

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS15181-TA-7* (01/18)

Short Title: Delineate River Basins.

(Public)

Sponsors: Senator Clodfelter.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DELINEATE THE BOUNDARIES OF THE RIVER BASINS OF NORTH
3 CAROLINA FOR THE PURPOSE OF ALIGNING THE RIVER BASIN PLANNING
4 PROGRAMS OF THE DIVISION OF WATER RESOURCES AND THE DIVISION OF
5 WATER QUALITY IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL
6 RESOURCES, AS RECOMMENDED BY THE 2008 REPORT OF THE WATER
7 ALLOCATION STUDY TO THE ENVIRONMENTAL REVIEW COMMISSION.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 143-215.22G(1) is repealed.

10 **SECTION 2.** G.S. 143-213 is amended by adding a new subdivision to read:

11 "**§ 143-213. Definitions.**

12 Unless the context otherwise requires, the following terms as used in this Article and
13 Articles 21A and 21B of this Chapter are defined as follows:

14 ...

15 (31) "River basin" means the area within North Carolina denoted by the
16 eight-digit cataloging unit or series of eight-digit cataloging units organized
17 by the United States Geologic Survey as follows:

- 18 a. Albemarle Sound: 03010205.
19 b. Broad River: 03050105.
20 c. Cape Fear River: 03030002, 03030003, 03030004,
21 03030005, 03030006, and 03030007.
22 d. Catawba River: 03050101, 03050102, and 03050103.
23 e. Chowan River: 03010201, 03010202, 03010203, and
24 03010204.
25 f. French Broad River: 06010105, 06010106, and 06010108.
26 g. Hiwassee River: 06020002 and 06020003.
27 h. Little Tennessee River: 06010202, 06010203, and 06010204.
28 i. Lumber River: 03040203, 03040204, 03040206, and
29 03040208.
30 j. Neuse River: 03020201, 03020202, 03020203, and
31 03020204.
32 k. New River: 05050001.
33 l. Onslow Bay: 03020301 and 03020302.
34 m. Roanoke River: 03010102, 03010103, 03010104,
35 03010106, and 03010107.



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1	n.	<u>Savannah River:</u>	<u>03060101 and 03060102.</u>
2	o.	<u>Tar-Pamlico River:</u>	<u>03020101, 03020102, 03020103,</u>
3			<u>03020104, and 03020105.</u>
4	p.	<u>Watauga River:</u>	<u>06010103.</u>
5	q.	<u>Yadkin-Pee Dee River:</u>	<u>03040101, 03040102, 03040103,</u>
6			<u>03040104, 03040105, 03040201, and</u>
7			<u>03040202."</u>

8 **SECTION 3.** G.S. 77-90 reads as rewritten:

9 **"§ 77-90. Definitions.**

10 The following definitions apply in this Article:

- 11 (1) "Commission" means the Roanoke River Basin Bi-State Commission.
12 (2) "Roanoke River Basin" or "Basin" means that land area designated as the
13 Roanoke River Basin by the North Carolina Department of Environment and
14 Natural Resources pursuant to ~~G.S. 143-215.8B~~G.S. 143-213 and the
15 Virginia State Water Control Board pursuant to Code of Virginia §
16 62.1-44.38."

17 **SECTION 4.** G.S. 77-110 reads as rewritten:

18 **"§ 77-110. Definitions.**

19 The following definitions apply in this Article:

- 20 (1) "Commission" or "commissions" means (i) the Catawba/Wateree River
21 Basin Advisory Commission, (ii) the Yadkin/Pee Dee River Basin Advisory
22 Commission, or (iii) both commissions, as required by the context.
23 (2) "River basin" or "river basins" means (i) that land area designated as the
24 Catawba River Basin pursuant to ~~G.S. 143-215.22G~~G.S. 143-213 and that
25 land area designated as the Catawba/Wateree River Basin by the South
26 Carolina Department of Health and Environmental Control, (ii) that land
27 area designated as the Yadkin (Yadkin-Pee Dee) River Basin pursuant to
28 ~~G.S. 143-215.22G~~G.S. 143-213 and that land area designated as the
29 Yadkin/Pee Dee River Basin by the South Carolina Department of Health
30 and Environmental Control, or (iii) both river basins, as required by the
31 context."

32 **SECTION 5.** G.S. 143-214.14(a)(1) reads as rewritten:

- 33 "(1) "Basin" means a river basin as defined in ~~G.S. 143-215.22G~~G.S. 143-213 or
34 any ~~subbasin or~~ segment thereof."

35 **SECTION 6.** G.S. 143-215.8B(a) reads as rewritten:

36 "(a) The Commission shall develop and implement a basinwide water quality
37 management plan for each of the 17 major river basins in the ~~State~~State as defined in
38 G.S. 143-213. In developing and implementing each plan, the Commission shall consider the
39 cumulative impacts of all of the following:

- 40 (1) All activities across a river basin and all point sources and nonpoint sources
41 of pollutants, including municipal wastewater facilities, industrial
42 wastewater systems, septic tank systems, stormwater management systems,
43 golf courses, farms that use fertilizers and pesticides for crops, public and
44 commercial lawns and gardens, atmospheric deposition, and animal
45 operations.
46 (2) All transfers into and from a river basin that are required to be registered
47 under G.S. 143-215.22H."

48 **SECTION 7.(a)** Water Transfer Certificates. – Interbasin transfer certificates
49 issued by the Environmental Management Commission under G.S. 143-215.22I, 143-215.22L,
50 or 153A-285 prior to July 1, 2009, shall continue in effect. A person who has a certificate
51 issued prior to July 1, 2009, may request a modification of the certification consistent with this

1 act. A modification request shall be subject to the notice and hearing requirements set out in
2 subdivision (3) of subsection (c) of G.S. 143-215.22L.

3 **SECTION 7.(b)** Water Classifications Unchanged. – This act shall not be
4 interpreted to change the water quality classification of a water. Any classification that was
5 applied to all waters within a river basin as it was defined prior to July 1, 2009, shall apply only
6 to waters located within the river basin before that date. Reclassification of waters shall require
7 rule making.

8 **SECTION 8.** This act becomes effective July 1, 2009.