

Water Words

July 2008

HB 2499 / SB 1879 Chronology and Update

The NCGWA started preparing for this legislation in September of 2007. We prepared letters that we would be able to send to all our Legislators asking them not to regulate private wells. We also asked that our members notify landscapers, irrigation companies, private well owners and all people that would be affected by the proposed drought legislation. We also started an emergency contact list of members so that information could be sent out quickly by e-mail. Our lobbyist Colleen Kochanek has done a great job in leading us and we would like to thank all of you that have helped in this effort. We are in the middle of the legislative process and as you will see we have made strides in protecting private water wells, but the effort is far from completed. Below is a chronology of events to date.

May 28, 2008- House Bill 2499 / Senate Bill 1879 filed in the legislature (DROUGHT MANAGEMENT BILL)--- Requires statewide minimum conservation measures to be used when in severe, extreme or exceptional drought. Also allows local governments to adopt ordinances that are even more stringent and allows ordinances to apply to all water users, including private well users.

May 30-- copy of HB 2499 posted on NCGWA website with a link to look up the bill by number and follow the bill through Legislature. The NCGWA sent out alerts via e-mail regarding HB2499 and asked that they notify people about the effect that the bill would have on our industry and private well owners.

June 4-- NCGWA asked Colleen to schedule a legislative lobby day so that we could talk to our legislators about the effect the bill would have on private wells and our industry.

June 6-- Sample letter to our legislators was posted on our website with a list of talking points---talking points also sent out on e-mail.

June 11-- Colleen notified the NCGWA that there had been a lot of opposition to the legislature and a working group had been formed to discuss issues with the bill. The NCGWA was asked to be a part of that group which was to meet on June 13th. A lobby date was selected for June 25th. Another e-mail was sent out to our members to get people to phone and e-mail their legislators and ask for their support on this issue. Colleen commented that she could tell by talking to the legislators that they are receiving lots of calls and e-mails.

June 13- Working group meeting was held in Raleigh and attended by NCGWA members. Meeting was clearly slanted toward the Department of Environmental Resources and environmentalists who believe the bill does not go far enough and oppose water wells. Another meeting was scheduled June 23rd.

June 17-- Colleen drafted a letter to send to all legislators from the NCGWA. Another request was sent out to the membership asking them to contact their customers about the bill and provide them with a list of the House and Senate Environmental Committee and talking points.

June 18- E-mail sent out to ask people to participate in the lobby day.

June 18 -- Working group meeting canceled

June 25-- Legislative lobby day in Raleigh (very successful) found that we had a great deal of support for private well owners by many of the legislators.

July 2 --NCGWA received a revised edition of HB 2499. Section #6 still gives local government the authority to regulate private water wells for lawn and landscape irrigation. Different wording but the same effect in regulating private wells.

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HB 2499 / SB 1879 Chronology and Update Continued

July 3 -House Environmental/Natural Resources Committee meeting. The bill still had much opposition to section #6 about regulating private wells. We picked up support from the Farm Bureau on section #6 and we had more support from the Green Industry Council. We even had support from some of the House committee members.

July 8 - House Environmental/Natural Resources Committee meeting. A new revision of HB 2499 was distributed at the meeting in which section #6 was revised and which eliminated the regulating of private water wells. A motion from the floor by Representative Mitch Gillespie from Burke and McDowell Counties that deepwater wells that do not affect the surface water supply be exempt even under emergency provisions was passed. This is now a part of the bill.

As you can see, things are happening very quickly and the current version of the bill could be supported by the NCGWA but the bill could be changed on the House or Senate floor. Please continue to ask your Legislators for their support.

July 14 - House Bill 2499, Drought/Water Management was amended July 14th as follows:

- Clarifies that local governments can regulate community wells that supply a water system
- Requires the water allocation study to include issues related to increasing the water supply, including reservoir construction
- A successive emergency period declared by the Governor may only be done with written findings
- Local governments MAY require separate meters for irrigation systems, but it is not required
- Requires a consumer education program on water conservation
- Adds a member of the North Carolina Ground Water Association and the NC Farm Bureau onto the Drought Advisory Committee

The House had a first vote on the bill and the second vote will take place July 15th. The bill must then go to the Senate to be debated. The private well provisions are still just a study and the emergency provisions exempt deep water wells that do not affect the water supply.

Article by David Hutson, Acme Well Co.

July 14th excerpt by Colleen Kochanek, NCGWA Legislative Counsel



Calendar of Events

South Atlantic Well Drillers Jubilee
July 26-28, 2008
Myrtle Beach Conference Center
Myrtle Beach, SC

NCGWA Membership Meeting
July 28, 2008 During the Jubilee
1:00 PM Room 104/105

NCGWA Continuing Education
October 25, 2008
Clam Digger Inn
Atlantic Beach, NC

NCGWA Trade Show and Continuing Education
January 30-31, 2009
Park Inn
Hickory, NC

NCGWA Has Legislative Lobby Day on June 25th

On Wednesday, June 25th, approximately 20 members from the North Carolina Groundwater Association assembled in Raleigh at the Sheraton Hotel to meet with our Lobbyist, Colleen Kochanek. Colleen gave each of us our appointment schedules to meet with our legislators and she reviewed the talking points that we would share with our legislators. During our visits we asked for their support in protecting the rights of private water well owners and well contractors. The meetings went very well. Many of the legislators opposed any restrictions on private water wells and they said they would oppose House Bill 2499 and Senate Bill 1879. After our meetings the group had lunch together and discussed our visits and everyone said they were well received and felt that what we had done had made a difference. Colleen said that she had received some very positive comments from the legislators about our visits and this was so successful that we should do this every year. We hope to see you there next year.

The NCGWA wishes to thank all of you who attended and gave your time and energy for the benefit of everyone in the groundwater industry. Please thank these people for participating in the NCGWA Lobby Day.

Charles Carter, David Hutson - Acme Well Co.
Dan Huffman, William Mull- Hickory Well Co.
Craig Hutson - Water Pro Pump Service
Chad Mullis - DL Mullis Well Drilling
Danny Lloyd - Lloyd Well Drilling
Kristie Waters, Ronnie Venable - Venable Brothers Well Drilling
John Boyette, Jr. - Boyette Well And Septic
Grady Poole - Grady Poole Well Drilling
Ray Sparrow - The Water Specialist
Frankie Oliver, Frank Larosa - Carolina Well Drilling
Chauncey Leggett - Lake Valley Well Co.
Rick Mahoney, Doug Young, Bobby Edwards - Drillers Service Inc.
Wayne Davis - SIA Group

By David Hutson, Acme Well Co.

Carbon Dating Well Water

The NCGWA Board of Directors has authorized the expenditure of up to \$8,000 to be spent on collecting and analyzing groundwater well samples for age dating purposes. The dating of groundwater will be a useful tool in establishing the ages of the groundwater being used in wells and could potentially form the basis of arguments to defend the use of groundwater for irrigation. A water sample recently collected by Grady Poole from his water well dated at approximately 3,000 years old, and other evidence from previous work in the Castle Hayne aquifer indicates that ages in the 10,000+ year range are not uncommon. The preliminary data has been collected using Carbon 14 / Carbon 12 dating technology which utilizes the dissolved carbon from carbon dioxide in the water as a basis for measurement. There are some who question the validity of this technique and others who support the results. More recent groundwater dating techniques have been developed which may lead to better validation of this technique or better refine the results from this technique. Either way, by establishing the ages of groundwater being pumped from deep wells, scientists can better understand the time it takes for rainfall to become well water and the likely routes it takes to get there.

NCGWA has contacted the USGS (United States Geological Survey) about this and they are interested in performing such a study in which NCGWA will partner with them. The USGS has the capabilities, resources and personnel to conduct such a study in a scientific and organized manner, such that the results will not be questioned. NCGWA will provide them access to the types of well that they need to get good samples for analysis. We urge each member to look back in their well records and find the very best well that they have ever constructed. The well should be deep (over 300'), have only one producing fracture or water zone, and the contractor should have no question in their mind that the casing is very well sealed and the grout is perfectly emplaced. Wells with grout over the full casing length are preferable. USGS will want access to these wells to pump them and collect a sample for analysis. We are just getting organized on this project, but if you have access or can gain access to a well that you would consider "perfect" for this application, please let us know so we can get it on the list as a possible sample candidate.

By Mike Floyd, McCall Brothers

Public Hearings Dates and Locations for 2C.0100 Well Construction Rules Proposed Revisions

For more information on the 2C Well Construction Rules Proposed Revisions please visit our website at www.ncgwa.org.

| <u>Date</u> | <u>Time</u> | <u>Location</u> |
|---------------|-------------|---|
| July 22, 2008 | 7:00 PM | Western Piedmont Community College - Moore Hall 1001 Burkemont Avenue, Morganton, NC 28655 |
| July 24, 2008 | 7:00 PM | Archdale Building - Ground Floor Hearing Room 512 N. Salisbury Street, Raleigh, NC 27604 |
| July 29, 2008 | 7:00 PM | Cape Fear Community College - North Campus BB&T Auditorium 4500 Blue Clay Road, Castle Hayne, NC 28429 |

Water Well Limit Dropped From Drought Bill

By Jordan Schrader, Reprinted with permission from the July 9th issue of the Citizen-Times.com

Private well owners are unlikely to be forced to reduce their water use, at least this year.

Responding to opposition from farmers and rural residents, lawmakers considering a drought-battling proposal Tuesday dropped permission for local governments to limit the use of well water on lawns and plants. "They should not have any say-so whatsoever on what a person does in their own home and their own property and their own money," Leonard Hensley said. The Old Fort man helped organize a petition drive against government monitoring of wells, something that hasn't been part of the debate in the General Assembly.

Instead of the measure to conserve well water, the plan that passed the House Environment Committee would call for a study of the idea. The change was part of an overhaul of Gov. Mike Easley's drought prevention proposals, to appease opponents from farmers to city governments. The groups reached an early-morning compromise Tuesday. "The League of Municipalities and the governor's office are ready to sing Kumbaya," Easley aide Franklin Freeman told lawmakers.

The committee dropped conservation requirements that would have made cities and towns cut water use by up to 20 percent in times of serious drought. Instead, local governments could continue adopting their own plans but would have to get them approved by the state.

As many as 21 communities stricken by the worst level of drought have no water restrictions in place, according to the Conservation Council of North Carolina.

The bill, which now goes to the House floor, keeps emergency powers for the governor to force systems with extra water to share it. The overhauled proposal may have picked up the support of even the fiercest opponents of regulation, like Rep. Mitch Gillespie. The Marion Republican said he would likely vote for the bill after it dropped the well-water provision and added a change he proposed to prevent local regulation of newer, deeper wells. "Cities, based on political whims, could adopt any kind of standard they wanted" under the old proposal, Gillespie said.

The compromises were acceptable sacrifices in exchange for pushing forward a statewide response to the drought, said committee members like Rep. Phil Haire, a Sylva Democrat, and Cullie Tarleton, a Blowing Rock Democrat.

"This is just a first step," Tarleton said. "We've got to start somewhere."

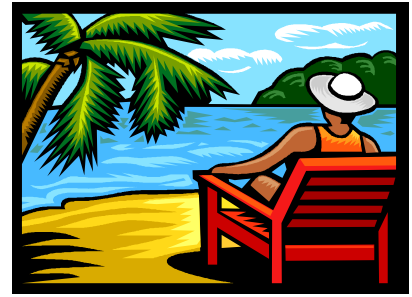
Make Plans to Attend the NCGWA Membership Meeting!
Monday, July 28, 1:00 PM, Room 104/105
During the Jubilee, Myrtle Beach, SC

A Letter from the President

We all take them, but vacations are harder than work!

When you're working, you know where you are going, what you have to do when you get there, and what you should have with you to work with. Not so with vacations.

They take months to plan, days to pack for; I pack too little and she packs too much.



The idea of a vacation is to get away from it all, but I don't like leaving it. I have all my toys to play with at home and at work. When I go away I either have to take them with me or do without and I don't like doing either of those things.

When people plan a vacation, they ignore one of life's most enduring truths. You cannot plan to have fun! Fun is inadvertent. It happens or it doesn't. You can't make it happen, it ought to be fun because it's so beautiful or expensive, but that's no guarantee!

The necessity of taking a planned vacation arose many years ago. To leave it all behind and get reconnected. Perhaps it all began when Adam asked Eve, "How was your vacation?" We take vacations knowing that when we get back to work, everyone always asks the question, "How was your vacation?" The answer is supposed to be upbeat. No one wants to hear about a lousy vacation, so a lot of lying goes on.

At work you know what you're dealing with. You know the cast of characters that show up every day, and you know how to deal with them.

On vacation you never know who you're going to spend time with during the day. People show up, those we know like our family, as well as those we don't know, at unexpected times and don't give it a second thought. After all - you're on vacation!

What everyone forgets, is that not doing anything is the hardest thing of all to do on vacation.

Even dealing with telephones is more difficult on vacation. At work if someone calls that you don't want to talk to, you can always say you're too busy to talk and to please call back later. You can't claim to be too busy while on vacation.

And everything takes longer on vacation. For instance, I shave every day before work. I know when and how to do it. While on vacation, I say to myself, "Self, you can wait and do that later." It's always a mistake. All day, as a result, I have this unpleasant feeling as though I have forgotten something, only to rush to do it later because I feel vaguely unclear.

Have you ever noticed how the ordinary, little things you do on vacation take longer? I very much enjoy reading the newspaper in the morning. No person alive has time to read all of the newspaper, but you get familiar with your paper and you know which section to go to get what you want. I normally read the most important section first and then after I have finished the sports, I move to section one, page one. On vacation I read a different newspaper. It's good too, but different. I'm not always sure where the stuff is I want to read. So I have to read the entire paper, wasting more of my time on vacation.

So why do we take vacations? We all tell each other how tight our schedules are and how busy we stay and we never have time for each other, for life, family or the pursuit of happiness. If everything does seem to be more difficult on vacation than work, then why do we take them?

And how was your vacation? See you in Myrtle Beach!

Jerry Merrill

We need your email address!!! In order to keep you updated on important issues we need to contact you quickly! Please call the NCGWA office at 919-876-0687 or email us at execman@att.net with your email address!

Congratulations to the following recipients of the Worth Pickard Scholarship Award.

Thank you to all of this year's outstanding applicants.

Ethan Wooten of Leicester, NC - Appalachian Well Drilling - Attending Western Carolina University
Jayce Garrett Cook of Blanch, NC - Evans Well Drilling Co., Inc. - Attending Virginia College of Osteopathic Medicine
Amanda Hamby of Fleetwood, NC - Braswell Well Drilling, Inc. - Attending Western Carolina University
Michael Edward Francis, Jr. of Iron Station, NC - Francis Well & Pump Co. - Attending Western Carolina University
Ashley Merrill of Horse Shoe, NC - Merrill Well & Pump - Attending Western Carolina University

North Carolina One-Call Center

The North Carolina One-Call Center, Inc. is changing the formula that is used to determine the start time of a ticket when someone calls in a request for underground lines to be located and marked. Effective July 1, 2008 the "clock" start time for a ticket will begin at 12:01 am the next business day after the locate request is made. As an example, a locate request that is made on Monday, July 14, 2008 at 10:45 am, the start time for calculating the 48 hour advance notice will begin at 12:01 am on Tuesday, July 15, 2008. In this example, the locate and marking would be completed by 12:01 am on Thursday, July 17, 2008.

The time a particular locate request is valid will continue to be 15 working days. If the work being performed requires more than 15 working days to be completed, that particular locate request must be updated on the 13th working day.

Submitted by George Glenn, Executive Director, North Carolina One-Call Center, Inc.

CHECK OUT OUR WEBSITE AT www.ncgwa.org!

Atlantic Screen Ad

Water Specialist Ad

Crossroads Insurance Ad

Baroid Ad

Hartford Ad

North Carolina Ground Water Association

Membership Application

Active Members: Contractors Division

- Any person engaged in the business of well drilling.
- Any person engaged in the business of monitoring well drilling.
- Any person engaged in the business of installing, maintaining, and repairing pumps and who is authorized to execute contracts in connection therewith but does not engage in the business of water well drilling.

Active Members: Non-Contractors Division

- **Manufacturing:** Any person engaged in manufacturing equipment, materials, or supplies in the ground water industry.
- **Water Equipment Wholesalers and Suppliers:** Any person which does no contracting for the drilling of water wells and/or installation and servicing of water pumps, and which:
 - is an established wholesaler maintaining warehouse and stock of pumps, pump parts and other water handling equipment which are sold regularly to dealers and/or contractors for resale; or
 - is engaged in the business of supplying equipment, rigs or tools or rendering specialized services to the water well industry from an established place of business in its trading area.
- **Technical:** Any person engaged in the supervision, regulation, evaluation, development or investigation of underground water supply installations or related to technology or any individual in an accredited university, college or preparatory school, public or private, studying or teaching subject matter embracing the water well industry.

_____ **Active Members - Contractors, \$40 per person, per year**

_____ **Active Members - Non-Contractors, \$40 per person, per year**

Associate Members:

Any eligible person interested in the work of the Association who is not eligible to become an active member may become an Associate Member.

_____ **Associate Members \$25 per person, per year**

1. Name _____ Commission Issued Certification # _____

2. Company _____ Phone _____

3. Street/P.O. Box _____ Fax _____

4. Town/State/Zip _____

5. Email _____

*** If you would like to make a donation to the Defense Fund, please include it in your check. ***

Please *check what type of membership and fill out your information* and send it, along with your payment, to NCGWA, P.O. Box 41368, Raleigh, NC 27629. Make checks payable to NCGWA. If you have any questions, please call 919-876-0687 or in North Carolina at 800-889-7118.