

Regulation of Surface Water Transfers

- North Carolina Statute G.S. 143-215.22G & 215.22I
- North Carolina Administrative Code Section T15A:02G.0400

River Basin Management Section

North Carolina Division of Water Resources



Regulation of Surface Water Transfers

- North Carolina Statute G.S. 143-215.22G & G.S. 143.215.22I
- North Carolina Administrative Code Section T15A:02G.0400

- **Effective January 1994**

- Modified in 1997 & 1998

- **EMC certification required for:**

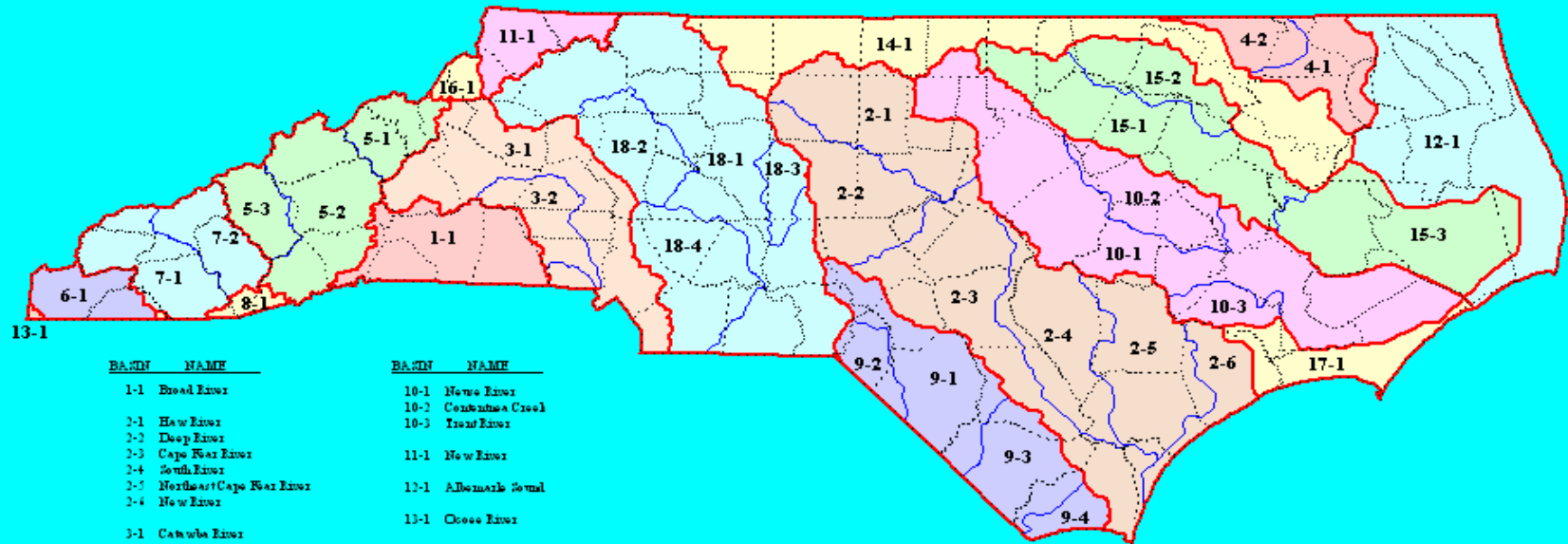
- New transfers of 2 MGD or more
- Increase in existing transfers of 25% or more based on the year ending 7/1/1993, if 2 MGD or more
- Increase in transfer capacity that existed or under construction on 7/1/1993
- Owner of the pipe crossing the basin boundary is responsible for obtaining the certification

- **Sound basis for evaluating transfer requests**

- public notice
- public hearing
- technical documentation



Major River Basins & Sub-Basins in North Carolina



13-1

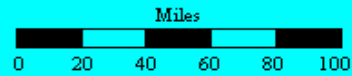
BASIN	NAME	BASIN	NAME
1-1	Broad River	10-1	Newse River
2-1	Roanoke River	10-2	Contentnea Creek
2-2	Deep River	10-3	Iron River
2-3	Cape Fear River	11-1	New River
2-4	South River	12-1	Albemarle Sound
2-5	Northeast Cape Fear River	13-1	Coosa River
2-6	New River	14-1	Roanoke River
3-1	Catawba River	15-1	Tar River
3-2	South Fork Catawba River	15-2	Edging Creek
4-1	Chowan River	15-3	Pamlico River & Sound
4-2	Mohawk River	16-1	Watauga River
5-1	Wolfeboro River	17-1	White Oak River
5-2	French Broad River	18-1	Yadkin River
5-3	Pigeon River	18-2	South Yadkin River
6-1	Roanoke River	18-3	Uwharrie River
7-1	Little Tennessee River	18-4	Rocky River
7-2	French Broad River		
8-1	Savannah River		
9-1	Lumber River		
9-2	Big Blue Head Creek		
9-3	Waccamaw River		
9-4	Shallowford River		

Legend

□ Sub-Basin River Boundary

□ Major River Basin Boundary

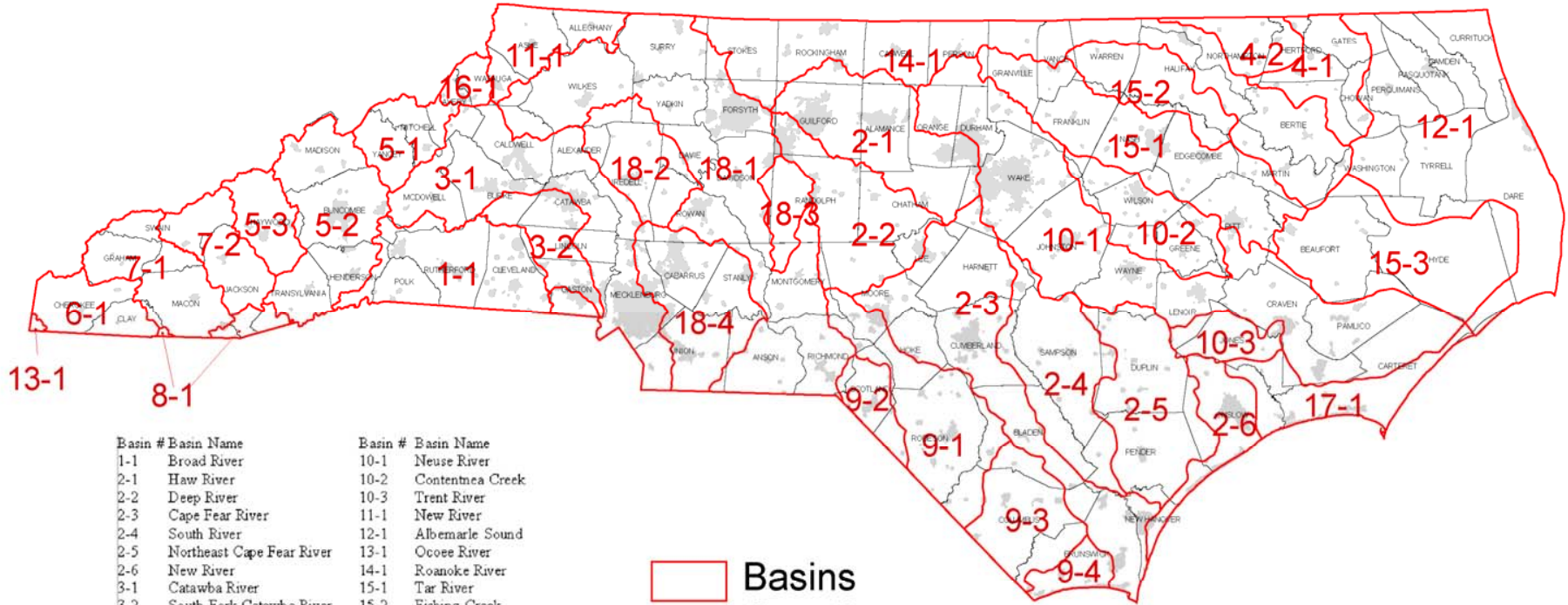
County Boundary



Division of Water Resources
919-733-4064



North Carolina River Basins (as defined by G.S. 143-215.22G)



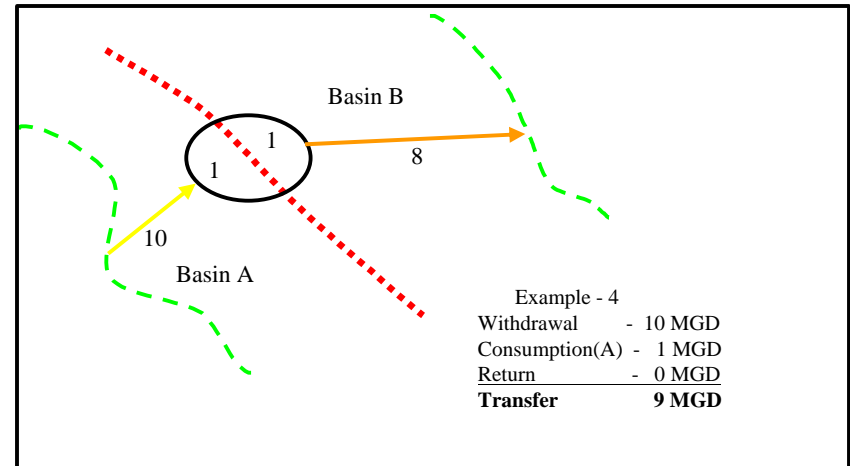
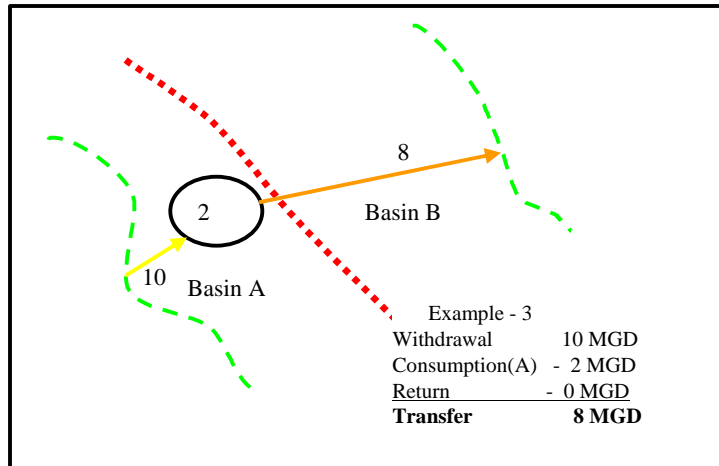
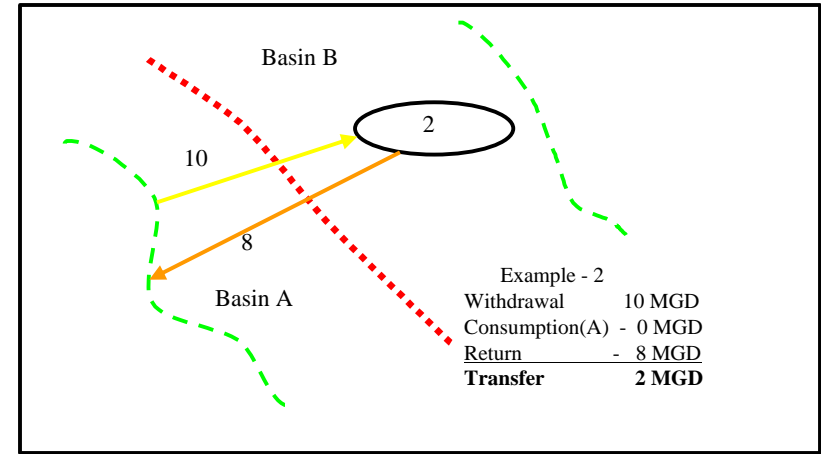
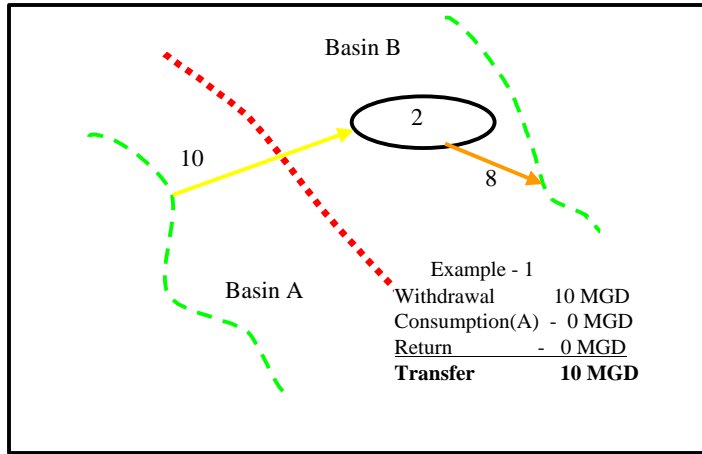
Basin #	Basin Name	Basin #	Basin Name
1-1	Broad River	10-1	Neuse River
2-1	Haw River	10-2	Contentnea Creek
2-2	Deep River	10-3	Trent River
2-3	Cape Fear River	11-1	New River
2-4	South River	12-1	Albemarle Sound
2-5	Northeast Cape Fear River	13-1	Ocoee River
2-6	New River	14-1	Roanoke River
3-1	Catawba River	15-1	Tar River
3-2	South Fork Catawba River	15-2	Fishing Creek
4-1	Chowan River	15-3	Pamlico River & Sound
4-2	Meherin River	16-1	Watauga River
5-1	Nohchucky River	17-1	White Oak River
5-2	French Broad River	18-1	Yadkin River
5-3	Pigeon River	18-2	South Yadkin River
6-1	Hiwassee River	18-3	Uwharrie River
7-1	Little Tennessee River	18-4	Rocky River
7-2	Tuskasegee River		
8-1	Savannah River		
9-1	Lumber River		
9-2	Big Shoe Heel Creek		
9-3	Waccamaw River		
9-4	Shalotte River		

Basins
 Counties
 Cities

Transfer = Withdrawal - Return

143-215.22G(3) "Transfer" means the withdrawal, diversion, or pumping of surface water from river basin and discharge of all or any part of the water in a river basin different from the origin.

T15A:02G.0401(a) The amount of the transfer shall be determined by the amount of water moved from the source basin to the receiving basin, less the amount of water returned to the source basin.



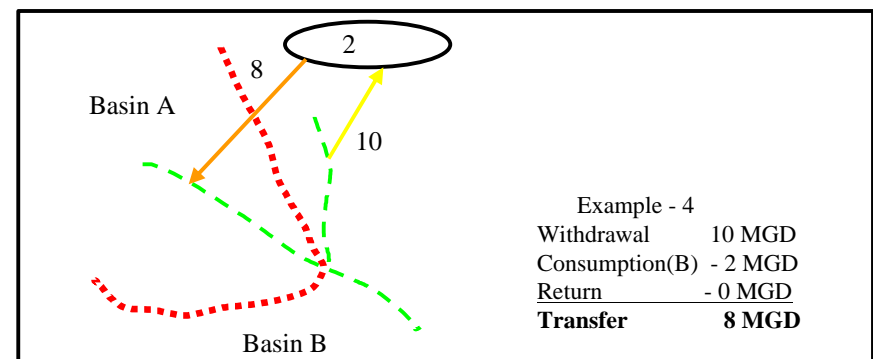
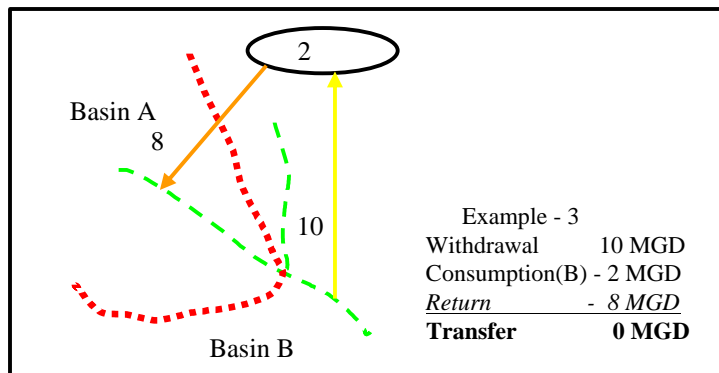
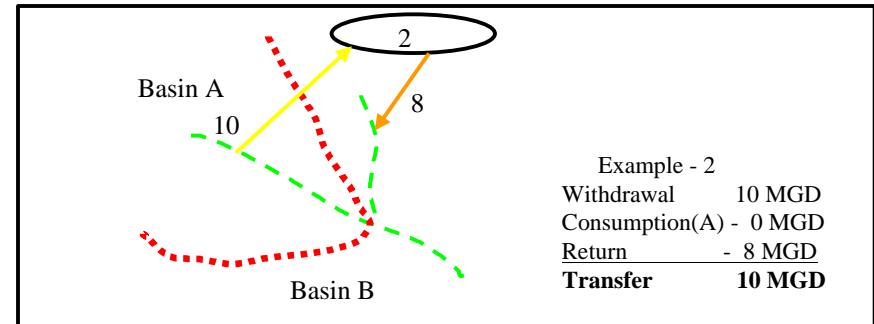
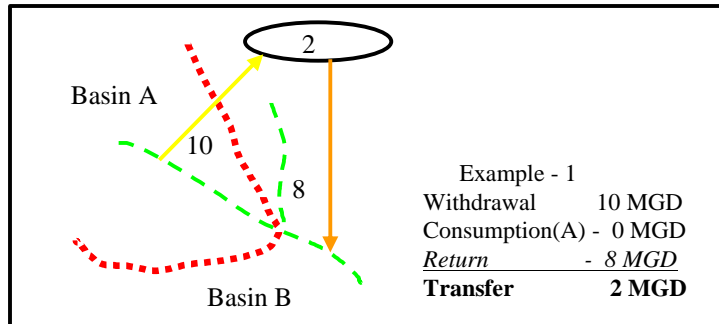
Upstream/Downstream Exemption (Cork Rule)

143-215.22G(3) The following are not transfers:

- The discharge of water upstream from the point where it is withdrawn.
- The discharge of water downstream from the point where it is withdrawn.

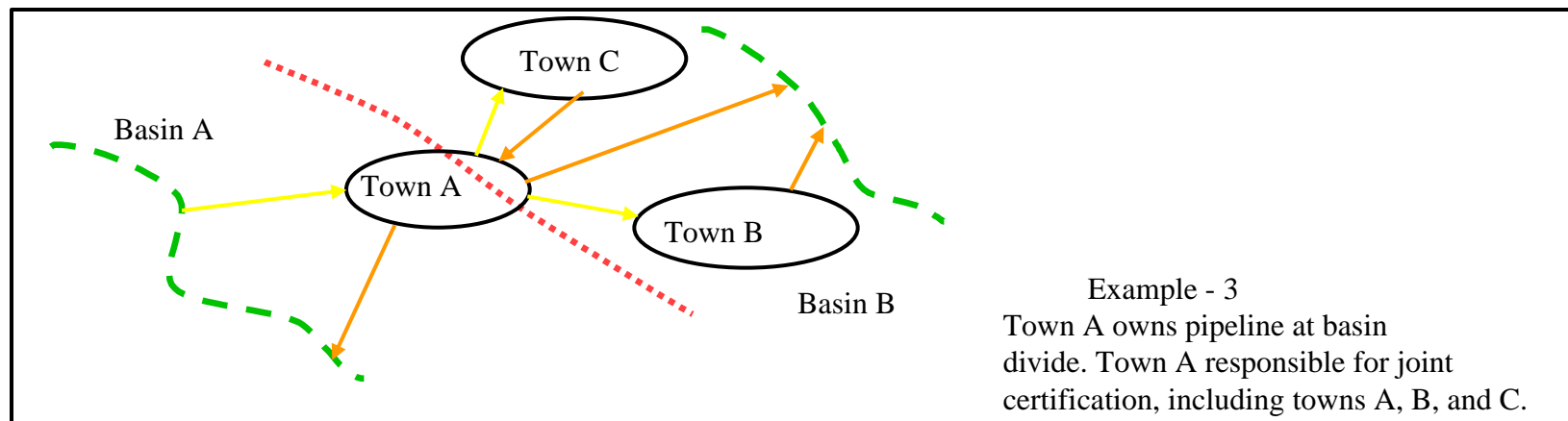
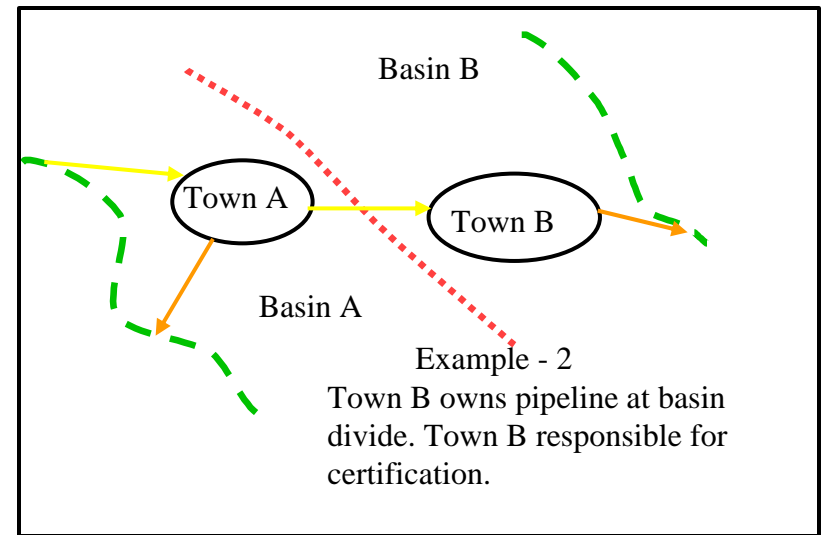
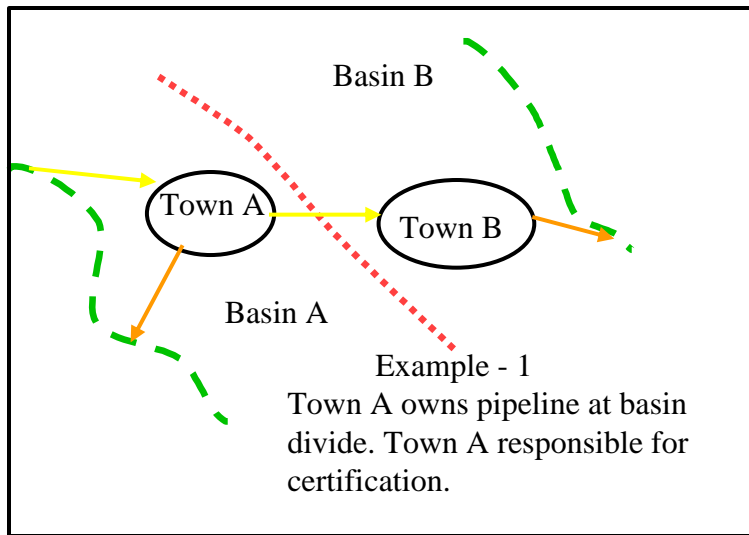
T15A:02G.0401(b) The following are not transfers:

- (1) The discharge point is situated upstream of withdrawal point such that the water discharges will naturally flow past the withdrawal point.
- (2) The discharge point is situated downstream of the withdrawal point such that the water flowing past the withdrawal point will naturally flow past the discharge point.



Who is responsible?

T15A:02G.0401(c) The person owning the pipe or other conveyance that carries the water across the basin boundary shall be responsible for obtaining the certificate.



Transfer Documentation

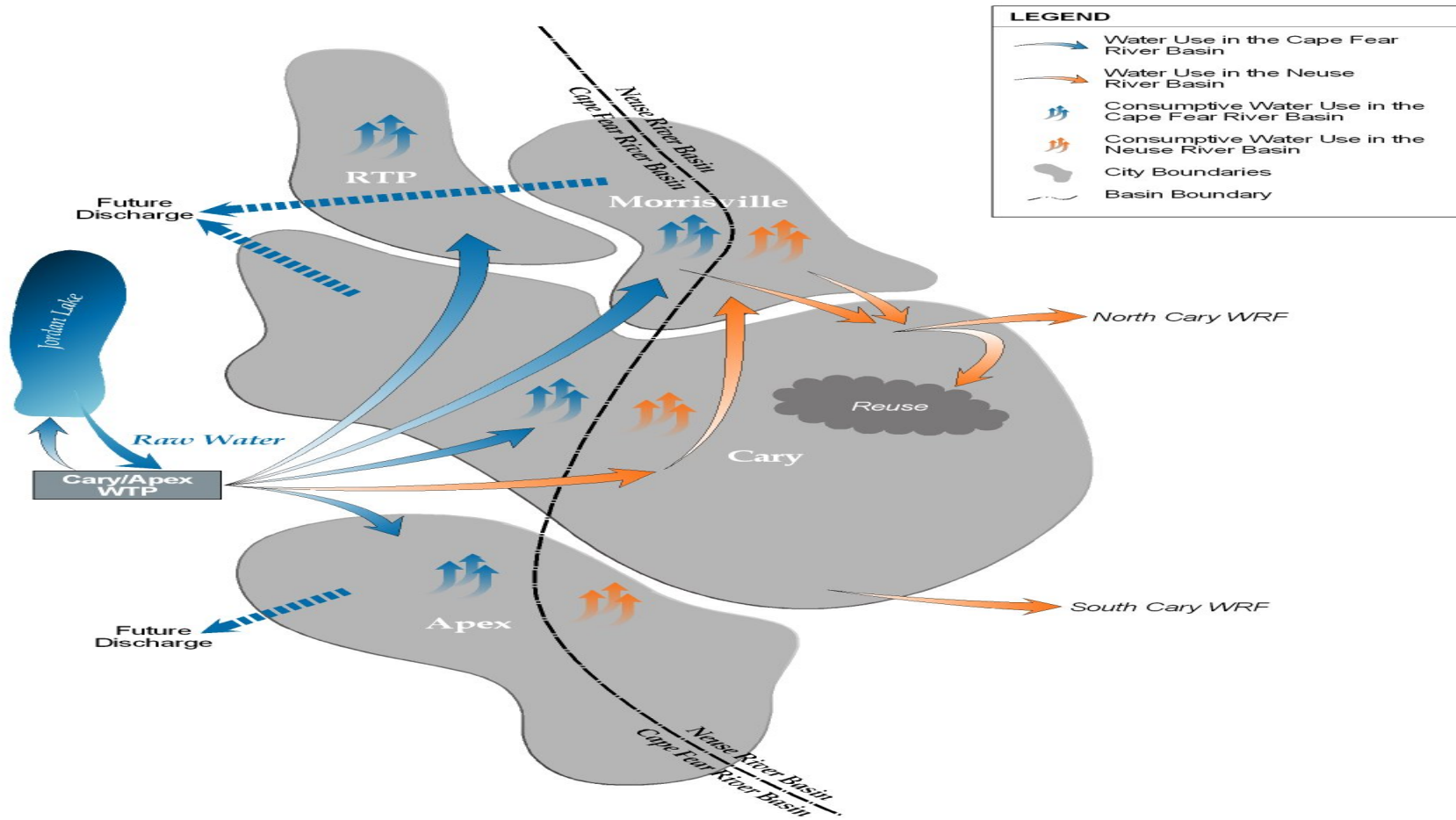
- **Conservation measures**
- **Necessity, reasonableness, and beneficial effects**
- **Present and future detrimental effects**
 - water supply needs
 - wastewater assimilation
 - water quality
 - fish and wildlife habitat
 - recreation
 - navigation
- **Reasonable alternatives**
- **Drought Management Plan**

Public Hearing Notice

- Published in:
 - NC Register
 - Newspapers
- First-class mail to:
 - Registered withdrawals
 - Other transfer certificate holders
 - NPDES dischargers downstream
 - County Commissioners
 - Public water systems

A Typical NC Transfer

Year 2030 Water Movement in Cary, Apex, Morrisville, and RTP



Questions?

