

§ 143-215.8B. Basinwide water resources management plans.

(a) The Commission shall develop and implement a basinwide water resources management plan for each of the 17 major river basins in the State. In developing and implementing each plan, the Commission shall consider the cumulative impacts of all of the following:

- (1) All activities across a river basin that impact surface or ground water quality, including all point sources and nonpoint sources of pollutants, such as municipal wastewater facilities, industrial wastewater systems, stormwater management systems, waste disposal sites, atmospheric deposition, and animal operations.
 - (2) All water withdrawals and transfers required to be registered under G.S. 143-215.22H.
- (b) Each basinwide water resources management plan shall:
- (1) Provide that all point sources and nonpoint sources of pollutants jointly share the responsibility of reducing the pollutants in the State's waters in a fair, reasonable, and proportionate manner, using computer modeling and the best science and technology reasonably available and considering future anticipated population growth and economic development.
 - (2) If any of the waters located within the river basin are designated as nutrient sensitive waters, then the basinwide water resources management plan shall report on the status of those waters. In addition, the Commission shall establish a nutrient reduction goal for the nutrient or nutrients of concern that will result in improvements to water quality such that the designated uses of the water, as provided in the classification of the water under G.S. 143-214.1(d), are not impaired. The plan shall report on the incremental progress toward achieving the goal. In developing the plan, the Commission shall determine and allow appropriate credit toward achieving the goal for reductions of water pollution by point and nonpoint sources through voluntary measures.
 - (3) Provide surface and ground water resources to the extent known by the Department, other withdrawals, permitted minimum instream flow requirements and evident needs, and pertinent information contained in local water supply plans and water shortage response plans.

(c) The Commission shall review and revise its 17 basinwide water resources management plans at least every 10 years to reflect changes in water quality, water quantity, improvements in modeling methods, improvements in wastewater treatment technology, advancements in water conservation and reuse, and advances in scientific knowledge and, as needed to support designated uses of water, modifications to management strategies. The Commission may also include critical basin issues as they arise in the report required in subsection (d) of this section.

(d) As a part of the report required pursuant to G.S. 143-355(p), the Commission and the Department shall report on or before November 1 of even-numbered years to the Environmental Review Commission on the progress in developing and implementing basinwide water resources management plans and on public involvement and public education in connection with basinwide water resources management planning. The report to the Environmental Review Commission by the Department shall include a written statement on water quality and quantity conditions that are identified in the course of preparing or revising the basinwide water resources management plans.

(e) A basinwide water resources management plan is not a rule and Article 2A of Chapter 150B of the General Statutes does not apply to the development of basinwide water resources management plans. Any water quality standard or classification and any requirement or

G.S. 143-215.8B

limitation of general applicability that implements a basinwide water resources management plan is a rule and must be adopted as provided in Article 2A of Chapter 150B of the General Statutes.

(f) For the purposes of this section, the 17 major river basins will be defined as the North Carolina portion of the following United States Geological Survey cataloging units:

- (1) Pasquotank: 03010205.
- (2) Broad River: 03050105.
- (3) Cape Fear River: 03030002, 03030003, 03030004, 03030005, 03030006, and 03030007.
- (4) Catawba River: 03050101, 03050102, and 03050103.
- (5) Chowan River: 03010201, 03010202, 03010203, and 03010204.
- (6) French Broad River: 06010105, 06010106, and 06010108.
- (7) Hiwassee River: 06020002 and 06020003.
- (8) Little Tennessee River: 06010202, 06010203, and 06010204.
- (9) Lumber River: 03040203, 03040204, 03040206, and 03040208.
- (10) Neuse River: 03020201, 03020202, 03020203, and 03020204.
- (11) New River: 05050001.
- (12) White Oak: 03020301 and 03020302.
- (13) Roanoke River: 03010102, 03010103, 03010104, 03010106, and 03010107.
- (14) Savannah River: 03060101 and 03060102.
- (15) Tar-Pamlico River: 03020101, 03020102, 03020103, 03020104, and 03020105.
- (16) Watauga River: 06010103.
- (17) Yadkin-Pee Dee River: 03040101, 03040102, 03040103, 03040104, 03040105, 03040201, and 03040202. (1997-458, s. 8.2; 1998-168, s. 2; 2012-200, s. 9(b); 2017-10, s. 4.16(d); 2021-158, s. 8.)