



# **Proposed Kerr Lake Regional Water System Interbasin Transfer Certificate**

**Roanoke River Basin Bi-State Commission  
Henderson, NC  
December 18, 2014**



# Hot Topic



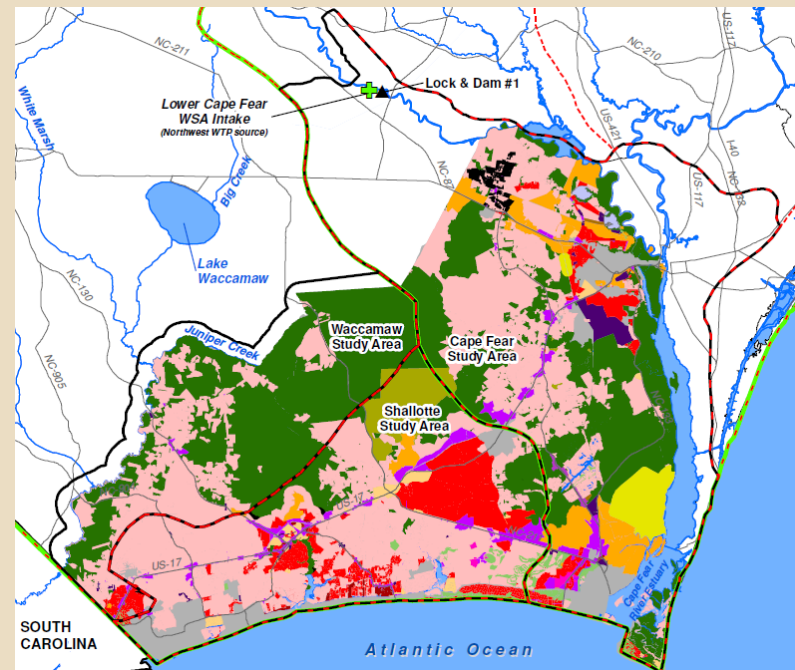
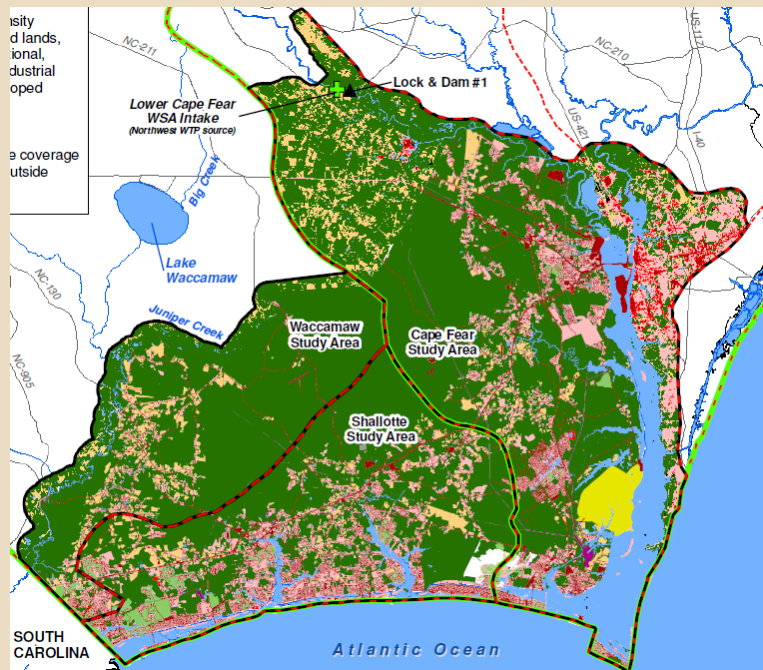
- IBT Discussions began in the 1950's.
- The NC General Assembly has made at least eight significant changes to the IBT Law since 1993.
- Six IBT Certificates have been issued.

# Outline

- IBT Basics
  - What is a transfer?
- KLRWS IBT Project
  - Description
  - Timeline
  - Statutory Process
- Final Decision = EMC

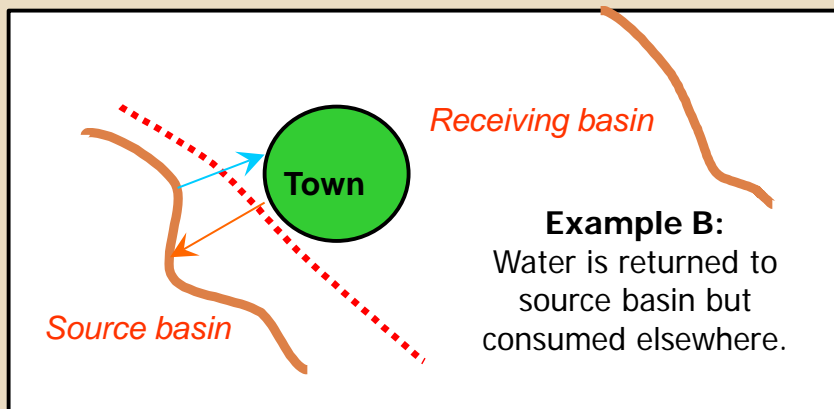
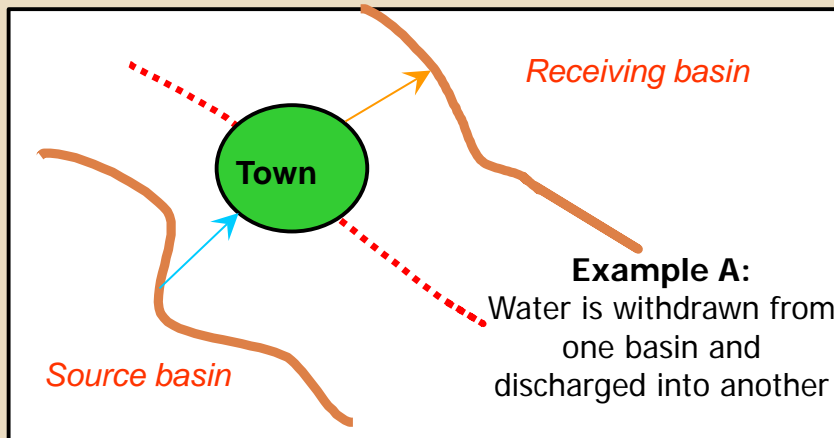
# Definition & Purpose

- 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



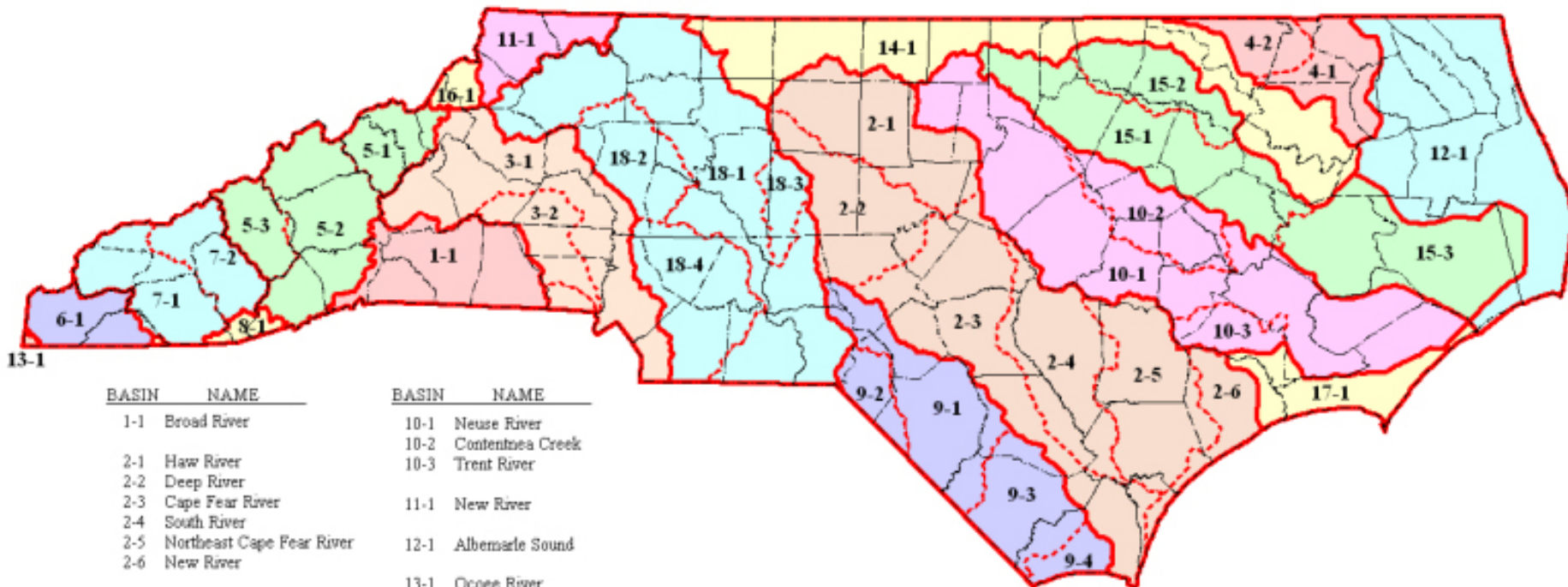
The amount of a transfer is determined by the amount of water moved from the source basin to the receiving basin, less the amount of water returned to the source basin.

# Statutory Thresholds for Certifications

- 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 the amount of an existing transfer (exceeding 2 mgd) by 25% or more above the average daily amount transferred as of July 1, 1993.
- Increase an existing/grandfathered transfer (exceeding 2 mgd) determined by the system capacity as of July 1, 1993.

# Major River Basins & Sub-Basins in North Carolina

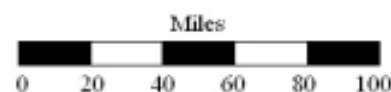
## As defined in G.S. 143-215.22G



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	Roanoke 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



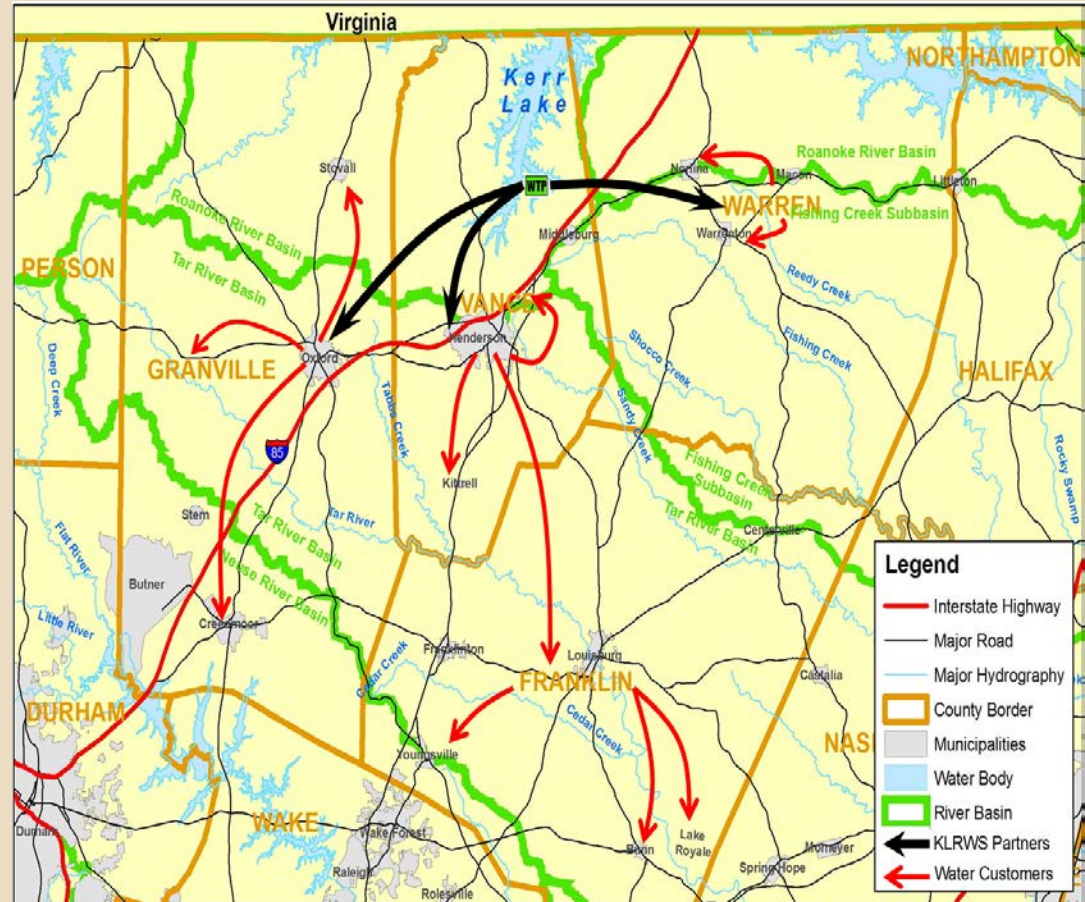
# Proposed KLRWS IBT Description

<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>	
<b>Average Daily over Maximum Month IBT <u>request</u> is based on 2045 demand:</b>		
<b>Total Requested IBT:</b>	<b>14.2 MGD</b>	
	<b>Roanoke to Tar:</b>	<b>10.7 MGD</b>
	<b>Roanoke to Fishing Creek:</b>	<b>1.7 MGD</b>
	<b>Roanoke to Neuse:</b>	<b>1.8 MGD</b>



# 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
  - 1974 water use agreement for up to 20 mgd
  - 2005 allocation of 10,292 acre-feet of storage
    - » Equivalent to 20 mgd average annual withdrawal
- USACE determined that there would be a slight reduction in the power generation
  - KLRWS is on an annual basis paying the USACE for water storage and power capability compensation
- Requested IBT is for utilization of the current USACE contracted amount.

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



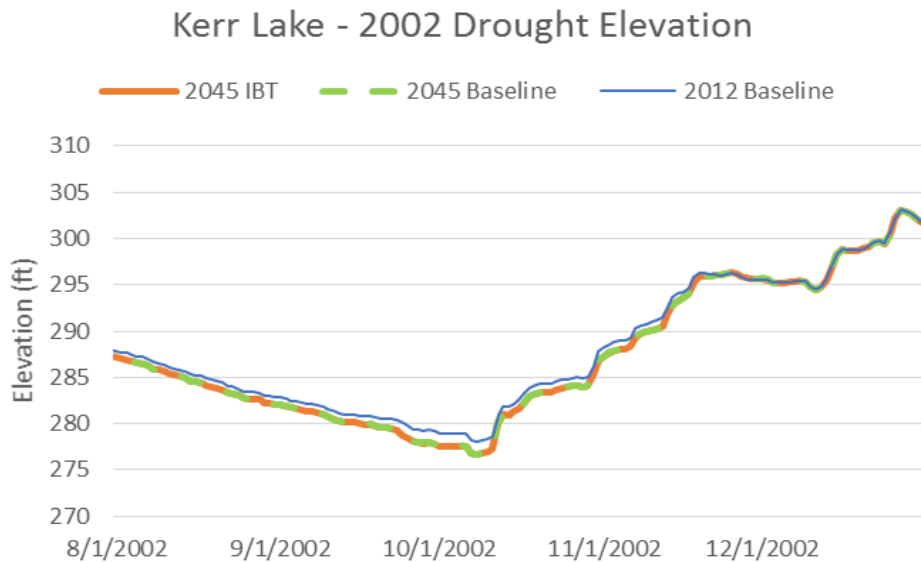
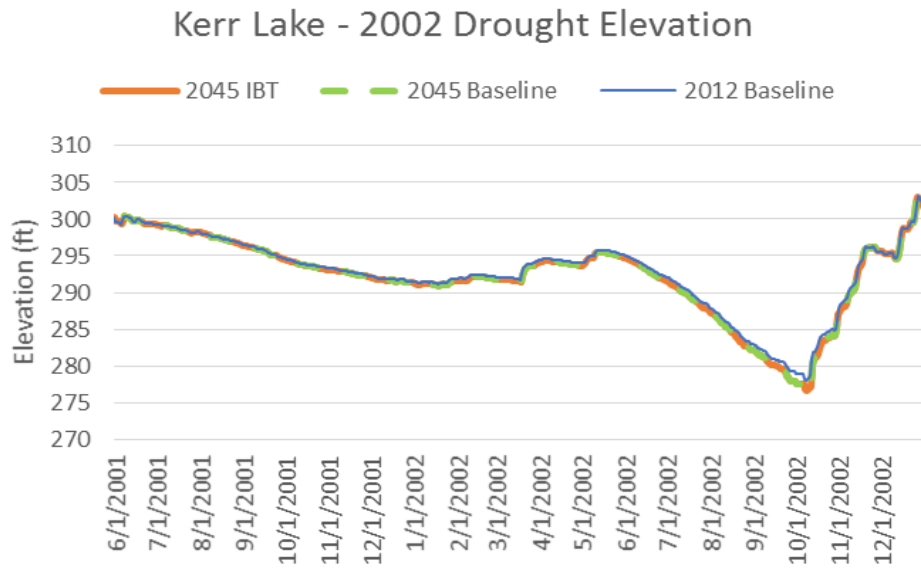
## REALLOCATION REPORT

### 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

# Summary of Modeling Scenarios



- 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).

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

Adequacy Determination

III. NCDENR publishes a Petition in the NC Register.



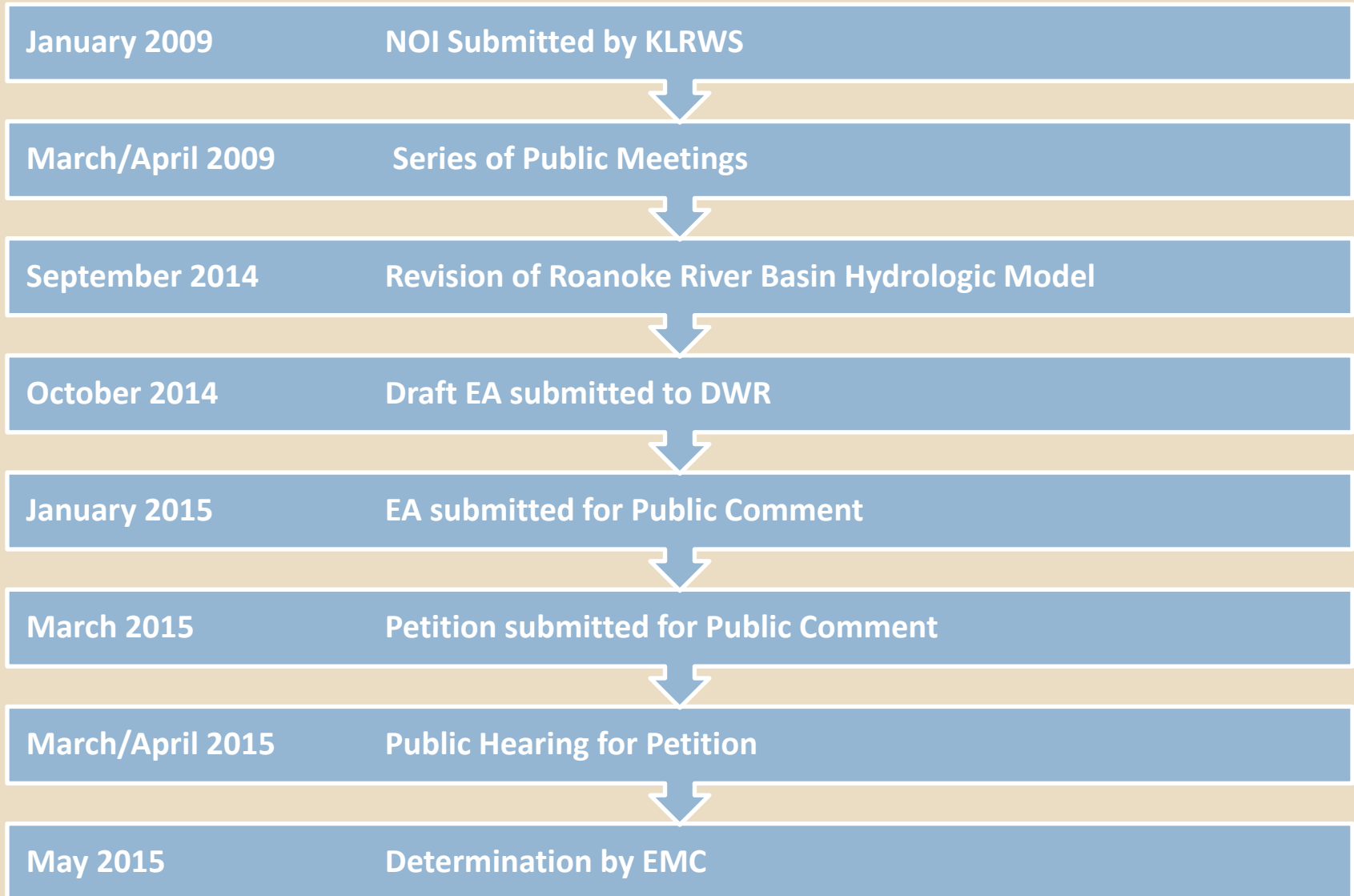
Public hearing for Petition request

Comments accepted for 30 days following hearing

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

**EMC ISSUES FINAL DETERMINATION**

# Project Timeline





# 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
  - Compare the service area of the applicant to the locations of both the source and receiving basins?
  - Any other facts or circumstances

# Contact Information

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