

RULES GOVERNING WATER USE DURING DROUGHTS AND WATER SUPPLY EMERGENCIES

15A NCAC 02E .0607 PUBLICLY AND PRIVATELY OWNED WATER SYSTEM WATER SHORTAGE RESPONSE PLANNING REQUIREMENTS

(a) Publicly and privately owned water systems that are required to prepare a Local Water Supply Plan under G.S. 143-355(l) shall include the following information in their local Water Shortage Response Plans for review by the Division of Water Resources:

- (1) The designation of a staff position or organizational unit responsible for the implementation of their Water Shortage Response Plan;
- (2) Notification procedures that will be used to inform employees and water users about the implementation of the plan and required water conservation response measures;
- (3) Tiered levels of response actions to be taken to reduce water use based on the severity of water shortage conditions;
- (4) Specific measurements of available water supply, water demand and system conditions that will be used to determine the severity of water shortage conditions and to initiate water use reduction measures and the movement between various levels;
- (5) Procedures that will be used to regulate compliance with the provisions of the plan;
- (6) Procedures for affected parties to review and comment on the plan prior to final adoption;
- (7) Procedures to receive and review applications for variances from specific requirements of the plan and the criteria that will be considered in the determination to issue a variance;
- (8) An evaluation method to determine the actual water savings accomplished and the effectiveness of the Water Shortage Response Plan when implemented; and
- (9) Procedures for revising and updating Water Shortage Response Plans to improve plan effectiveness and adapt to new circumstances.

(b) Publicly and privately owned water systems that are required to prepare a Local Water Supply Plan shall submit a copy of their Water Shortage Response Plan and any subsequent revisions of the plan to the Division of Water Resources for review every five years with the full Local Water Supply Plan, as required by G.S. 143-355(l).

(c) Publicly and privately owned water systems not required to prepare a Local Water Supply Plan shall:

- (1) Assess their vulnerability to drought and water shortage emergencies; and
- (2) Prepare a written plan for responding to water shortage emergencies and drought using the provisions of Paragraph (a) of this Rule.

(d) Publicly and privately owned water systems that depend on the water storage in a private or public impoundment that they do not own and operate under a contract for the withdrawal of water issued by the owner of an impoundment shall prepare a written plan for responding to water shortages that is consistent with the provisions of the contract and shall comply with all Water Shortage Response Plan provisions established by the owner of the impoundment.

(e) Water Shortage Response Plans shall provide for water users who have made improvements to maximize water use efficiency in their daily operations and may face disproportionate hardships when making further water use reductions. Water Shortage Response Plans shall avoid restricting efficient water users in ways that would undermine incentives for water users to seek continued improvements in water use efficiency and shall honor locally approved certification programs that recognize efficient water users who meet industry standards for water use efficiency and water conservation.

(f) When the NCDMAC issues a drought advisory designating an area of the state as currently suffering from drought, publicly and privately owned water systems that depend on water from the designated area shall for the duration of the designation:

- (1) Implement the provisions of their Water Shortage Response Plan, as determined by the specific indicators established in the plan for initiating response measures;
- (2) Monitor and document water supply conditions;
- (3) Educate customers and employees on the need to conserve water and how to prepare for potential drought conditions;
- (4) Inspect water delivery system components and ensure that existing equipment is operating as efficiently as possible;
- (5) Stay informed on drought and water shortage emergency conditions and participate in regional coordination for the management of water resources; and
- (6) Evaluate the feasibility of reclaiming and recycling water to meet water needs.

History Note: Authority G.S. 143-354(a)(1); 143-355(l); S.L. 2002-167; Eff. March 19, 2007.