

§ 143-214.24. Riparian Buffer Protection Program: Coordination with River Basin Associations.

(a) Prior to drafting temporary or permanent rules that require the preservation of riparian buffers in a river basin, the Department shall consult with major stakeholders who may have an interest in the proposed rules, including the board of directors or representatives designated by the board of directors of any river basin association in the affected river basin that meets all of the following criteria:

- (1) The association is a nonprofit corporation, as defined by G.S. 55A-1-40.
- (2) The association has as its primary purpose the conservation, preservation, and restoration of the environmental and natural resources of the river basin in which it is located.
- (3) Membership in the association is open on a nondiscriminatory basis to all citizens in the river basin.
- (4) The membership of the board of directors of the association includes at least one representative from each county with a significant portion of its territory in the river basin.
- (5) The membership of the association includes significant representation from each of the following categories of persons:
 - a. Elected local officials.
 - b. Persons involved in agriculture.
 - c. Persons involved in residential and commercial land development.
 - d. Persons involved in forestry.
 - e. Representatives of community-based organizations.
 - f. Representatives of organizations that advocate for protection of the environment and conservation of natural resources.
 - g. Persons with special training and scientific expertise in protection of water who are affiliated with colleges and universities.
 - h. Private property owners.
 - i. Persons with a general interest in water quality protection.

(b) The purpose of the consultation required by subsection (a) of this section is to assure that major stakeholders who may have an interest in the proposed rules have an opportunity to inform the Department of their concerns before the Department drafts the rules. (2000-172, s. 5.1.)