



CHAPTER 143
ARTICLE 21 - WATER AND AIR RESOURCES

N.C.G.S. § 143-215.25.

Definitions.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2023-131, s. 1(a) — ninth act in the lineage	RETRIEVED 21 September 2026, 05:53 UTC	SOURCE FINGERPRINT 1bc106fb6a7e2aedf5d40e8 - 60b7a7dd4f2027ca6def446e - 8c4b3fe206f54761
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As used in this Part, unless the context otherwise requires:

Dam. - A structure and appurtenant works erected to impound or divert water.

Mill dam. - A dam built across a stream to raise the level of water for the purpose of providing water to a mill for the operation of the mill.

Minimum stream flow or minimum flow. - A stream flow of a quantity and quality sufficient in the judgment of the Department to meet and maintain stream classifications and water quality standards established by the Department under G.S. 143-214.1 and applicable to the waters affected by the project under consideration, and to maintain aquatic habitat in the length of the stream that is affected.

Phased compliance eligible dam. - A dam that (i) is categorized as high hazard by the Department, (ii) was constructed prior to January 1, 1968, and (iii) is not owned by a unit of local government, special district, or public authority, as those terms are defined in G.S. 159-7.

Professionally supervised dam removal. - The voluntary removal of a low or intermediate hazard mill dam or run-of-river dam that (i) is not operated primarily for flood control or hydroelectric power generation purposes and (ii) the removal of which is designed and supervised by a qualified engineer.

Qualified engineer. - An engineer licensed as a professional engineer under Chapter 89C of the General Statutes.

Run-of-river dam. - A riverine or stream dam that is designed or operated to release water at approximately the same rate as the natural flow of the river or stream.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1967, c. 1068, s. 3; 1973, c. 1262, ss. 23, 38; 1977, c. 771, s. 4; c. 878, ss. 2, 4; 1983, c. 306; 1987, c. 827, ss. 154, 175; 1993, c. 394, s. 2; 2017-145, s. 1(a); 2023-131, s. 1(a).)

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