

1 **15A NCAC 02B .0311 IS ADOPTED WITH CHANGES AS PUBLISHED IN 21:24 NCR 2308-2310 AS**  
2 **FOLLOWS:**

3  
4 **15A NCAC 02B .0311 CAPE FEAR RIVER BASIN**

5 (a) The Cape Fear River Basin Schedule of Classifications and Water Quality Standards may be inspected at the  
6 following places:

- 7 (1) the Internet at <http://h2o.enr.state.nc.us/csu/>; and
- 8 (2) the North Carolina Department of Environment and Natural Resources:
  - 9 (A) Winston-Salem Regional Office
  - 10 Waughtown Street
  - 11 Winston-Salem, North Carolina
  - 12 (B) Fayetteville Regional Office
  - 13 Green Street
  - 14 Systel Building Suite 714
  - 15 Fayetteville, North Carolina
  - 16 (C) Raleigh Regional Office
  - 17 Barrett Drive
  - 18 Raleigh, North Carolina
  - 19 (D) Washington Regional Office
  - 20 Washington Square Mall
  - 21 Washington, North Carolina
  - 22 (E) Wilmington Regional Office
  - 23 Cardinal Drive Extension
  - 24 Wilmington, North Carolina
  - 25 (F) Division of Water Quality
  - 26 Central Office
  - 27 North Salisbury Street
  - 28 Raleigh, North Carolina.

29 (b) The Cape Fear River Basin Schedule of Classification and Water Quality Standards was amended effective:

- 30 (1) March 1, 1977;
- 31 (2) December 13, 1979;
- 32 (3) December 14, 1980;
- 33 (4) August 9, 1981;
- 34 (5) April 1, 1982;
- 35 (6) December 1, 1983;
- 36 (7) January 1, 1985;
- 37 (8) August 1, 1985;

- 1 (9) December 1, 1985;
- 2 (10) February 1, 1986;
- 3 (11) July 1, 1987;
- 4 (12) October 1, 1987;
- 5 (13) March 1, 1988;
- 6 (14) June 1, 1988;
- 7 (15) July 1, 1988;
- 8 (16) January 1, 1990;
- 9 (17) August 1, 1990;
- 10 (18) August 3, 1992;
- 11 (19) September 1, 1994;
- 12 (20) August 1, 1998;
- 13 (21) April 1, 1999;
- 14 (22) August 1, 2002;
- 15 (23) November 1, 2004;
- 16 (24) November 1, 2007;
- 17 (25) April 1, ~~2008~~2009.

18 (c) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended  
19 effective June 1, 1988 as follows:

- 20 (1) Cane Creek [Index No. 16-21-(1)] from source to a point 0.5 mile north of N.C. Hwy. 54 (Cane  
21 Reservoir Dam) including the Cane Creek Reservoir and all tributaries has been reclassified from  
22 Class WS-III to WS-I.
- 23 (2) Morgan Creek [Index No. 16-41-1-(1)] to the University Lake dam including University Lake and  
24 all tributaries has been reclassified from Class WS-III to WS-I.

25 (d) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended  
26 effective July 1, 1988 by the reclassification of Crane Creek (Crains Creek) [Index No. 18-23-16-(1)] from source to  
27 mouth of Beaver Creek including all tributaries from C to WS-III.

28 (e) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended  
29 effective January 1, 1990 as follows:

- 30 (1) Intracoastal Waterway (Index No. 18-87) from southern edge of White Oak River Basin to  
31 western end of Permuda Island (a line from Morris Landing to Atlantic Ocean), from the eastern  
32 mouth of Old Topsail Creek to the southwestern shore of Howe Creek and from the southwest  
33 mouth of Shinn Creek to channel marker No. 153 including all tributaries except the King Creek  
34 Restricted Area, Hardison Creek, Old Topsail Creek, Mill Creek, Futch Creek and Pages Creek  
35 were reclassified from Class SA to Class SA ORW.
- 36 (2) Topsail Sound and Middle Sound ORW Area which includes all waters between the Barrier  
37 Islands and the Intracoastal Waterway located between a line running from the western most shore

1 of Mason Inlet to the southwestern shore of Howe Creek and a line running from the western  
2 shore of New Topsail Inlet to the eastern mouth of Old Topsail Creek was reclassified from Class  
3 SA to Class SA ORW.

- 4 (3) Masonboro Sound ORW Area which includes all waters between the Barrier Islands and the  
5 mainland from a line running from the southwest mouth of Shinn Creek at the Intracoastal  
6 Waterway to the southern shore of Masonboro Inlet and a line running from the Intracoastal  
7 Waterway Channel marker No. 153 to the southside of the Carolina Beach Inlet was reclassified  
8 from Class SA to Class SA ORW.

9 (f) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended  
10 effective January 1, 1990 as follows: Big Alamance Creek [Index No. 16-19-(1)] from source to Lake Mackintosh  
11 Dam including all tributaries has been reclassified from Class WS-III NSW to Class WS-II NSW.

12 (g) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
13 effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of  
14 WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the  
15 revised water supply protection rules, (15A NCAC 02B .0100, .0200 and .0300) which became effective on August  
16 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification  
17 due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS  
18 classification to an alternate appropriate primary classification after being identified as downstream of a water  
19 supply intake or identified as not being used for water supply purposes.

20 (h) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
21 effective June 1, 1994 as follows:

- 22 (1) The Black River from its source to the Cape Fear River [Index Nos. 18-68-(0.5), 18-68-(3.5) and  
23 18-65-(11.5)] was reclassified from Classes C Sw and C Sw HQW to Class C Sw ORW.  
24 (2) The South River from Big Swamp to the Black River [Index Nos. 18-68-12-(0.5) and 18-68-  
25 12(11.5)] was reclassified from Classes C Sw and C Sw HQW to Class C Sw ORW.  
26 (3) Six Runs Creek from Quewhiffle Swamp to the Black River [Index No. 18-68-2] was reclassified  
27 from Class C Sw to Class C Sw ORW.

28 (i) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
29 effective September 1, 1994 with the reclassification of the Deep River [Index No. 17-(36.5)] from the Town of  
30 Gulf-Goldston water supply intake to US highway 421 including associated tributaries from Class C to Classes C,  
31 WS-IV and WS-IV CA.

32 (j) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
33 effective August 1, 1998 with the revision to the primary classification for portions of the Deep River [Index No. 17-  
34 (28.5)] from Class WS-IV to Class WS-V, Deep River [Index No. 17-(41.5)] from Class WS-IV to Class C, and the  
35 Cape Fear River [Index 18-(10.5)] from Class WS-IV to Class WS-V.

1 (k) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
2 effective April 1, 1999 with the reclassification of Buckhorn Creek (Harris Lake)[Index No. 18-7-(3)] from the  
3 backwaters of Harris Lake to the Dam at Harris Lake from Class C to Class WS-V.

4 (l) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
5 effective April 1, 1999 with the reclassification of the Deep River [Index No. 17-(4)] from the dam at Oakdale-  
6 Cotton Mills, Inc. to the dam at Randleman Reservoir (located 1.6 mile upstream of U.S. Hwy 220 Business), and  
7 including tributaries from Class C and Class B to Class WS-IV and Class WS-IV & B. Streams within the  
8 Randleman Reservoir Critical Area have been reclassified to WS-IV CA. The Critical Area for a WS-IV reservoir is  
9 defined as 0.5 mile and draining to the normal pool elevation of the reservoir. All waters within the Randleman  
10 Reservoir Water Supply Watershed are within a designated Critical Water Supply Watershed and are subject to a  
11 special management strategy specified in 15A NCAC 02B .0248.

12 (m) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
13 effective August 1, 2002 as follows:

14 (1) Mill Creek [Index Nos. 18-23-11-(1), 18-23-11-(2), 18-23-11-3, 18-23-11-(5)] from its source to  
15 the Little River, including all tributaries was reclassified from Class WS-III NSW and Class WS  
16 III&B NSW to Class WS-III NSW HQW@ and Class WS-III&B NSW HQW@.

17 (2) McDeed's Creek [Index Nos. 18-23-11-4, 18-23-11-4-1] from its source to Mill Creek, including  
18 all tributaries was reclassified from Class WS III NSW and Class WS III&B NSW to Class WS-III  
19 NSW HQW@ and Class WS-III&B NSW HQW@.

20 (3) The "@" symbol as used in Paragraph (m) of this Rule means that if the governing municipality  
21 has deemed that a development is covered under a "5/70 provision" as described in Rule 15A  
22 NCAC 02B .0215(3)(b)(i)(E) (Fresh Surface Water Quality Standards for Class WS-III Waters),  
23 then that development is not subject to the stormwater requirements as described in rule 15A  
24 NCAC 02H .1006 (Stormwater Requirements: High Quality Waters).

25 (n) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
26 effective November 1, 2004 as follows:

27 (1) A portion of Rocky River [Index Number 17-43-(1)] from a point approximately 0.3 mile  
28 upstream of Town of Siler City upper reservoir dam to a point approximately 0.3 mile downstream  
29 of Lacy Creek from WS-III to WS-III CA.

30 (2) A portion of Rocky River [Index Number 17-43-(8)] from dam at lower water supply reservoir for  
31 Town of Siler City to a point approximately 65 feet below dam (site of proposed dam) from C to  
32 WS-III CA.

33 (3) A portion of Mud Lick Creek (Index No. 17-43-6) from a point approximately 0.4 mile upstream  
34 of Chatham County SR 1355 to Town of Siler City lower water supply reservoir from WS-III to  
35 WS-III CA.

36 (4) A portion of Lacy Creek (17-43-7) from a point approximately 0.6 mile downstream of Chatham  
37 County SR 1362 to Town of Siler City lower water supply reservoir from WS-III to WS-III CA.

1 (o) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
2 effective November 1, 2007 with the following reclassifications. The North Carolina Division of Water Quality  
3 maintains a Geographic Information Systems data layer for the UWLs.

- 4 (1) Military Ocean Terminal Sunny Point Pools, all on the eastern shore of the Cape Fear River [Index  
5 No. 18-(71)] were reclassified to Class WL UWL as defined in 15A NCAC 02B .0101.
- 6 (2) Salters Lake Bay near Salters Lake [Index No. 18-44-4] was reclassified to Class WL UWL as  
7 defined in 15A NCAC 02B .0101.
- 8 (3) Jones Lake Bay near Jones Lake [Index No. 18-46-7-1] was reclassified to Class WL UWL as  
9 defined in 15A NCAC 02B .0101.
- 10 (4) Weymouth Woods Sandhill Seep near Mill Creek [18-23-11-(1)] was reclassified to Class WL  
11 UWL as defined in 15A NCAC 02B .0101.
- 12 (5) Fly Trap Savanna near Cape Fear River [Index No. 18-(71)] was reclassified to Class WL UWL as  
13 defined in 15A NCAC 02B .0101.
- 14 (6) Lily Pond near Cape Fear River [Index No. 18-(71)] was reclassified to Class WL UWL as  
15 defined in 15A NCAC 02B .0101.
- 16 (7) Grassy Pond near Cape Fear River [Index No. 18-(71)] was reclassified to Class WL UWL as  
17 defined in 15A NCAC 02B .0101.
- 18 (8) The Neck Savanna near Sandy Run Swamp [Index No. 18-74-33-2] was reclassified to Class WL  
19 UWL as defined in 15A NCAC 02B .0101.
- 20 (9) Bower's Bog near Mill Creek [Index No. 18-23-11-(1)] was reclassified to Class WL UWL as  
21 defined in 15A NCAC 02B .0101.
- 22 (10) Bushy Lake near Turnbull Creek [Index No. 18-46] was reclassified to Class WL UWL as defined  
23 in 15A NCAC 02B .0101.

24 (p) The schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended  
25 effective April 1, 2008 with the reclassification of all Class C NSW waters and all Class B NSW waters upstream of  
26 the dam at B. Everett Jordan Reservoir from Class C NSW and Class B NSW to Class WS-V NSW and Class WS-V  
27 & B NSW, respectively. All waters within the B. Everett Jordan Reservoir Watershed are within a designated  
28 Critical Water Supply Watershed and are subject to a special management strategy specified in Rules 15A NCAC  
29 02B .0262 through .0272.

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31 *History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);*  
32 *Eff. February 1, 1976;*  
33 *Amended Eff. July 1, 2008; November 1, 2007; November 1, 2004; August 1, 2002; April 1, 1999;*  
34 *August 1, 1998; September 1, 1994; June 1, 1994; August 3, 1992; August 1, 1990.*