

Governance, Legal Frameworks & Basin Alignment



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IBTs in the Catawba River Basin

Catawba-Wateree Water For All Summit

March 12, 2026

Harold Brady, Division of Water Resources



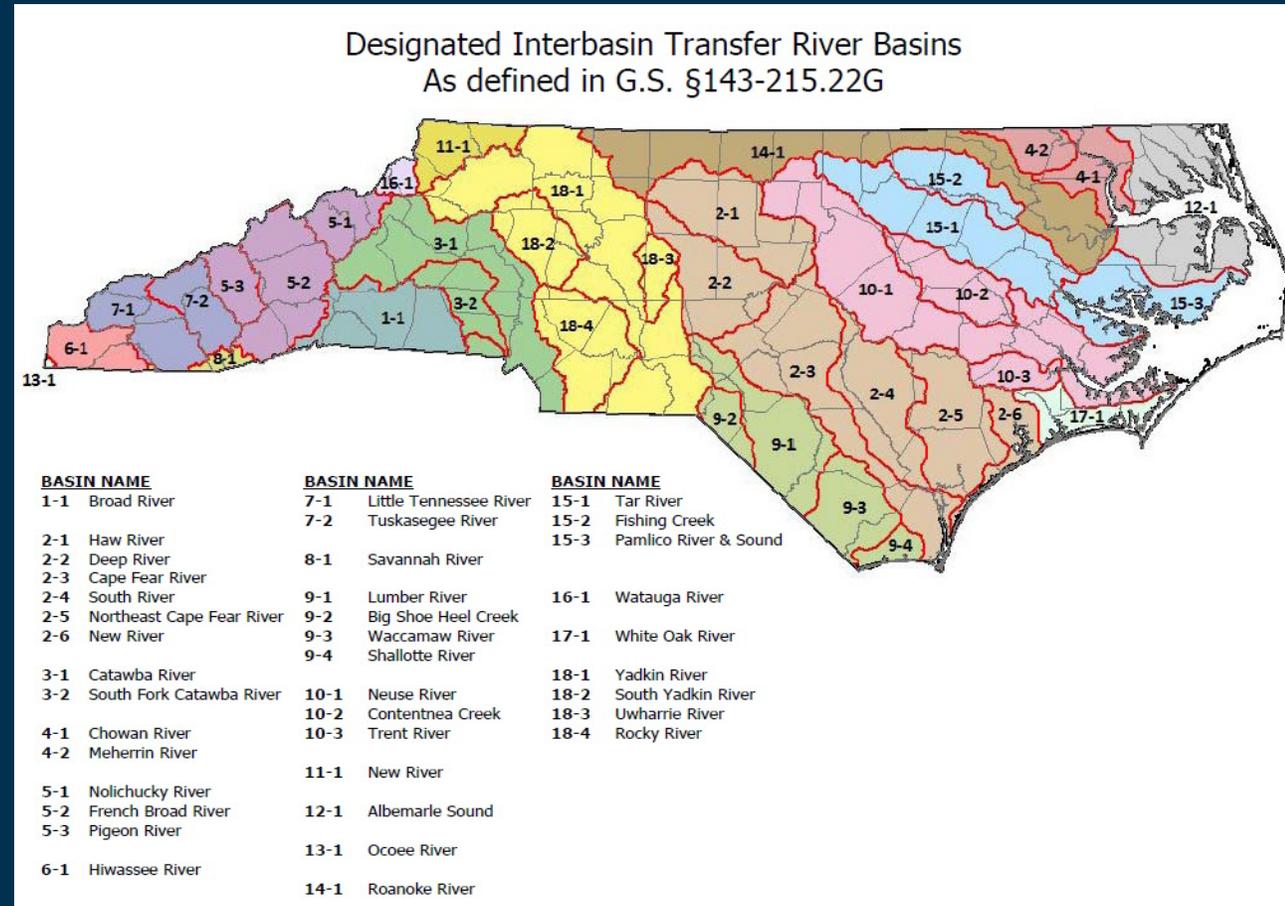
Interbasin Transfer (IBT) Definition & Purpose

- The withdrawal of surface water from 1+ river basin(s) and discharge into 1+ other river basin(s)

§ 143-215.22L Regulation of surface water transfers.

(a) Certificate Required: No person, without first obtaining a certificate from the Environmental Management Commission (EMC), may:

1. Initiate a transfer of 2,000,000 gallons of water or more per day, calculated as a daily average of a calendar month.
2. Not to exceed 3,000,000 gallons per day in any one day, from one river basin to another.



Note: some subbasins have changed their applicability since Jan 1, 2026 due to H694



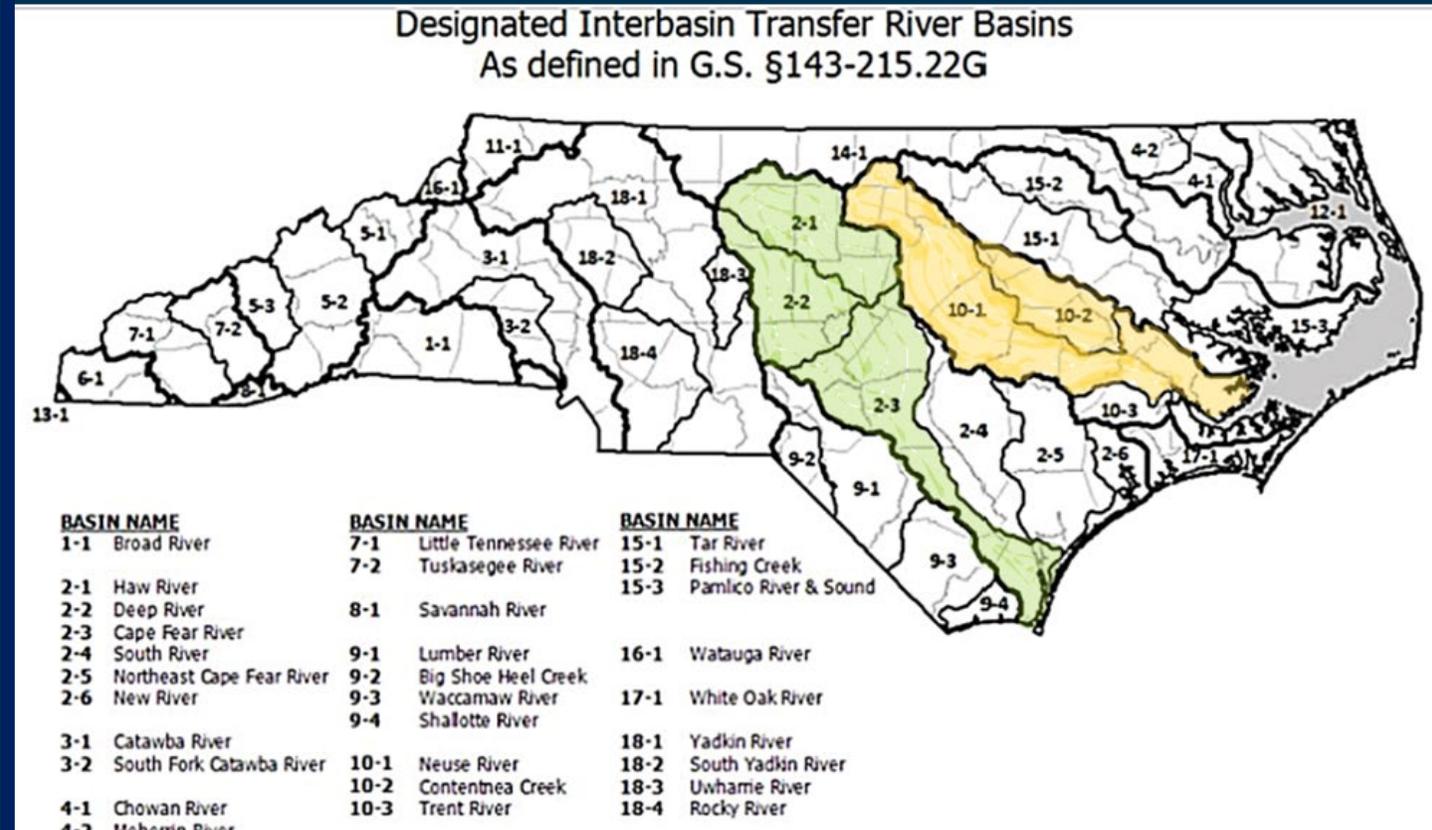
Sub-basin/Intra-Interbasin Transfer (IBT) Changes

2-3 Cape Fear Basin:

Combines (2-1) Haw River & (2-2) Deep River into (2-3) Cape Fear River Basin

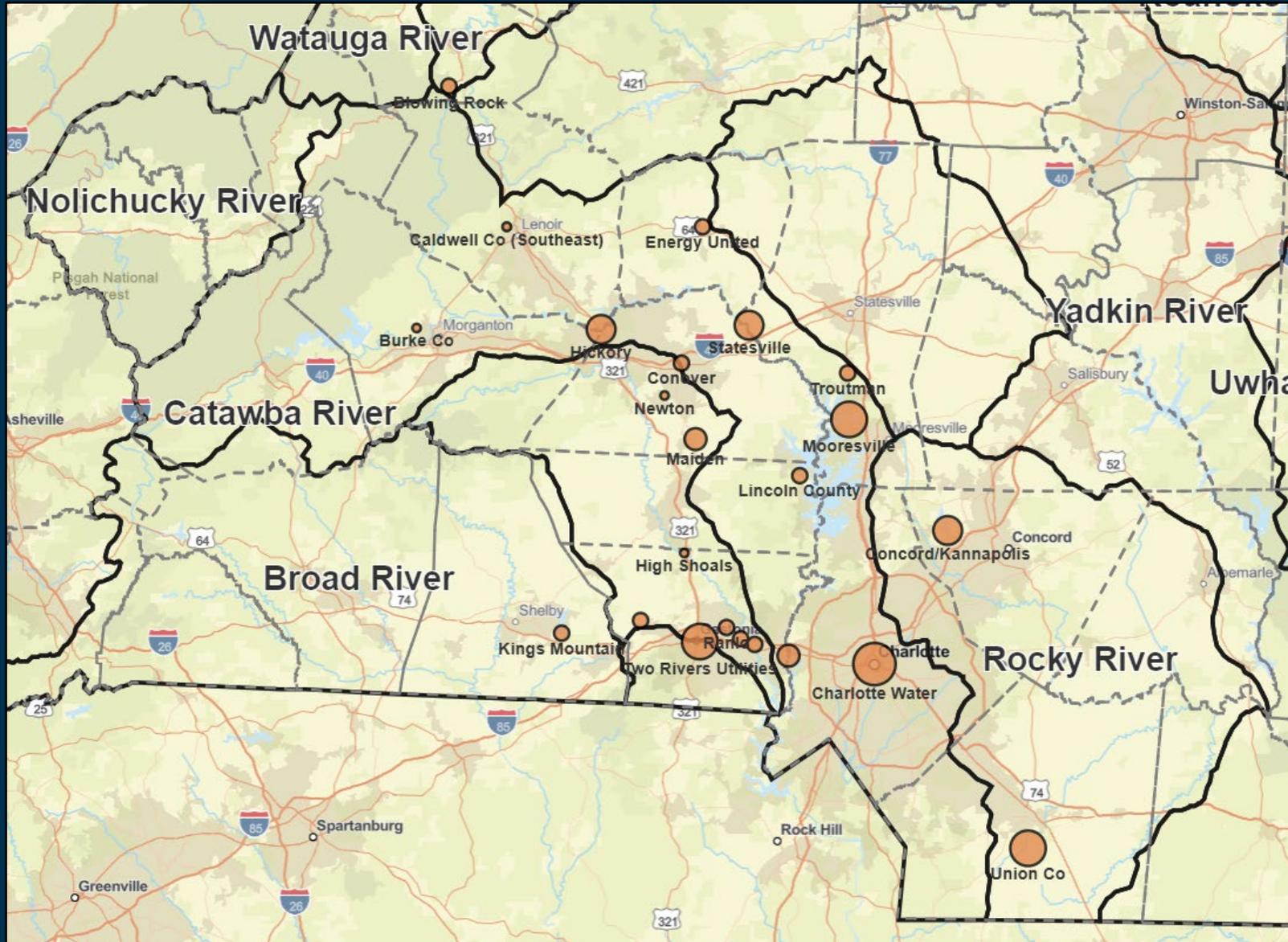
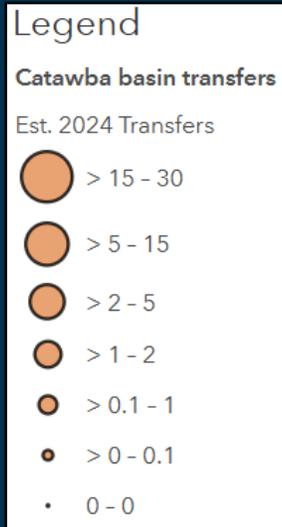
10-1 Neuse River Basin:

Combines (10-2) Contentnea Creek into (10-1) Neuse River Basin



Note: some subbasins have changed their applicability since Jan 1, 2026 due to H694

Catawba River Basin IBTs

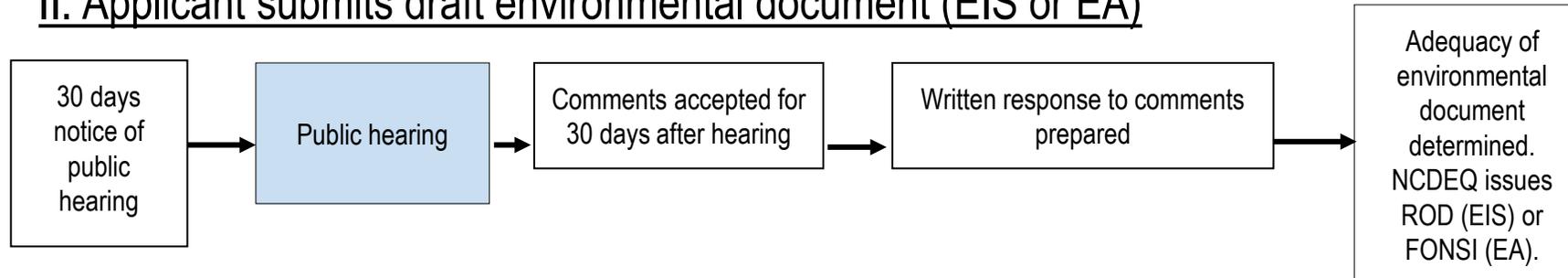


IBT Process § 143-215.22L

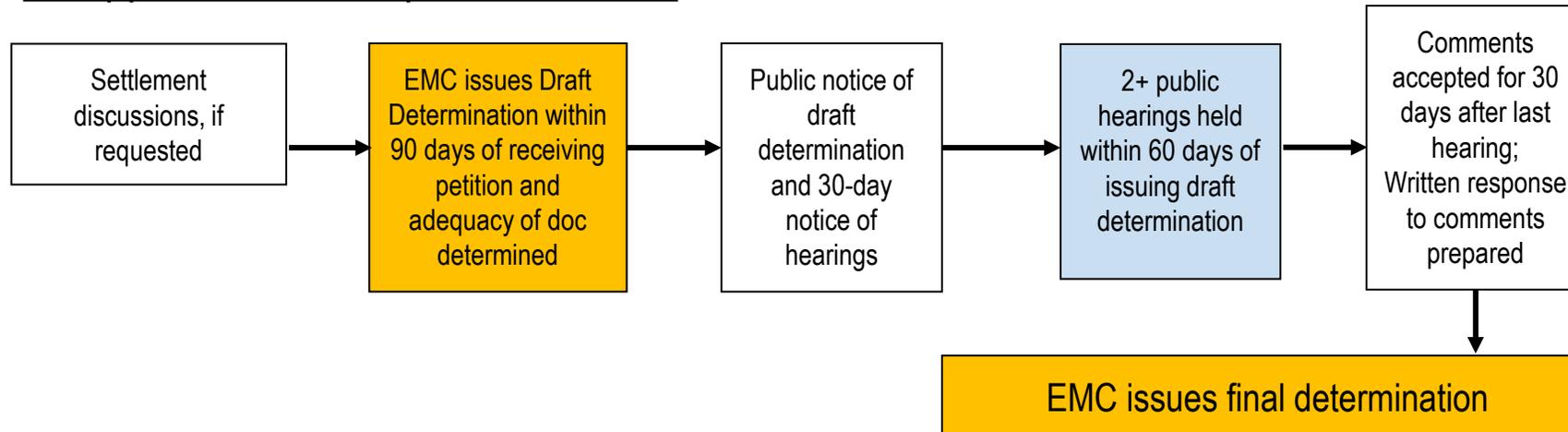
I. Applicant submits Notice of Intent to file a petition.



II. Applicant submits draft environmental document (EIS or EA)



III. Applicant submits petition to EMC



Division of Authority

Phase 1

Notice of Intent

- Applicant holds public meetings

Phase 2

Environmental Document

- Applicant drafts EIS
- EMC holds public hearings, issues hearing officer's report, and conducts adequacy determination
- DEQ collects comments and issues Record of Decision (ROD)

Phase 3

Certificate Determination

- Applicant submits Petition
- EMC holds public hearings on draft determination, issues hearing officer's report, and final determination and Certificate

EMC Decision Considerations

- The EMC may grant a Petition in whole or in part, or deny it, and may require mitigation measures to minimize detrimental effects.
- .22L(k): Final Determination: Factors to be Considered. – “...the Commission shall specifically consider each of the following [nine] items and state in writing its findings of fact...”:
- Nine Findings of Fact are:



Findings of Fact - §143-215.22L

1. The necessity, reasonableness, and proposed uses of water transferred.

2. Present and reasonably foreseeable detrimental effects on the source basin

3. Cumulative effects on the source major river basin of any water transfer or consumptive water use currently authorized or projected in a Local Water Supply Plan.

4. Present and reasonably foreseeable beneficial and detrimental effects on the receiving basin.

5. The availability of reasonable alternatives to the proposed transfer.

6. Use of impoundment storage capacity, if applicable.

7. Purposes and water storage allocations in a US Army Corps of Engineers multipurpose reservoir.

8. Whether the service area of the applicant is within both the source and receiving basin.

9. Any other facts or circumstances reasonably necessary.



Conditions/Limitations on IBT Certificate

Specific conditions required by statute:



Needs DWR Approval

Water Conservation Plan

Drought Management Plan

Compliance and Monitoring Plan



Quarterly Monitoring Reports



Ability to reopen, amend, & modify (if necessary)



No selling of transferred water to water system that are not co-applicants on IBT certificate

EMC may impose additional conditions and mitigation measures as necessary



Integrated Basin Planning



The Catawba-Wateree's efforts in basin wide planning, with culmination of the Integrated Water Resources Plan (IWRP) is considered a leading example in North Carolina



IWRP

- Widely recognized for its collaborative, basin-wide planning approach
- Its stakeholder-led process differs from DWR's basin planning
- CHEOPS model assesses basin-wide water withdrawals and returns
- Identifies future and existing water challenges within the basin

NC/SC Settlement Agreement

- During periods of low inflows, the Low Inflow Protocol (LIP) in the Comprehensive Relicensing Agreement (CRA) requires water withdrawal reductions in both states.
- Both states agree to update and fund the Catawba-Wateree River Basin Water Supply Study (now referred as the Integrated Water Resource Plan (IWRP)) every 10 years, in cooperation with the Catawba-Wateree Water Management Group (CWWMG).
- Coordinate on policies and procedures for approving IBTs in the river basin.
 - Provide notice for any proposed IBT.
 - Require an Environmental Impact Statement (EIS) for any proposed IBT.
 - Production of a Findings of Fact.
 - Annual reports.
- Implementation of drought response plans including the LIP.



Contact Information

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DWR Charlotte Water IBT website:

<https://www.deq.nc.gov/about/divisions/water-resources/water-planning/water-supply-planning/interbasin-transfer-certification/charlotte-water>



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9th Annual Water for All Summit

From Plan to Action:

Advancing the **INTEGRATED WATER
RESOURCES PLAN**

March 12, 2026 | Richburg, South Carolina

Surface Water Withdrawals and IBTs

- **Prior to the 2012 Surface Water Withdrawal, Permitting, Use and Reporting Act and Regulation; SC had IBT certificates and Water Use and Reporting Act requirements**
- **IBTs and water use reporting were incorporated as components of SW permits after 2012**
- **Permitted or registered threshold for all SW withdrawers is three million (3,000,000) gallons during any one month**
- **IBTs are the net transfer of 3,000,000 gallons during any one month from a losing to a gaining basin**

Interstate Basins

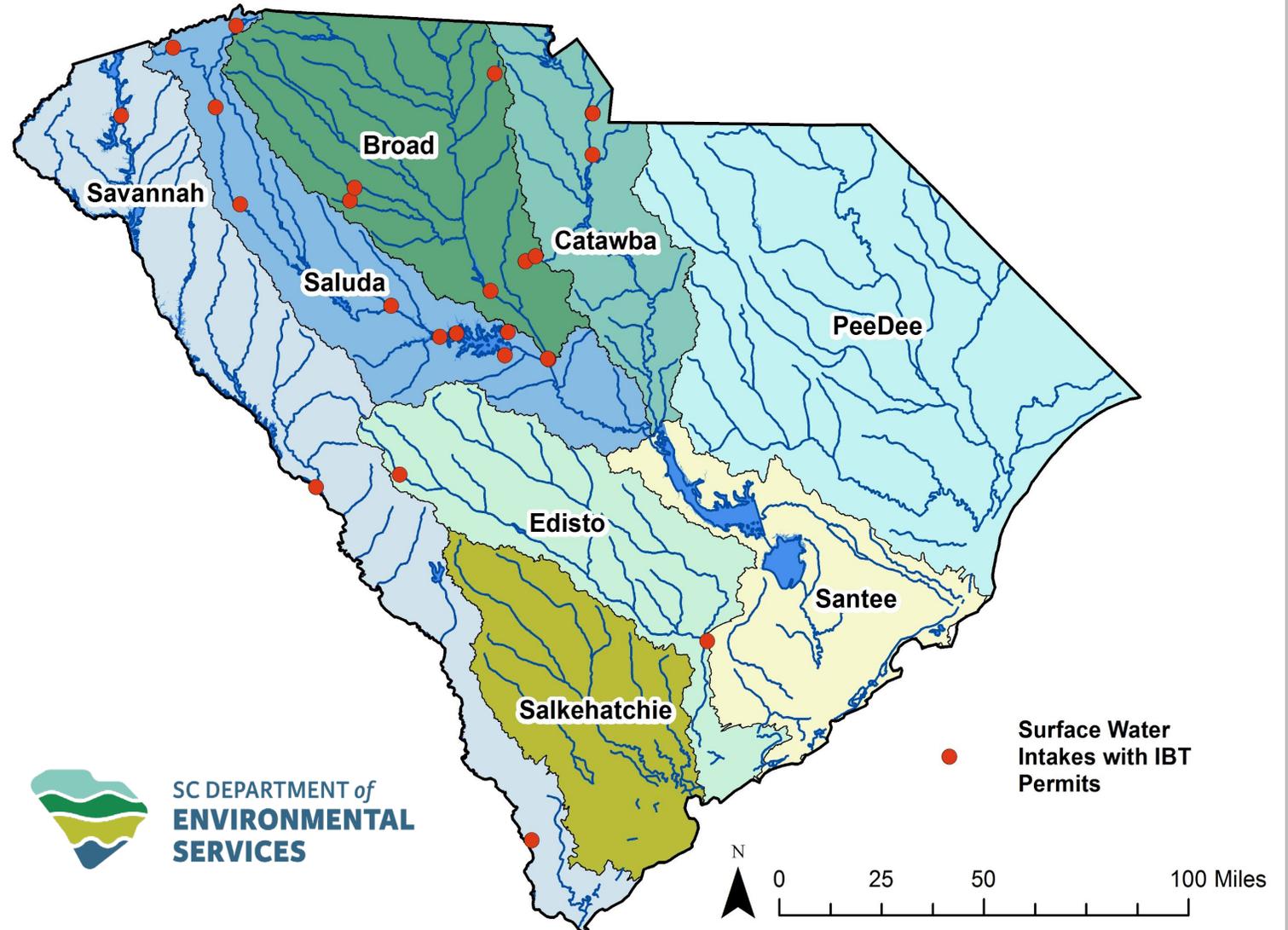
- Hydrologic Unit Code (HUC) range from 2-digit to 12-digit unit codes
- **HUC 6 shown here**



IBT Locations and Basins

- IBTs are based on these major basins
- Each major basin shown here is a collection of HUC 8 level basins

Interbasin Transfers by River Basin



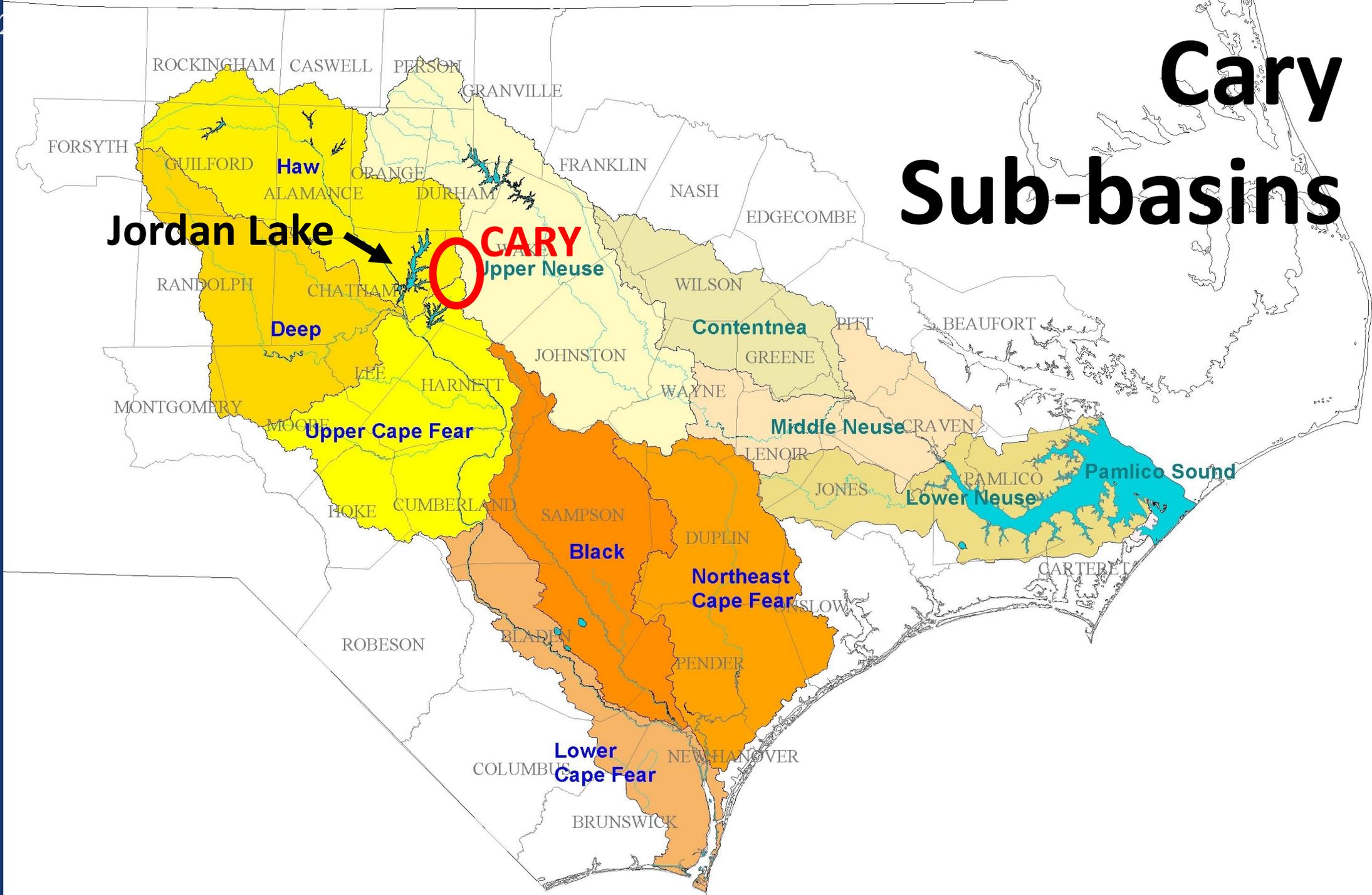
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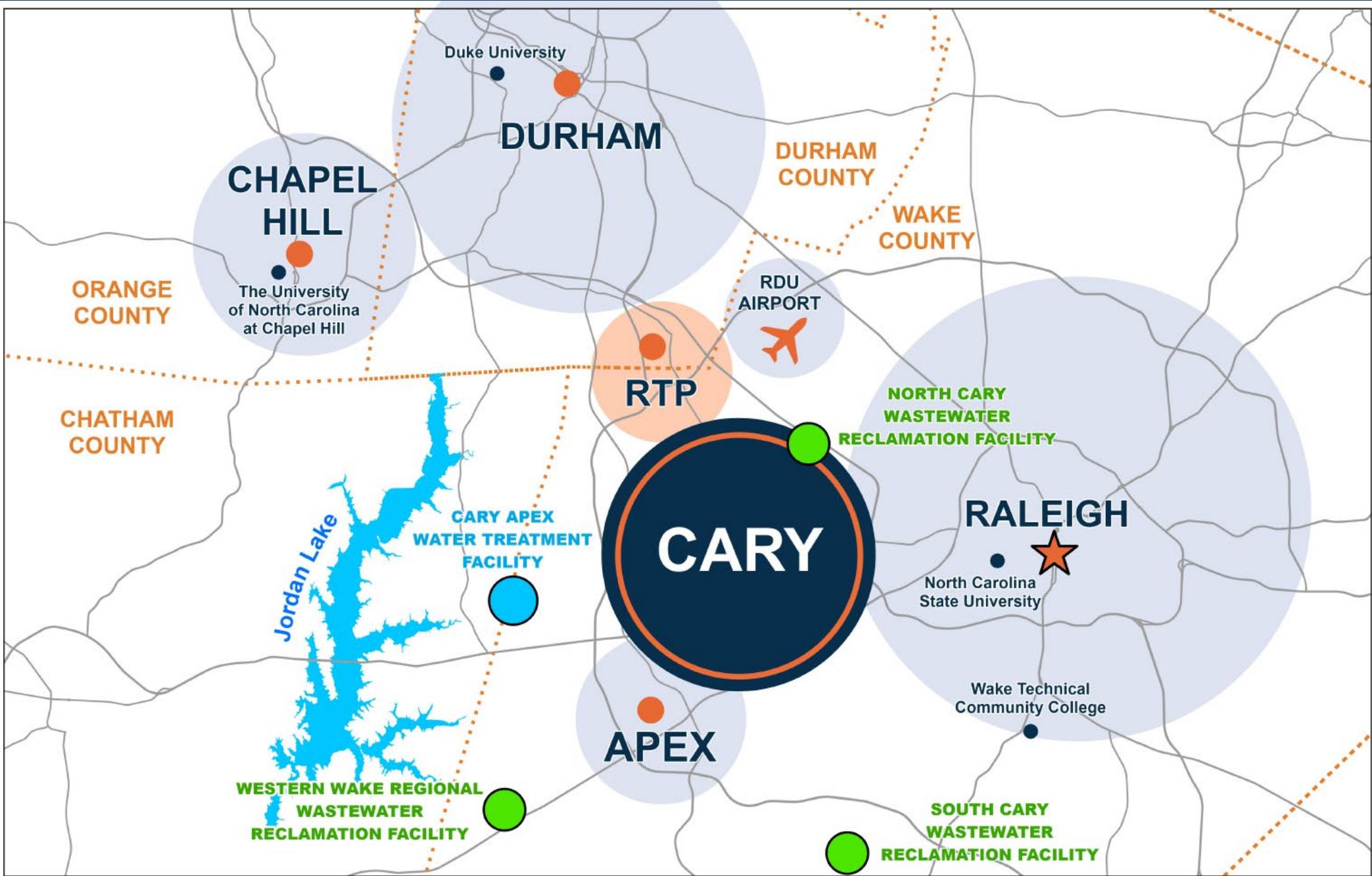
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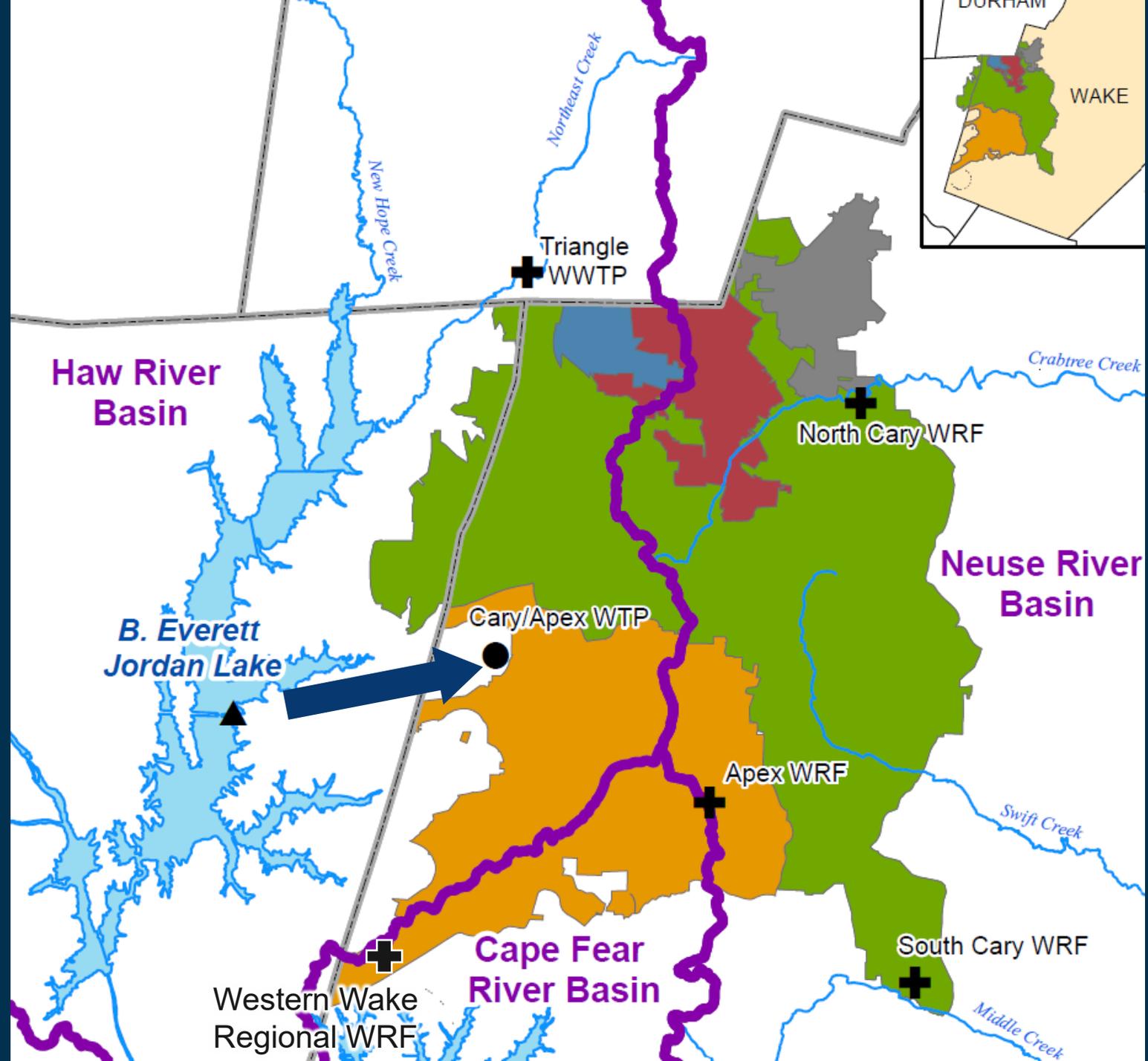
Cary Sub-basins





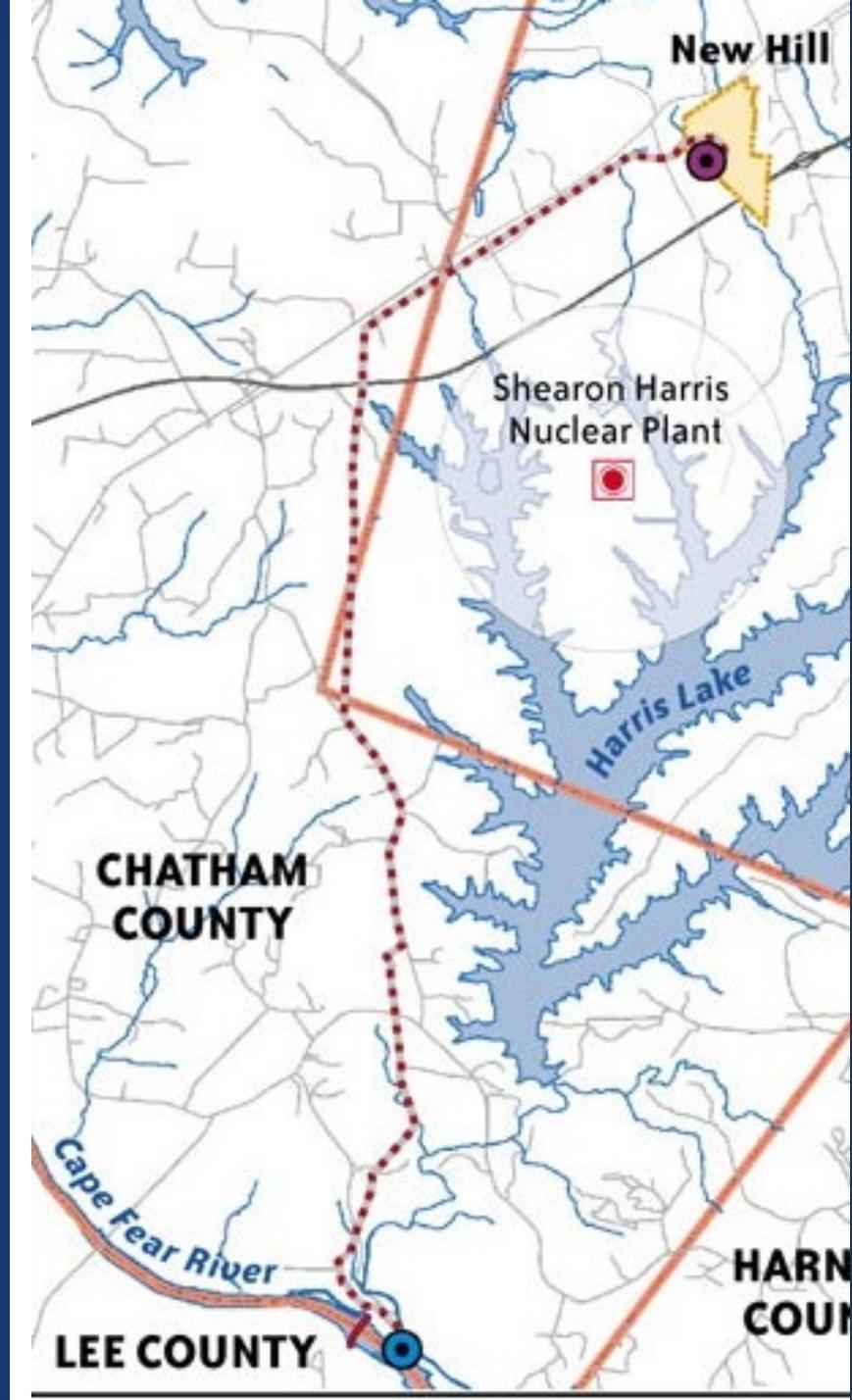
Cary/Apex IBT Overview

- Jordan Lake allocation
- Jointly-owned Cary/Apex Treatment Facility (CAWTF)
- Serves ~310,000 people
- Co-applicants for IBT certificate with Apex
 - Haw to Neuse (inter)
 - Haw to Cape Fear (intra)
- Jointly-owned Western Wake Regional Water Reclamation Facility (WRF)

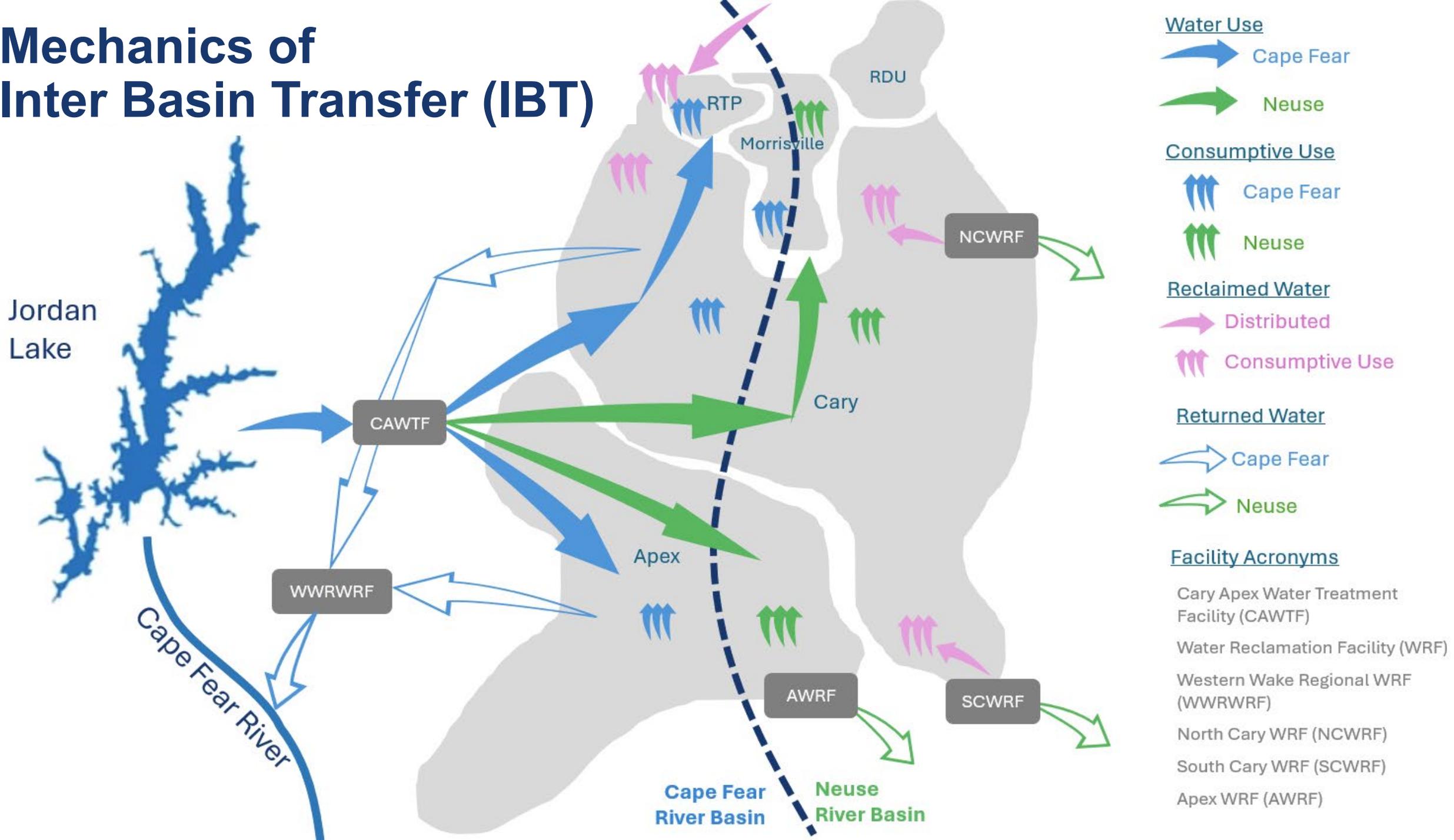


Cary/Apex's IBT Story

- Invested \$250M in the return of water to the Cape Fear River
 - Western Wake Regional WRF
 - 11.5 mile pipeline
- 2015 Certificate shifted from daily limit to max month



Mechanics of Inter Basin Transfer (IBT)



Triangle Water Supply Partnership Interconnections

-  Municipal Boundaries
-  Raw Water
-  Major Water Bodies
-  Treated Water

This map represents the water sharing capabilities amongst the members of the TWSP for the purposes of mutual aid and emergency water supply.

