



PROPOSED CARY/APEX INTERBASIN TRANSFER CERTIFICATE MODIFICATION

INFORMATIONAL MEETING

FAYETTEVILLE, NC

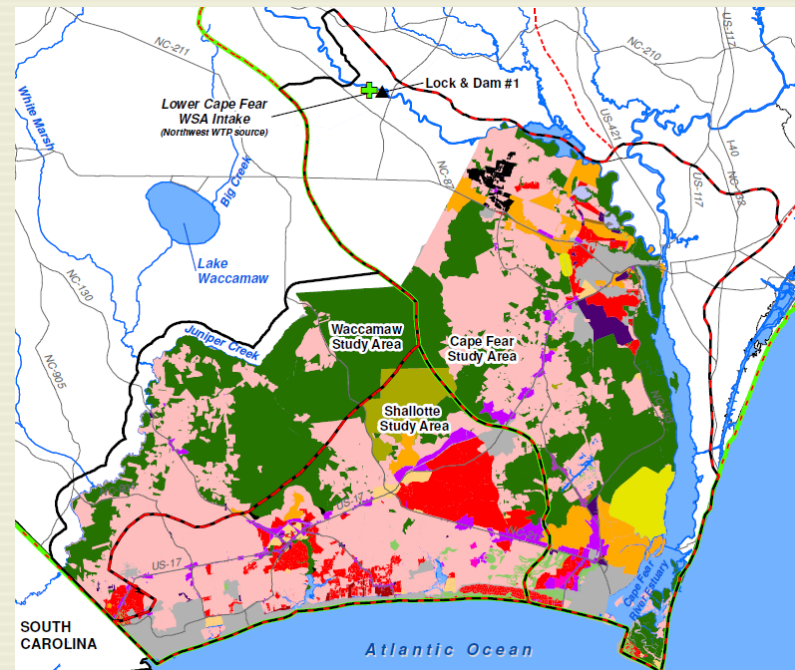
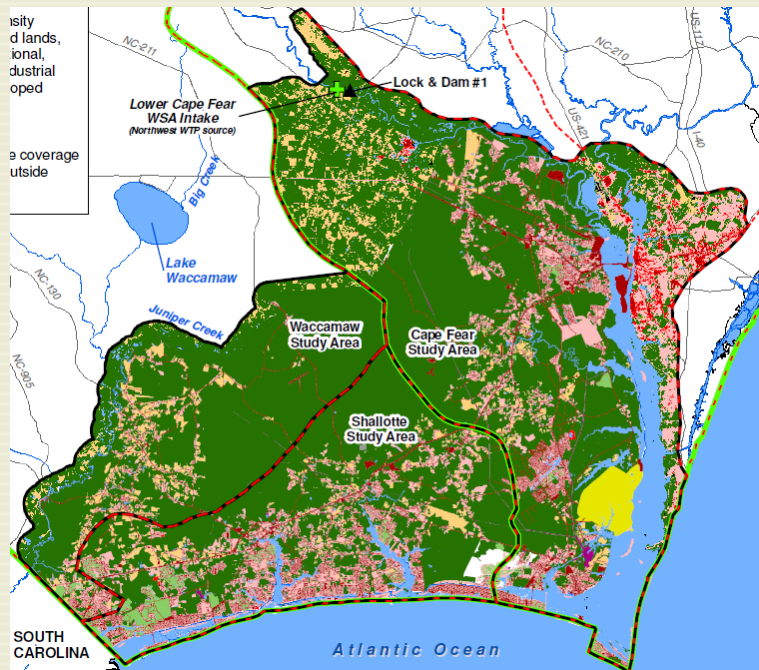
NOVEMBER 24, 2014

OUTLINE

- **IBT Basics**
 - What is a transfer?
 - Who is responsible?
- **Cary/Apex IBT Project**
 - Description
 - Timeline
 - Statutory Process
- **Final Decision - EMC**

DEFINITION & PURPOSE

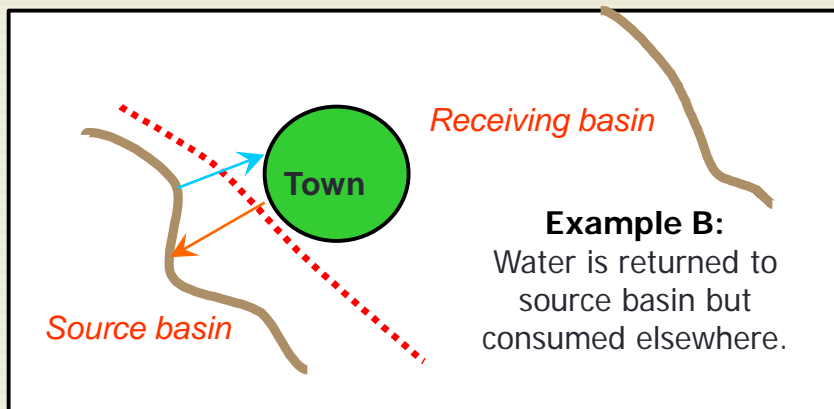
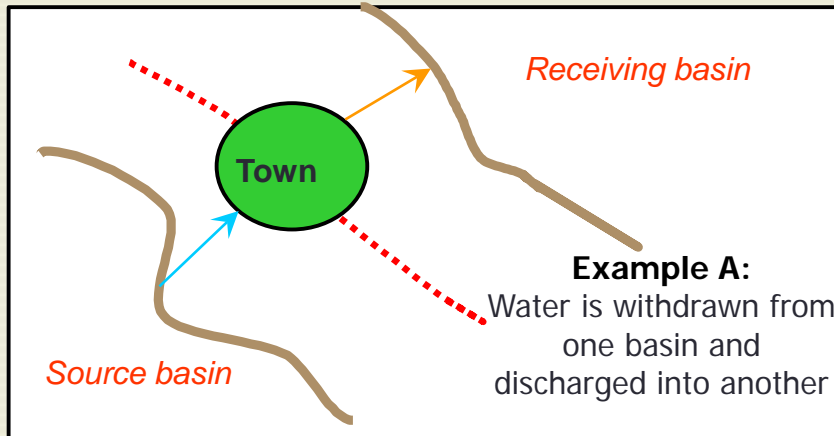
- The withdrawal of surface water from one river basin and discharge of all or any part of the water in a river basin different from the origin.
- The purpose of the Interbasin Transfer Law is to ensure it is good public policy to move water from one river basin into another.



SIMPLIFIED VIEW OF IBT

Transfer = Withdrawal – Return

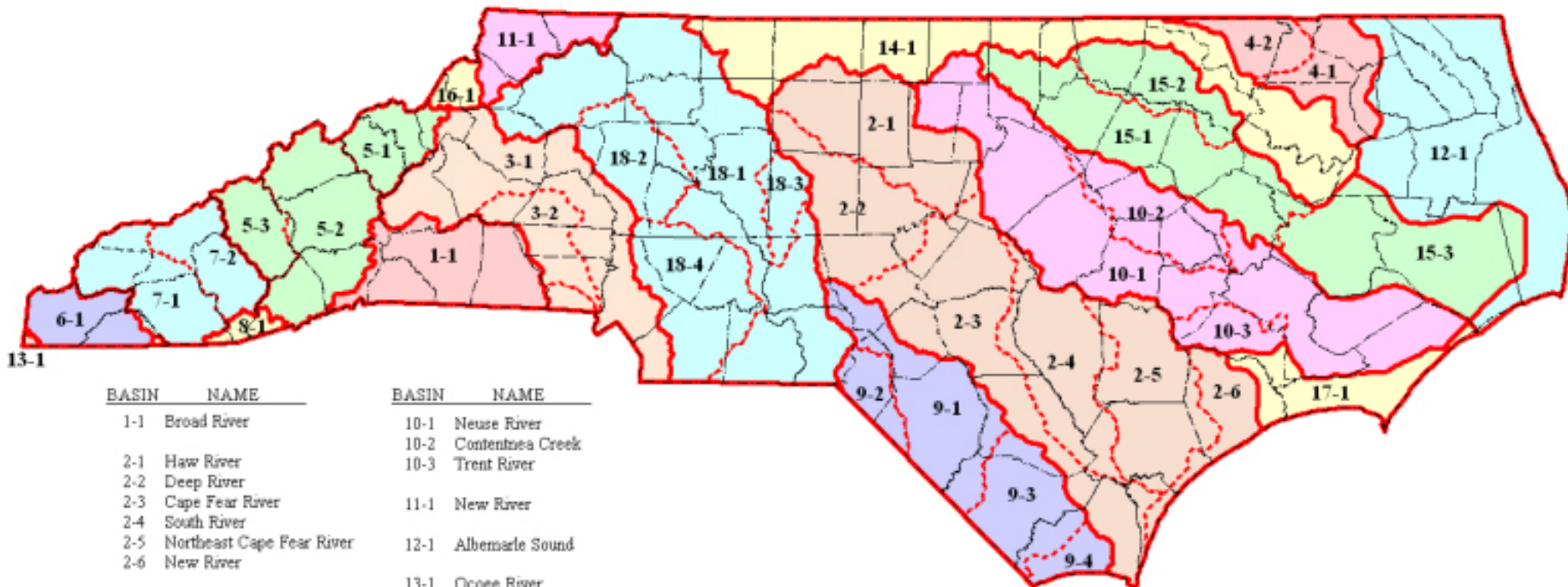
Net Transfer, Not Gross



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

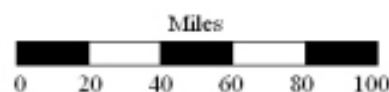
As defined in G.S. 143-215.22G



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 CHANGES

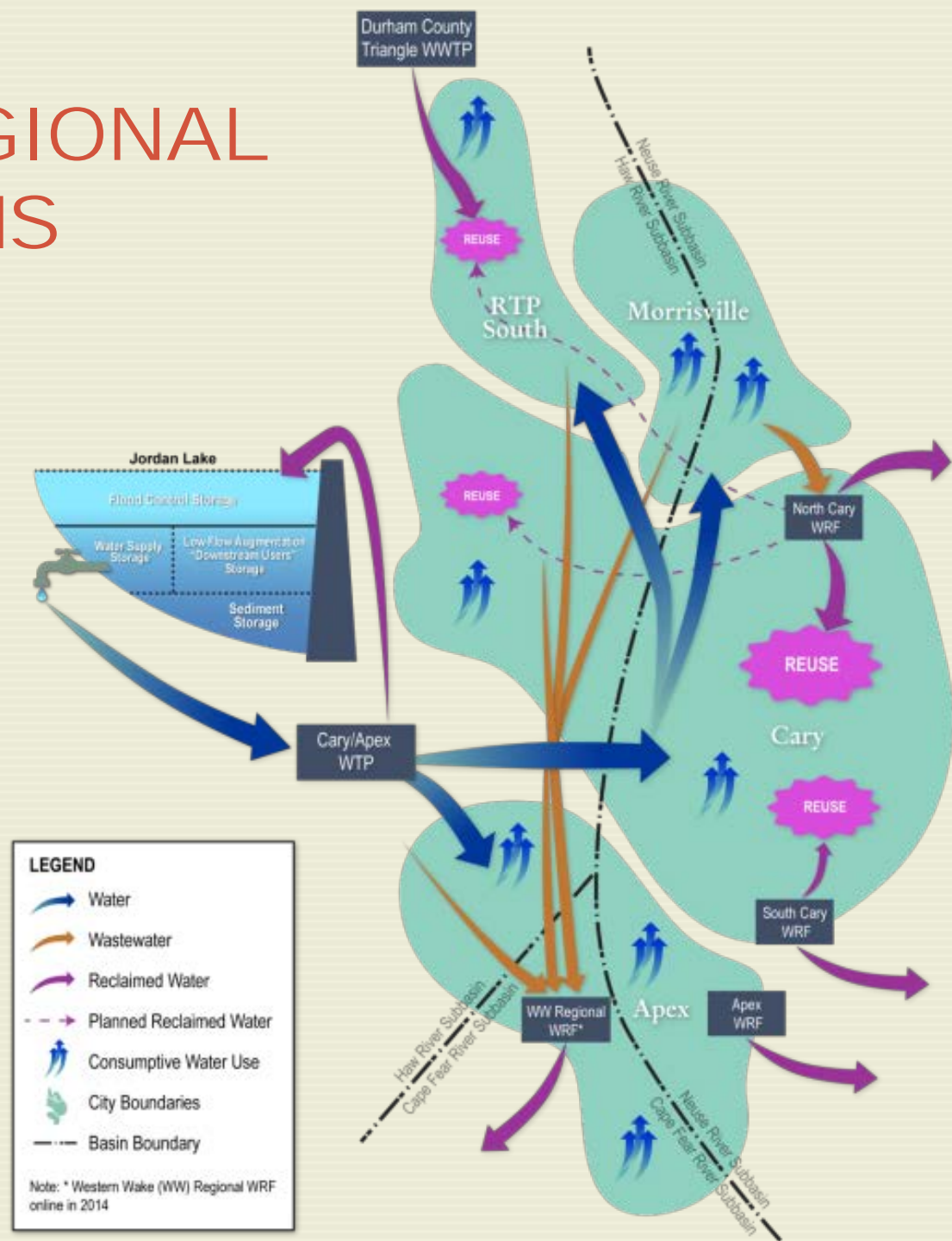
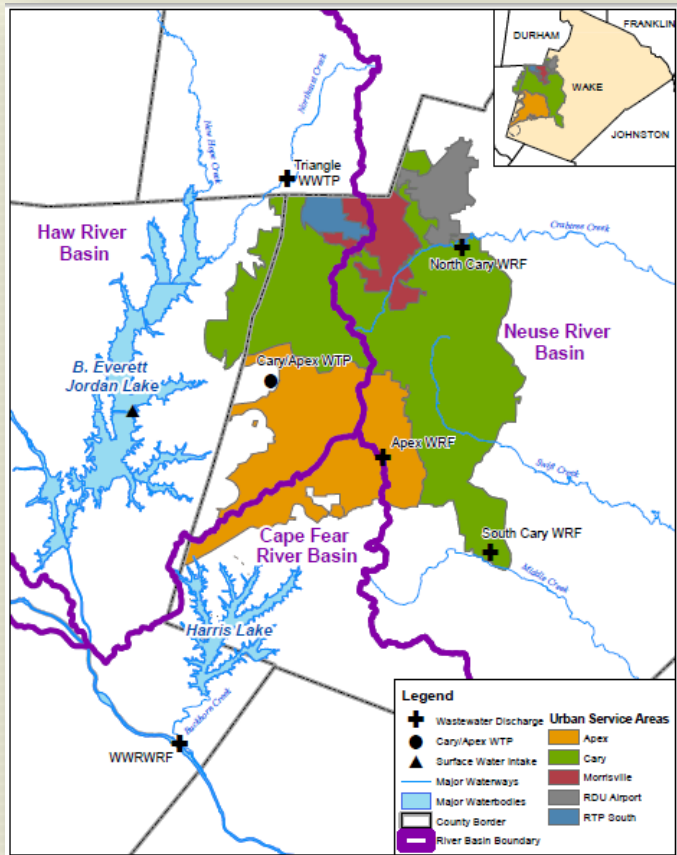
- **The NC General Assembly has made at least eight significant changes to the IBT Law.**
- **Six IBT Certificates have been issued.**
- **Current statute § 143-215.22L had significant revisions in Session Law 2013-388.**
 - **Provided a stream-lined process for a modifying an issued Certificate.**
 - **Changed the measuring statistic from maximum annual day to average day over a calendar month.**



PROPOSED PROJECT DESCRIPTION

Primary Applicant:	Towns of Cary and Apex, and Wake County (CH2M HILL)	
Source Basin:	Haw	
Receiving Basins:	Neuse, Cape Fear	
Existing Allowable IBT:	24 MGD (22 MGD MMAD)	
Maximum Daily IBT <u>request</u> based on 2045 demand:		
	Haw to Neuse:	31 MGD
	Haw to Cape Fear:	2 MGD
	Total Requested IBT:	33 MGD (increase of 9 MGD)

CARY/APEX REGIONAL WATER SYSTEMS



§ 143-215.22L.(V)

SESSION LAW 2013-388

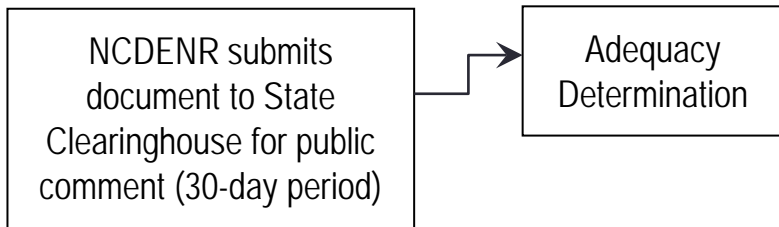
The Commission or the Department may make any of the following modifications to a certificate:

- 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.

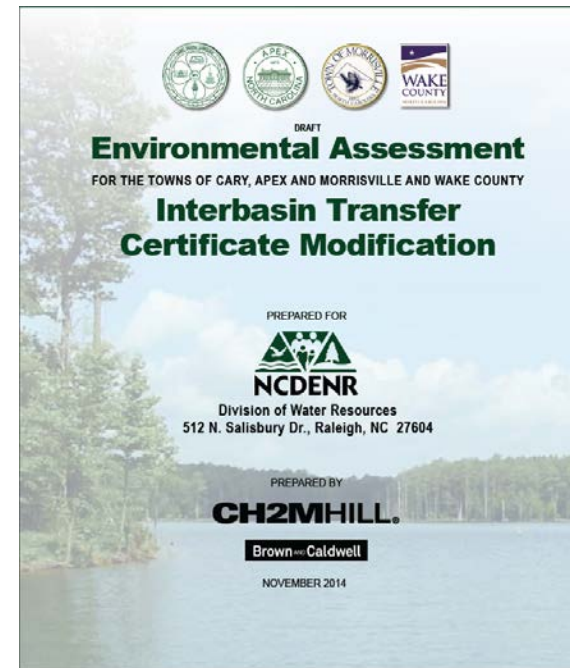
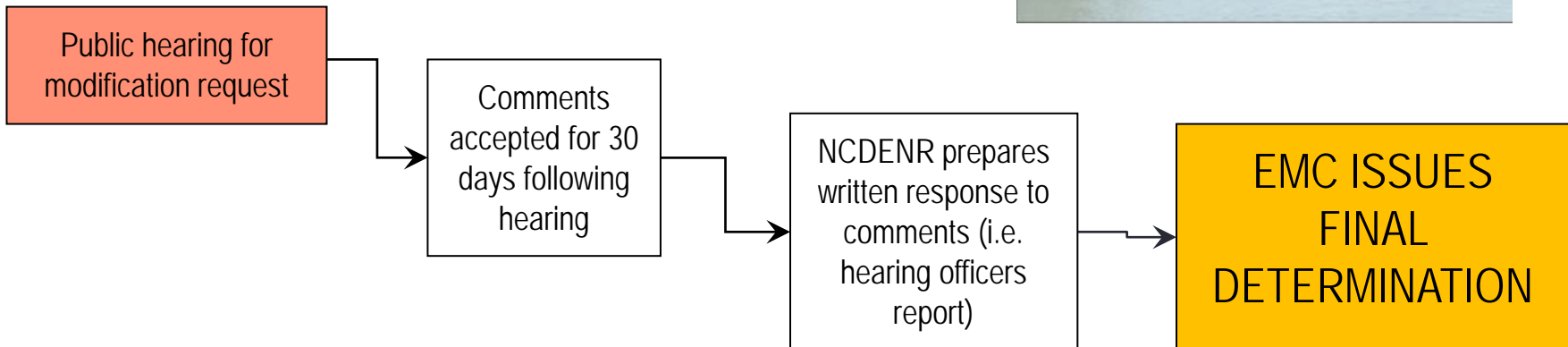
REQUIREMENTS OF 2013 IBT STATUTE MODIFICATION TO AN EXISTING IBT CERTIFICATE

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

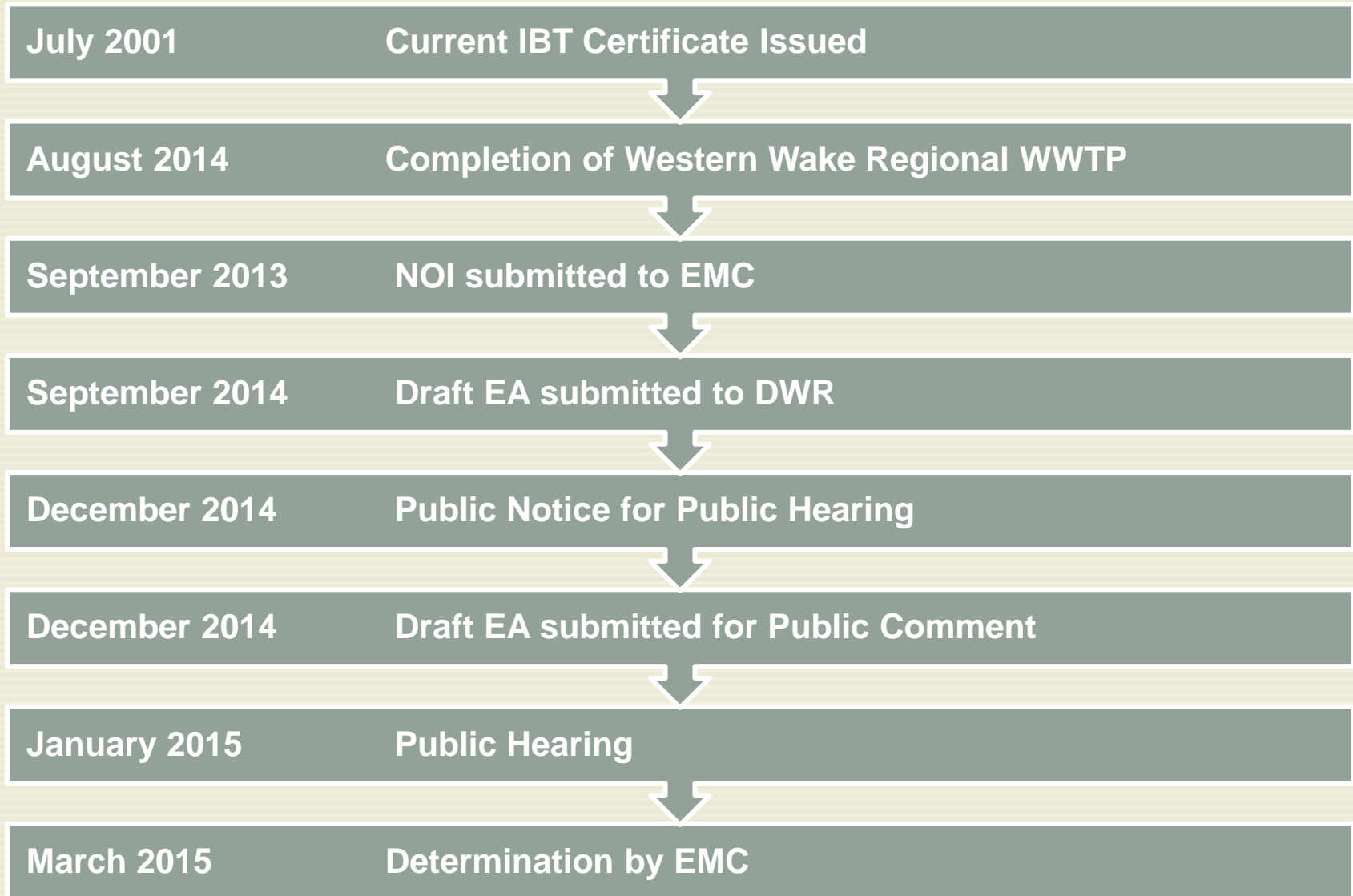
II. Applicant prepares environmental document (EA) pursuant to State Environmental Policy Act (SEPA).



III. NCDENR publishes a request for modification 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**
- **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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