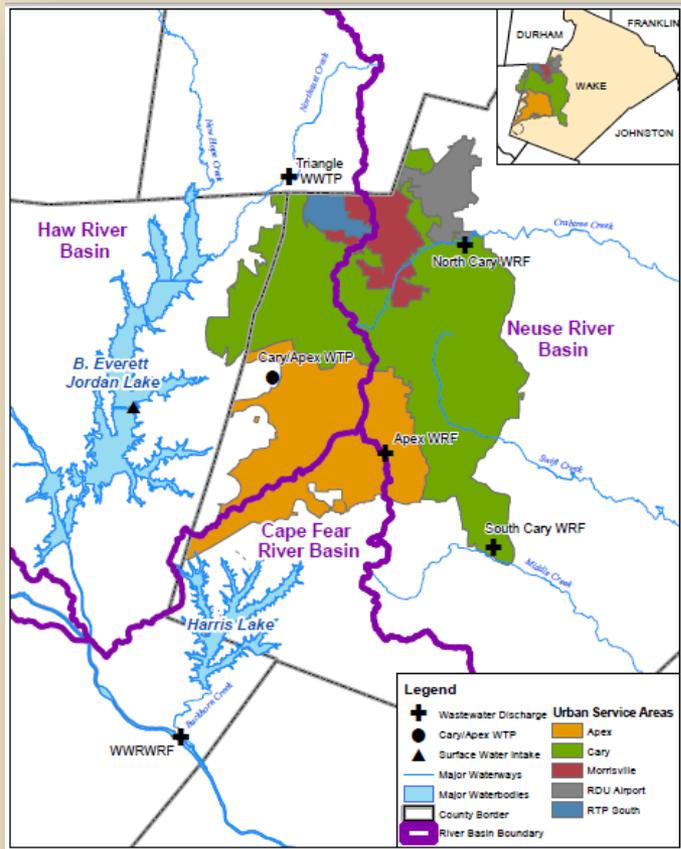
§ 143-215.22L.(v)

- The Commission or the Department may make any of the following modifications to a certificate:
 - a) Correction of typographical errors.
 - b) Clarification of existing conditions or language.
 - c) Updates, requested by the certificate holder, to a conservation plan, drought management plan, or compliance and monitoring plan.
 - d) Modifications requested by the certificate holder to reflect altered requirements due to the amendment of this section.

Proposed Project Description

Primary Applicant:	Towns of Cary, Apex, and Morrisville and Wake County	
Source Basin:	Haw	
Receiving Basins:	Neuse, Cape Fear	
Existing IBT Certificate:	24 MGD (max day)	
Average Daily over Maximum Month IBT <u>request</u> based on 2045 demand:		
Existing IBT Certificate Equivalent:	22 MGD	
Existing IBT (2013 data):	16 MGD	
	Haw to Neuse (2013 data):	15.95 MGD
	Haw to Cape Fear (2013 data):	0.05 MGD
Total Requested IBT:	33 MGD	
	Haw to Neuse:	31 MGD
	Haw to Cape Fear:	2 MGD

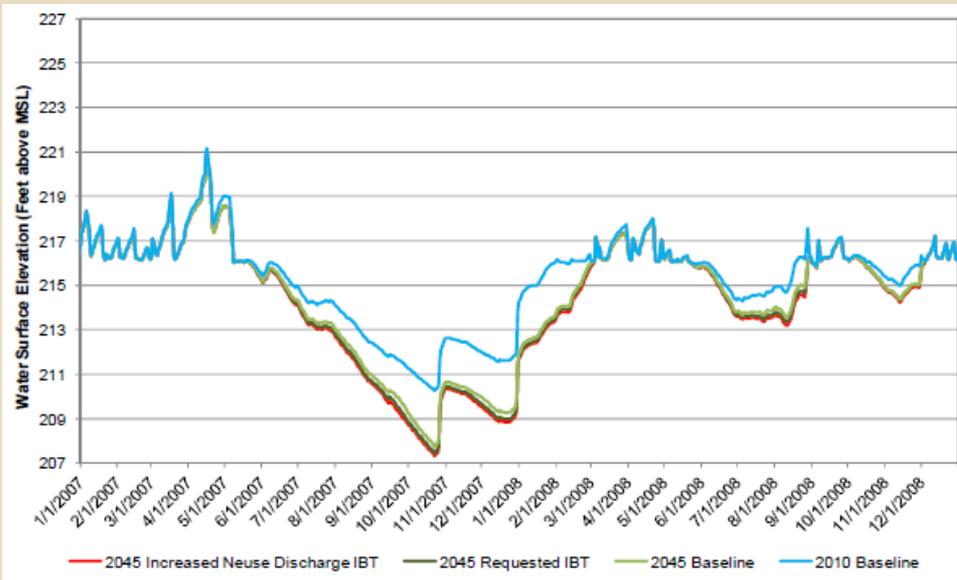
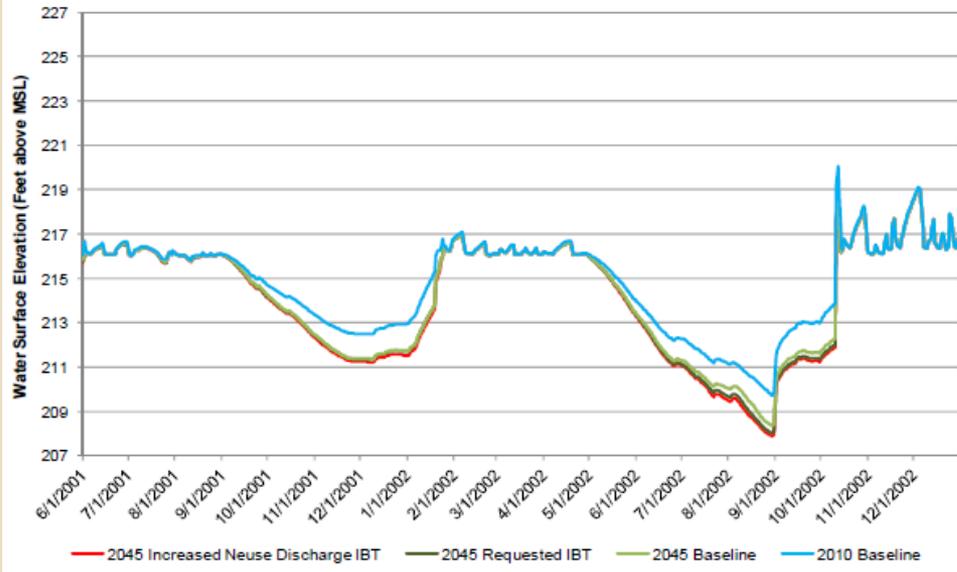
Cary/Apex Regional Water Systems



Environmental Assessment

Types of Impact Analyses in EA

Jordan Lake Water Surface Elevation Comparisons



- Existing allocation of 39% of the water supply pool (~39 mgd) is sufficient to satisfy the proposed IBT modification.

- Modeled results show no significant impacts of transfer

- ✓ Lake levels during extreme drought

- ✓ Downstream low flow duration

- <http://www.ncwater.org/?page=473>

Requirements of IBT Statute

Modification to an Existing IBT certificate

I. Applicant submits Notice of Intent to file a request for modification.

II. Applicant prepares environmental document (EA) pursuant to State Environmental Policy Act (SEPA).

NCDENR submits document to State Clearinghouse for public comment (30-day period)

Adequacy Determination

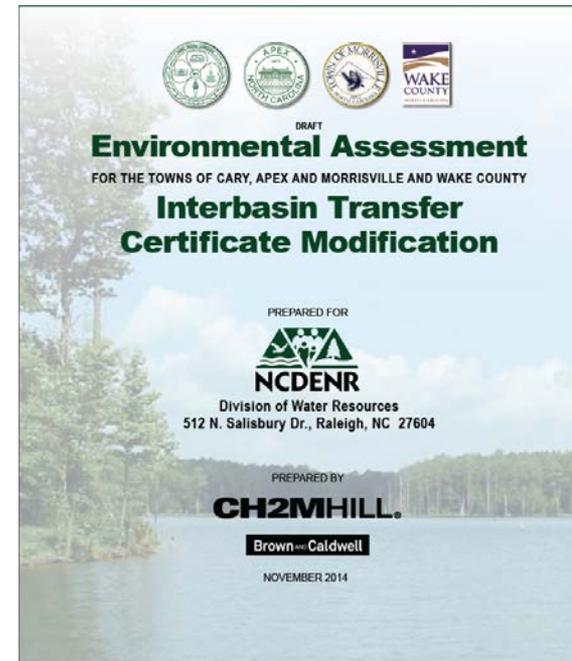
III. NCDENR publishes a request for modification in the NC Register.

Public hearing for modification request

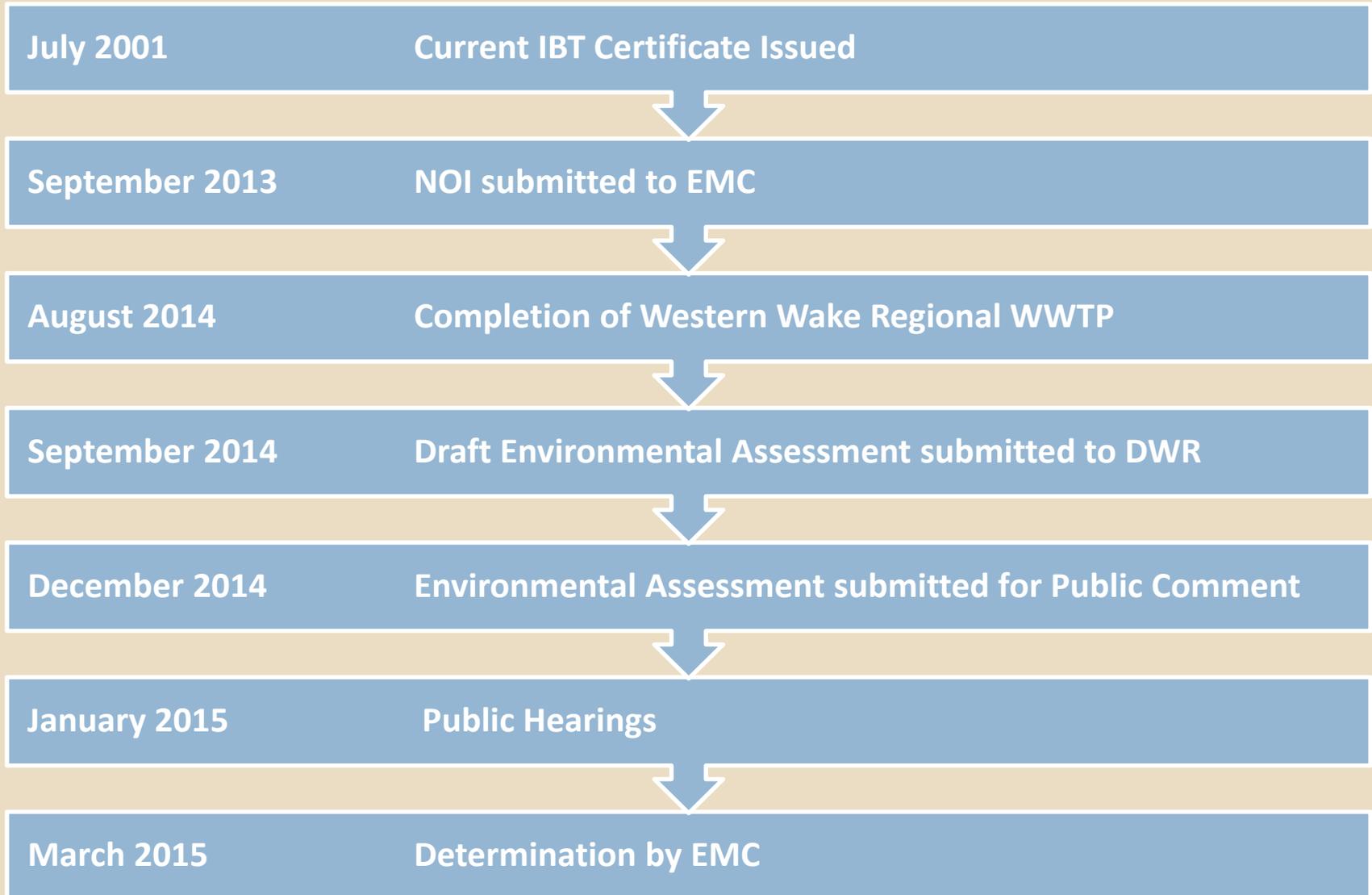
Comments accepted for 30 days following hearing

NCDENR prepares written response to comments (i.e. hearing officers report)

**EMC ISSUES
FINAL
DETERMINATION**



Project Timeline





Role of EMC

Findings of Fact

- The EMC may grant the modification request in whole or in part, or deny it, and may require mitigation measures to minimize detrimental effects. In making this determination, the EMC is required to specifically consider:
 - The necessity, reasonableness, and beneficial effects of transfer amount
 - Detrimental effects on the source river basin
 - Detrimental effects on the receiving basin
 - Reasonable alternatives to the proposed transfer
 - Use of impounded storage
 - Purposes and water storage allocations in a US Army Corps of Engineers multipurpose reservoir
 - Compare the water system service area to the locations of both the source and receiving basins
 - Any other facts or circumstances

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