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3 **CHAPTER 2 – ENVIRONMENTAL MANAGEMENT**

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5 **SUBCHAPTER 2E – WATER USE REGISTRATION AND ALLOCATION**

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7 **SECTION .0600 WATER USE DURING DROUGHTS AND WATER SUPPLY EMERGENCIES**

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9 **15A NCAC 02E.0601 SCOPE**

10 The purpose of these rules is to establish minimum standards for water conservation and water reuse during droughts  
11 and water supply emergencies to protect public health and the environment and to minimize harmful impacts on the  
12 economy.

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14 *History Note: Authority G.S. 143-354(a)(1) and (8)*  
15 *Eff. December 1, 2004*

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17 **15A NCAC 02E.0602 DEFINITIONS**

18 For the purposes of this section,

- 19 (1) “Beneficial use” means the use of water that is necessary to serve health, safety and economic  
20 needs and includes the maintenance of human, animal and plant life.
- 21 (2) “Water delivery system” means any open or closed conveyance system used to move water for  
22 potable or non-potable purposes from its point of origin to a point of use, including but not limited  
23 to: municipal water systems; residential, commercial, industrial, and commercial plumbing  
24 systems; irrigation systems; water using equipment; flexible hoses; etc

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26 *History Note: Authority G.S. 143-354(a)(1) and (8)*  
27 *Eff. December 1, 2004*

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29 **15A NCAC 02E.0603 GENERAL INFORMATION / IMPLEMENTATION**

30 (a) The provisions of this Section apply to the following classes of water users:

- 31 (1) Publicly owned and privately owned water supply systems  
32 (2) State agencies  
33 (3) Units of local government  
34 (4) Business and industrial water users  
35 (5) Agricultural and horticultural water users  
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1 (b) The provisions of this Section apply to the appropriate classes of water users in such areas of the State and at  
2 such times as:

- 3 (1) The North Carolina Drought Management Advisory Council issues a drought advisory that  
4 specific areas are suffering from drought conditions as provided by G.S. 143-355.1; or
- 5 (2) A water emergency has been declared by an authorized party such as, but not limited to, the  
6 Governor, the State Health Director, the Environmental Management Commission, the Secretary  
7 of the Department of Environment and Natural Resources, local government officials, public  
8 health officials, water system managers or owners, or emergency management officials.

9 (c) Persons responsible for developing plans for public water systems to respond to water emergencies shall provide  
10 the opportunity for public comment on response options and implementation procedures prior to adopting a plan for  
11 responding to water shortages.

12 (d) Water shortage response plans shall take into account that water users who have already made improvements to  
13 maximize water use efficiency in their daily operations prior to issuance of a drought advisory have already reduced  
14 their water use and will face disproportionate hardships in making further reductions. Water shortage response plans  
15 should avoid treating efficient water users in a way that would undermine incentives for all water users to seek  
16 continued improvements in water use efficiency.

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18 *History Note: Authority G.S. 143-354(a)(1) and (8)*  
19 *Eff. December 1, 2004*  
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#### 21 **15A NCAC 02E.0604 PROVISIONS**

22 (a) When a drought advisory is issued for an area of the state suffering from drought conditions or when a water  
23 emergency exists, water users in the designated area(s) shall implement the following measures as appropriate for  
24 their types of water use and the degree of severity of the water shortage conditions:

- 25 (1) Publicly owned and privately owned water supply systems shall:
  - 26 (A) Require all water users to use the minimum amount of water needed to accomplish the  
27 desired beneficial use consistent with public health rules and to ensure that existing water  
28 using equipment is operating as efficiently as possible;
  - 29 (B) Inspect water delivery system components for leaks and repair identified leaks where  
30 practical and cost-effective;
  - 31 (C) Assess the effect of a water shortage on the available supply of water and how worsening  
32 conditions may affect the supply;
  - 33 (D) Evaluate the available supply of stored water, estimate the number of days of supply  
34 remaining at the current rate of use and update the estimate as conditions require;
  - 35 (E) Identify potential options for additional reductions in water use including, but not limited  
36 to, restricting water use, reusing water for non-potable uses, adjusting public policies,

- 1 altering normal operating procedures and water rationing for implementation as needed,  
2 based on the severity of supply conditions;
- 3 (F) Identify potential alternative sources of water that may be obtained to protect public  
4 health, safety, environmental quality and the local economy; and
- 5 (G) Implement the procedures for responding to drought and water shortage emergencies  
6 outlined in their Local Water Supply Plan if they are required to prepare a Local Water  
7 Supply Plan under G.S.143-355 (l).
- 8 (2) State agencies shall:
- 9 (A) Require all personnel to use the minimum amount of water needed to accomplish the  
10 desired beneficial use consistent with public health rules and ensure that existing water  
11 using equipment is operating as efficiently as possible;
- 12 (B) Inspect water delivery system components for leaks and repair identified leaks where  
13 practical and cost-effective;
- 14 (C) Consult with the Department of Environment and Natural Resources for technical  
15 assistance with responses to drought and other water shortage emergencies.
- 16 (3) Business and industrial water users shall:
- 17 (A) Require all employees to use the minimum amount of water necessary to accomplish the  
18 desired beneficial use consistent with public health rules and ensure that existing water  
19 using equipment is operating as efficiently as possible;
- 20 (B) Inspect water delivery system components for leaks and repair identified leaks where  
21 practical and cost-effective; and
- 22 (C) Implement the appropriate measures indicated by current industry guidelines for  
23 responding to drought and other water shortage emergencies and for improving water use  
24 efficiency where practical and cost-effective.
- 25 (4) Agricultural and horticultural water users shall:
- 26 (A) Ensure that their water delivery systems are operating to a high standard of efficiency;
- 27 (B) Consult with their local Soil and Water Conservation District, the Cooperative Extension  
28 Service or other relevant professional organizations as needed for technical assistance to  
29 maximize water use efficiency and to determine the amount of water necessary to  
30 accomplish the desired beneficial use.
- 31 (5) All water withdrawers shall stay informed on drought and/or water shortage emergency conditions  
32 and shall participate, as appropriate, in regional coordination for the management of water  
33 resources, evaluation of the cumulative effects of water withdrawals on regional water resources  
34 and the development of alternative water supply sources.
- 35 (b) This Section does not prevent owners or operators of a water delivery system from developing, implementing or  
36 requiring water use measures for droughts or emergency water shortages that are more restrictive than the measures  
37 stated in this Section.

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2 *History Note: Authority G.S. 143-354(a)(1) and (8)*

3 *Eff. December 1, 2004*

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