



# **Petition for Kerr Lake Regional Water System Interbasin Transfer Certificate**

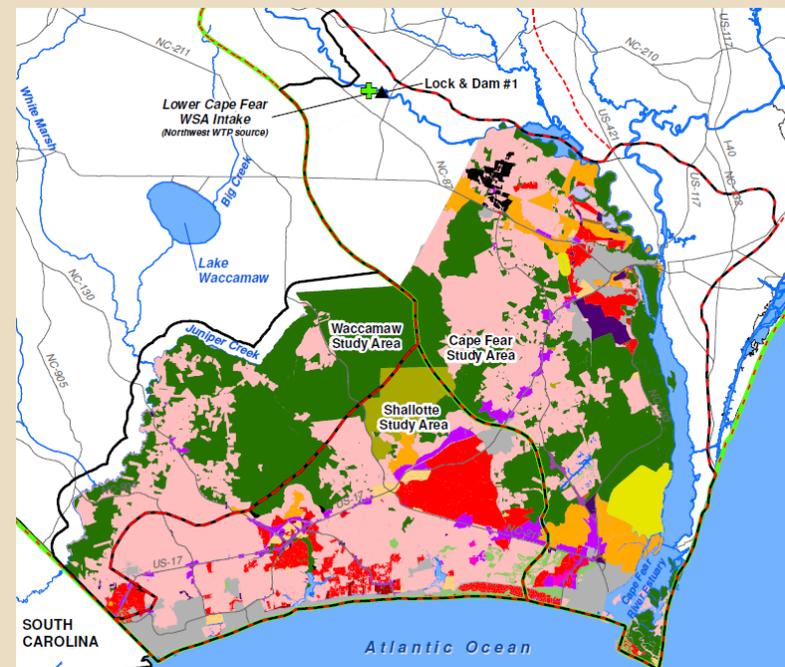
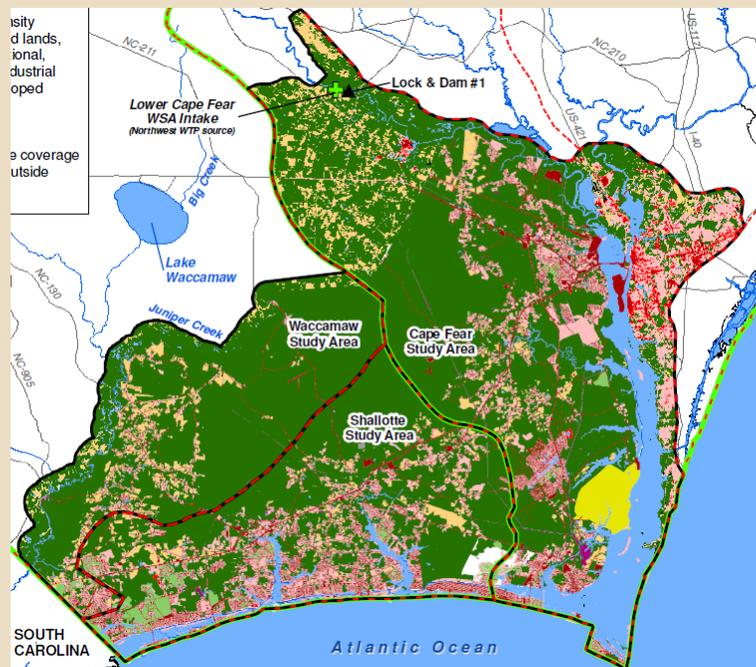
**Public Hearing  
City of Henderson – City Hall  
March 31, 2015**

# Outline

- Interbasin Transfer (IBT) Basics
  - What is a transfer?
- Kerr Lake Regional Water System (KLRWS) IBT Project
  - Description
  - Timeline
  - Statutory Process
- Final Decision = Environmental management Commission (EMC)

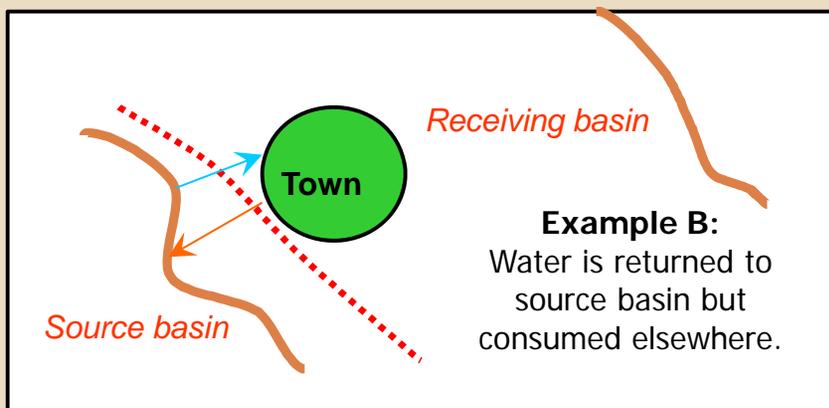
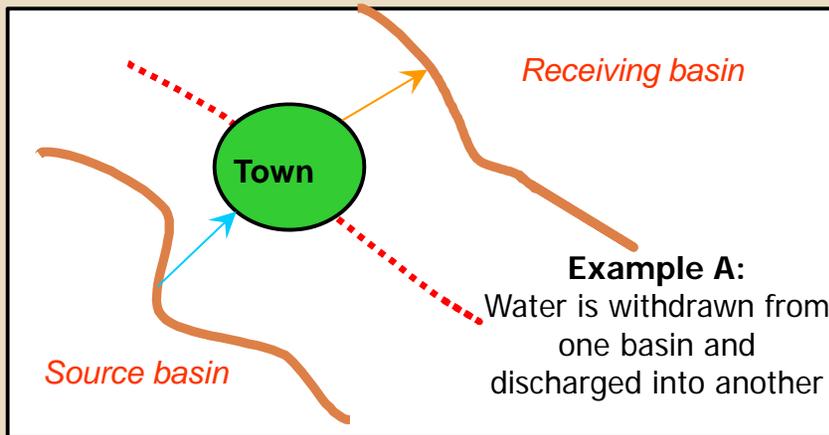
# Definition & Purpose

- 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

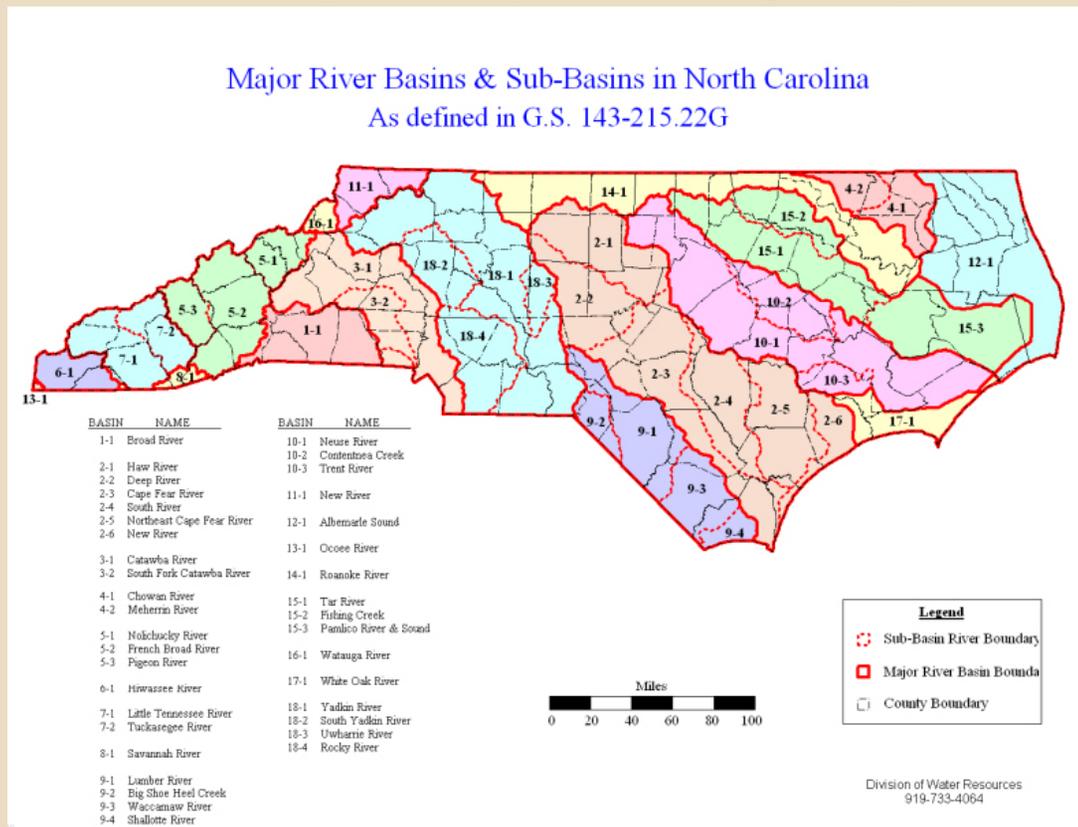
- Transfer = Withdrawal – Return
  - Net Transfer, Not Gross



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.

# Statutory Thresholds

- 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.



# Statutory Changes



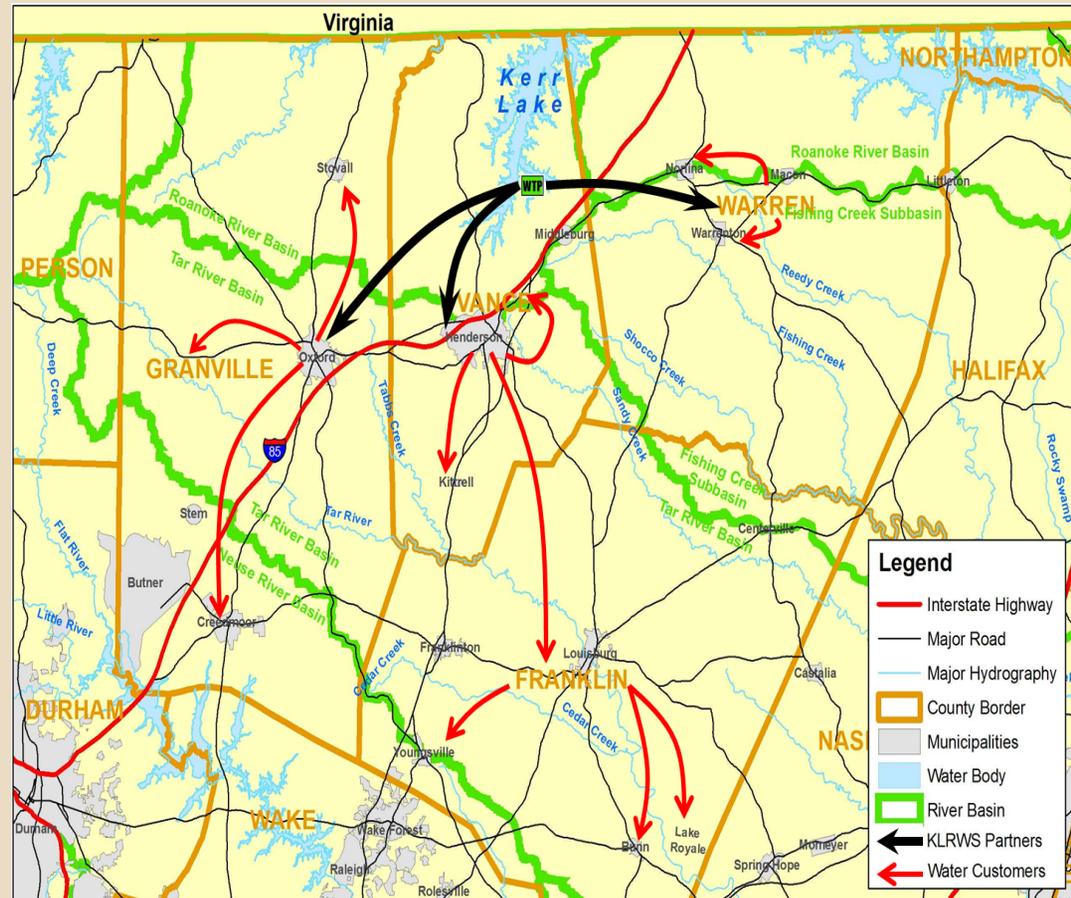
- The NC General Assembly has made at least eight significant changes to the 1993 IBT Law.
- Six IBT Certificates have been issued.
- Revision in Session Law 2014-120
  - Included specific United States Corps of Engineers (USACE) reservoirs under a separate statutory process from the general requirements.
    - Single Public Hearing for Petition
    - Environmental Assessment (EA) meets the minimum criteria for environmental documentation
    - Adequacy determination of environmental document by NC Department of Environment and natural Resources (NCDENR)

# Proposed Project Description

<b>Primary Applicant:</b>	Kerr Lake Regional Water System	
<b>Source Basin:</b>	Roanoke	
<b>Receiving Basins:</b>	Tar, Fishing Creek, Neuse	
<b>Grandfathered Allowance:</b>	<b>10 MGD</b> (max day)	
<b>Existing IBT (2013 data):</b>	<b>4.64 MGD</b> (avg day/max mth)	
	Roanoke to Tar:	3.63 MGD
	Roanoke to Fishing Creek:	0.82 MGD
	Roanoke to Neuse:	0.19 MGD
<b>Total Requested IBT (<u>2045 Demands</u>):</b>	<b>14.2 MGD</b> (avg day/max mth)	
	Roanoke to Tar:	10.7 MGD
	Roanoke to Fishing Creek:	1.7 MGD
	Roanoke to Neuse:	1.8 MGD

# Kerr Lake Regional Water System

- Primary Partners
  - City of Henderson
  - City of Oxford
  - Warren County
- City of Henderson operates WTP.
- Water sales to 15 additional communities/water users in Vance, Warren, Granville, and Franklin Counties



# KLRWS & USACE

- KLRWS Agreements with USACE
  - 2005 allocation equivalent to 20 mgd average annual withdrawal
  - KLRWS is paying the USACE for water storage and lost power capability compensation
- Requested IBT within the contracted 20 mgd.

There will be **NO** request to increase an allocation from John H. Kerr Reservoir.



## REALLOCATION REPORT

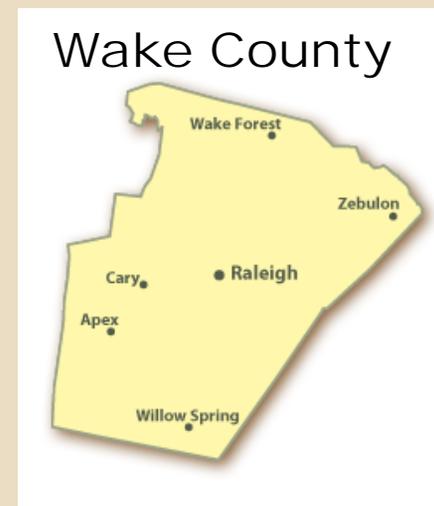
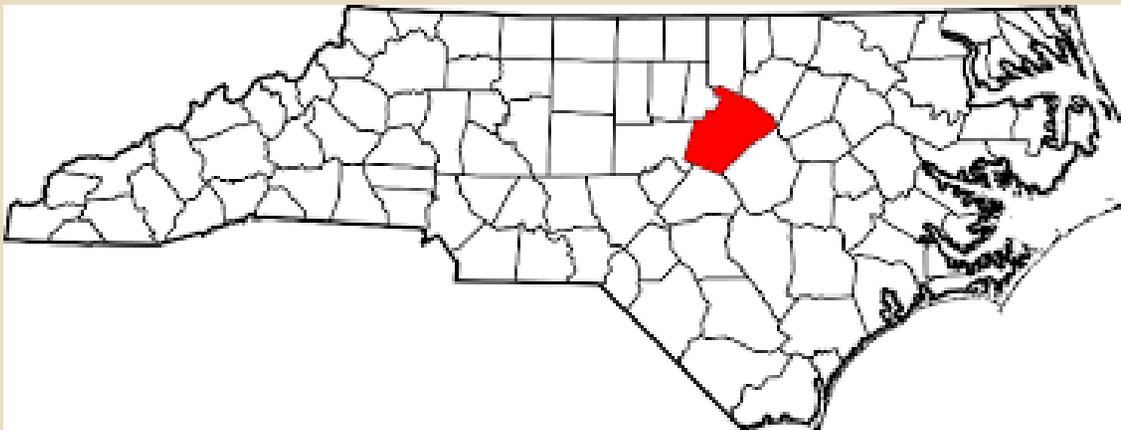
### JOHN H. KERR RESERVOIR WATER SUPPLY STORAGE REALLOCATION REQUEST FOR THE CITY OF HENDERSON, NORTH CAROLINA

May 2005

U.S. Army Corps of Engineers  
Wilmington District

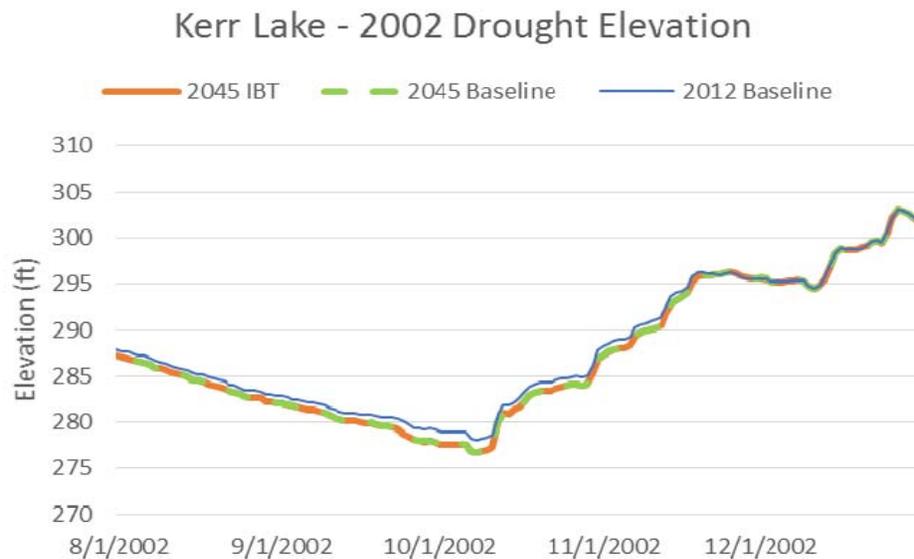
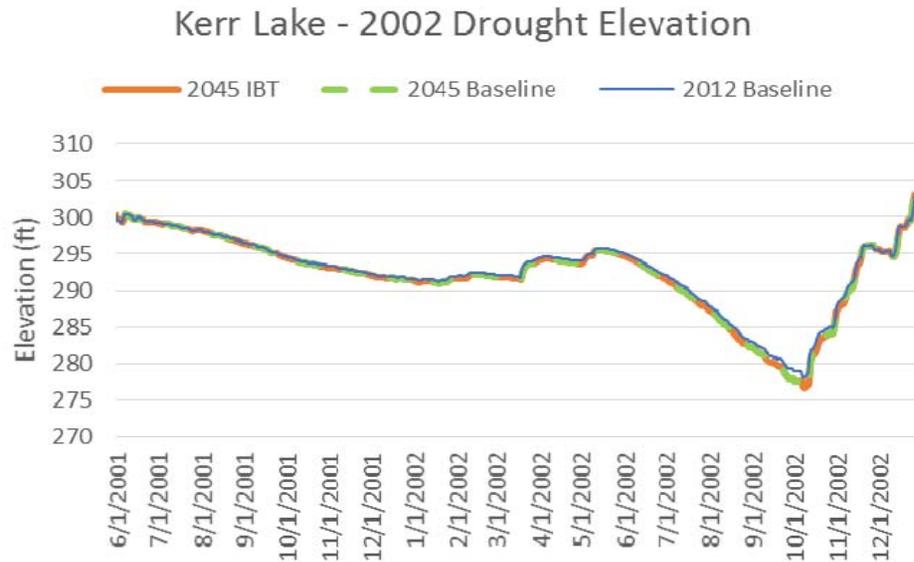
# Raleigh & Wake County

- Neither the City of Raleigh nor Wake County is a party to this IBT request. No transferred water from the KLRWS will cross the Wake County boundary.
- Per required statutory conditions (§ 143-215.22L(n)(7)), applicant will not be allowed to resell the transferred water to any other public water system who is not listed as a co-applicant on the certificate.



# Examples of Modeling Scenarios

## KLRWS IBT Environmental Assessment



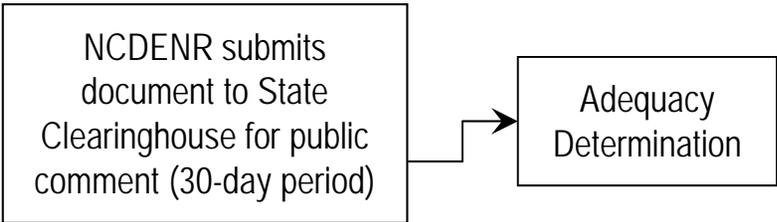
- Reduction of initial projected demands and IBT
- USACE Allocation of 20 mgd not projected to be exceeded by 2060
- Modeled results show no impact of transfer
  - ✓ Lake levels during extreme drought
  - ✓ Low flow duration
  - ✓ Hydropower

# IBT Process § 143-215.22L.(w)

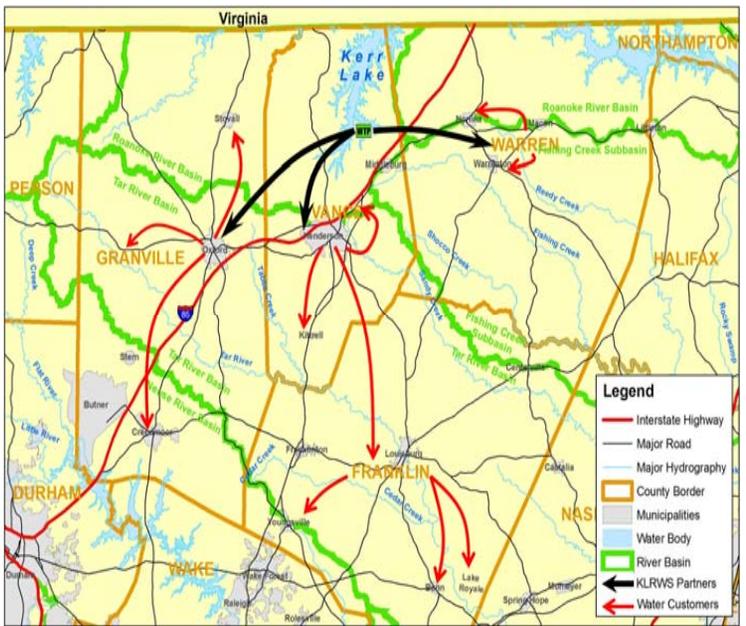
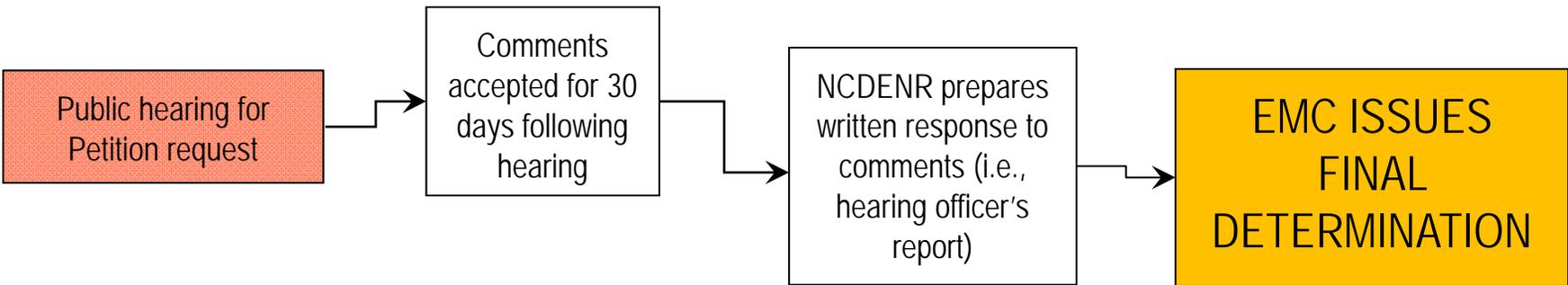
Requirements for Coastal Counties and Reservoirs Constructed by the United States Army Corps of Engineers

I. Applicant submits Notice of Intent to file a petition.

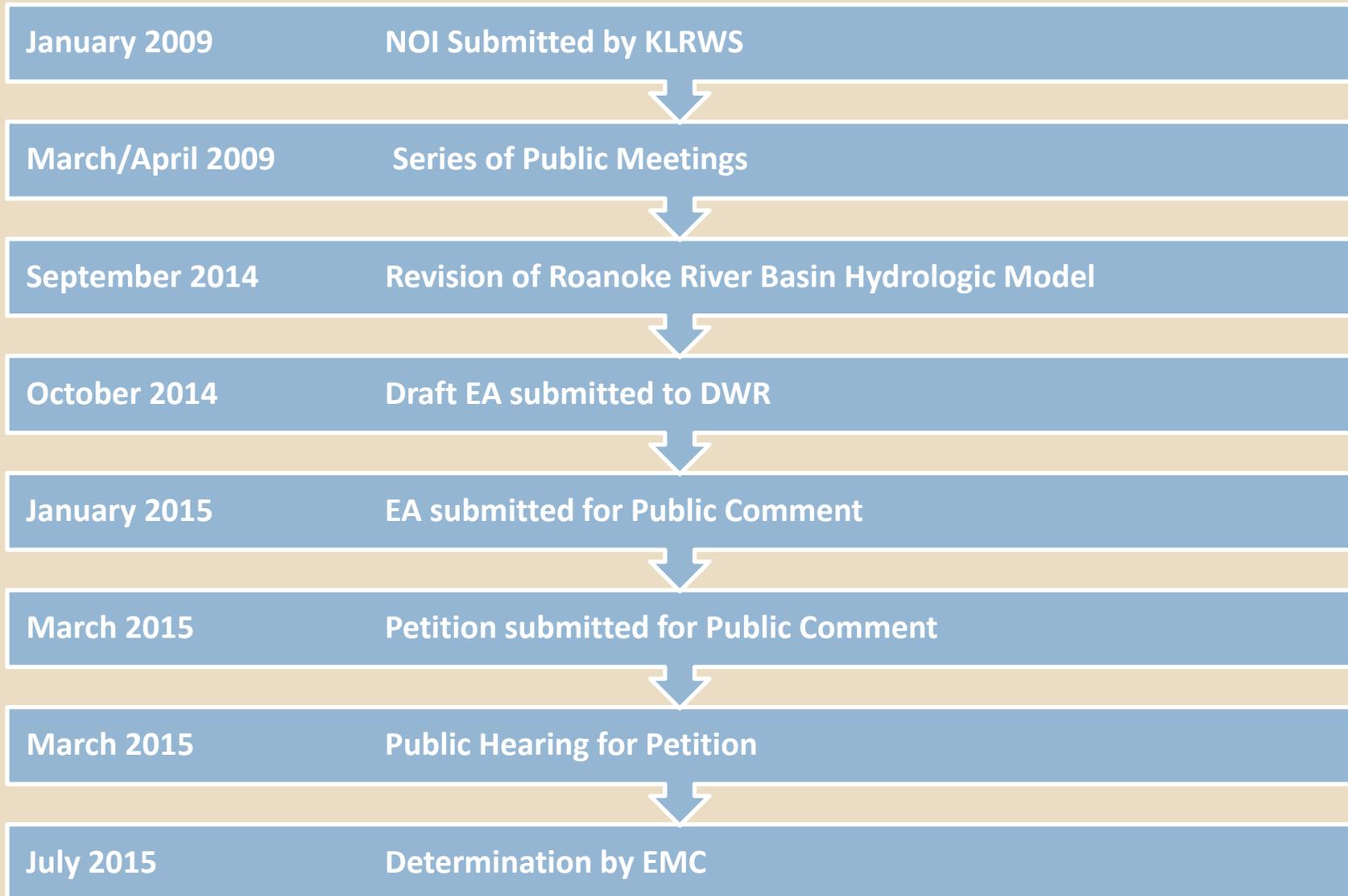
II. Applicant prepares environmental document (EA) pursuant to State Environmental Policy Act (SEPA).



III. NCDENR publishes a Petition in the NC Register.



# Project Timeline



# Hearing Officer Recommendations

## Findings of Fact

- The EMC may grant a Petition 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
    - The cumulative effect of uses on the source major 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
  - The service area of the applicant with respect to the source and receiving basins
  - Any other facts or circumstances

# Contact Information

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