

COMMISSION AS IT MAY DEEM NECESSARY OR DESIRABLE.

11.2. DETERMINATION OF PROTECTED AREA. --THE COMMISSION, FROM TIME TO TIME AFTER PUBLIC HEARING UPON DUE NOTICE GIVEN, MAY DETERMINE AND DELINEATE SUCH AREAS WITHIN THE BASIN WHEREIN THE DEMANDS UPON SUPPLY MADE BY WATER USERS HAVE DEVELOPED OR THREATEN TO DEVELOP TO SUCH A DEGREE AS TO CREATE A WATER SHORTAGE OR IMPAIR OR CONFLICT WITH THE REQUIREMENTS OR EFFECTUATION OF THE COMPREHENSIVE PLAN, AND ANY SUCH AREA MAY BE DESIGNATED AS A PROTECTED AREA, WITH THE CONSENT OF THE MEMBER OR MEMBERS FROM THE AFFECTED STATE OR STATES. THE COMMISSION, WHENEVER IT DETERMINES THAT SUCH SHORTAGE NO LONGER EXISTS, SHALL TERMINATE THE PROTECTED STATUS OF SUCH AREA AND SHALL GIVE PUBLIC NOTICE OF SUCH TERMINATION.

11.3. DIVERSION AND WITHDRAWAL PERMITS. --IN ANY PROTECTED AREAS SO DETERMINED AND DELINEATED, NO PERSON SHALL DIVERT OR WITHDRAW WATER FOR DOMESTIC, MUNICIPAL, AGRICULTURAL, OR INDUSTRIAL USES IN EXCESS OF SUCH QUANTITIES AS THE COMMISSION MAY PRESCRIBE BY GENERAL REGULATIONS, EXCEPT (1) PURSUANT TO A PERMIT GRANTED UNDER THIS ARTICLE, OR (2) PURSUANT TO A PERMIT OR APPROVAL HERETOFORE GRANTED UNDER THE LAWS OF ANY OF THE SIGNATORY STATES.

11.4. EMERGENCY. --

(A) IN THE EVENT OF A DROUGHT WHICH MAY CAUSE AN ACTUAL AND IMMEDIATE SHORTAGE OF AVAILABLE WATER SUPPLY WITHIN THE BASIN, OR WITHIN ANY PART THEREOF, THE COMMISSION AFTER PUBLIC HEARING UPON DUE NOTICE GIVEN, MAY DETERMINE AND DELINEATE THE AREA OF THE SHORTAGE AND BY UNANIMOUS VOTE DECLARE A DROUGHT EMERGENCY THEREIN. FOR THE DURATION OF THE DROUGHT EMERGENCY AS DETERMINED BY THE COMMISSION, IT THEREUPON MAY DIRECT INCREASES OR DECREASES IN ANY ALLOCATIONS, DIVERSIONS, OR RELEASES PREVIOUSLY GRANTED OR REQUIRED, FOR A LIMITED TIME TO MEET THE EMERGENCY CONDITION.

(B) IN THE EVENT OF A DISASTER OR CATASTROPHE OTHER THAN DROUGHT, NATURAL OR MANMADE, WHICH CAUSES OR MAY CAUSE AN ACTUAL AND IMMEDIATE SHORTAGE OF AVAILABLE AND USABLE WATER, THE COMMISSION BY UNANIMOUS CONSENT MAY IMPOSE DIRECT CONTROLS ON THE USE OF WATER AND SHALL TAKE SUCH ACTION AS IS NECESSARY TO COORDINATE THE EFFORT OF FEDERAL, STATE, AND LOCAL AGENCIES AND OTHER PERSONS AND ENTITIES AFFECTED.