

1 **15A NCAC 02B .0315 has been amended with changes as published in 37:06 NCR 444-448 as follows:**

2
3 **15A NCAC 02B .0315 NEUSE RIVER BASIN**

4 (a) Classifications assigned to the waters within the Neuse River Basin are set forth in the Neuse River Basin
5 Classification Schedule, which may be inspected at the following places:

- 6 (1) the Internet at [https://deq.nc.gov/about/divisions/water-resources/water-planning/classification-](https://deq.nc.gov/about/divisions/water-resources/water-planning/classification-standards/river-basin-classification)
7 [standards/river-basin-classification](https://deq.nc.gov/about/divisions/water-resources/water-planning/classification-standards/river-basin-classification); and
- 8 (2) the following offices of the North Carolina Department of Environmental Quality:
- 9 (A) Raleigh Regional Office
10 3800 Barrett Drive
11 Raleigh, North Carolina;NC 27609
- 12 (B) Washington Regional Office
13 943 Washington Square Mall
14 Washington, North Carolina;NC 27889
- 15 (C) Wilmington Regional Office
16 127 Cardinal Drive Extension
17 Wilmington, North Carolina;NC 28405; and
- 18 (D) Division of Water Resources
19 Central Office
20 512 North Salisbury Street
21 Raleigh, North Carolina;NC 27604.

22 ~~(b) The Neuse River Basin Classification Schedule was amended effective:~~

- 23 ~~(1) — March 1, 1977 see Paragraph (c) of this Rule;~~
24 ~~(2) — December 13, 1979 see Paragraph (d) of this Rule;~~
25 ~~(3) — September 14, 1980 see Paragraph (e) of this Rule;~~
26 ~~(4) — August 9, 1981 see Paragraph (f) of this Rule;~~
27 ~~(5) — January 1, 1982 see Paragraph (g) of this Rule;~~
28 ~~(6) — April 1, 1982 see Paragraph (h) of this Rule;~~
29 ~~(7) — December 1, 1983 see Paragraph (i) of this Rule;~~
30 ~~(8) — January 1, 1985 see Paragraph (j) of this Rule;~~
31 ~~(9) — August 1, 1985, see Paragraph (k) of this Rule;~~
32 ~~(10) — February 1, 1986 see Paragraph (l) of this Rule;~~
33 ~~(11) — May 1, 1988 see Paragraph (m) of this Rule;~~
34 ~~(12) — July 1, 1988 see Paragraph (n) of this Rule;~~
35 ~~(13) — October 1, 1988 see Paragraph (o) of this Rule;~~
36 ~~(14) — January 1, 1990 see Paragraph (p) of this Rule;~~
37 ~~(15) — August 1, 1990;~~

- (16) — December 1, 1990 see Paragraph (q) of this Rule;
- (17) — July 1, 1991 see Paragraph (r) of this Rule;
- (18) — August 3, 1992;
- (19) — April 1, 1994 see Paragraph (t) of this Rule;
- (20) — July 1, 1996 see Paragraph (u) of this Rule;
- (21) — September 1, 1996 see Paragraph (v) of this Rule;
- (22) — April 1, 1997 see Paragraph (w) of this Rule;
- (23) — August 1, 1998 see Paragraph (x) of this Rule;
- (24) — August 1, 2002 see Paragraph (y) of this Rule;
- (25) — July 1, 2004 see Paragraph (z) of this Rule;
- (26) — November 1, 2007 see Paragraph (aa) of this Rule;
- (27) — January 15, 2011 see Paragraph (bb) of this Rule; and
- (28) — July 1, 2012 see Paragraph (cc) of this Rule; [Rule; and]
- (29) — May 1, 2023 see Paragraph (dd) of this Rule.]

(e)(b) The Neuse River Basin Classification Schedule was amended effective March 1, 1977-1977, with the a total of 179 streams in the Neuse River Basin reclassified from Class D to Class C.

(d)(c) The Neuse River Basin Classification Schedule was amended effective December 13, 1979-1979, as follows: Little River ~~[Index No. 27-57-(21.5)]~~Index No. 27-57-(21.5) from source to the dam at Wake Forest Reservoir ~~has been~~was reclassified from Class A-II to Class A-II and B.

(e)(d) The Neuse River Basin Classification Schedule was amended effective September 14, 1980-1980, as follows: The Eno River from Durham County State Road 1003 to U.S Highway 501 ~~[Index No. 27-2-(16)]~~Index No. 27-2-(16) was reclassified from Class C and B to Class A-II and B.

(f)(c) The Neuse River Basin Classification Schedule was amended effective August 9, 1981-1981, to remove the swamp water designation from all waters designated SA in the Neuse River Basin.

(e)(f) The Neuse River Basin Classification Schedule was amended effective January 1, 1982-1982, as follows: The Trent River from the mouth of Brice Creek to the Neuse River ~~[Index No. 27-101-(39)]~~Index No. 27-101-(39) was reclassified from Class SC Sw to Class SB Sw.

(h)(g) The Neuse River Basin Classification Schedule was amended effective April 1, 1982-1982, as follows:

- (1) Longview Branch from source to Crabtree Creek ~~[Index No. 27-33-(21)]~~Index No. 27-33-(21) was reclassified from Class C1 to Class ~~C-C;~~ and
- (2) Watson Branch from source to Walnut Creek ~~[Index No. 27-34-(8)]~~Index No. 27-34-(8) was reclassified from Class C1 to Class C.

(i)(h) The Neuse River Basin Classification Schedule was amended effective December 1, 1983-1983, to add the Nutrient Sensitive Waters classification to the entire river basin above Falls ~~dam.~~Lake Dam.

(j)(i) The Neuse River Basin Classification Schedule was amended effective January 1, 1985-1985, as follows: Nobel Canal from source to Swift Creek ~~[Index No. 27-97-(2)]~~Index No. 27-97-(2) was reclassified from Class C1 to Class C.

1 ~~(k)(j)~~ The Neuse River Basin Classification Schedule was amended effective August 1, ~~1985~~1985, as follows:

- 2 (1) Southeast Prong Beaverdam Creek from source to Beaverdam Creek ~~[Index No. 27-33-~~
3 ~~15(2)]~~Index No. 27-33-15-(2) was reclassified from Class C1 to Class ~~C, C;~~
4 (2) Pigeon House ~~branch~~Branch from source to Crabtree Creek ~~[Index No. 27-33-(18)]~~Index No. 27-
5 ~~33-(18)~~ was reclassified from Class C1 to Class ~~C, C;~~
6 (3) Rocky Branch from source to Pullen Road ~~[Index No. 27-34-6(1)]~~Index No. 27-34-6-(1) was
7 reclassified from Class C1 to Class ~~C, C; and~~
8 (4) Chavis Branch from source to Watson Branch ~~[Index No. 27-37-8-1]~~Index No. 27-37-8-1 was
9 reclassified from Class C1 to Class C.

10 ~~(k)~~(k) The Neuse River Basin Classification Schedule was amended effective February 1, ~~1986~~1986, to reclassify ~~all~~
11 ~~Class A-I and~~ Class A-II streams in the Neuse River Basin to ~~Class WS-I and~~ Class WS-III.

12 ~~(m)~~(l) The Neuse River Basin Classification Schedule was amended effective May 1, ~~1988~~1988, to add the Nutrient
13 Sensitive Waters classification to the waters of the Neuse River Basin below the Falls Lake ~~dam~~Dam.

14 ~~(n)~~(m) The Neuse River Basin Classification Schedule was amended effective July 1, ~~1988~~1988, as follows:

- 15 (1) Smith Creek ~~[Index No. 27-23-(1)]~~Index No. 27-23-(1) from source to the dam at Wake Forest
16 Reservoir ~~has been was~~ reclassified from Class WS-III to ~~WS-I, WS-I;~~
17 (2) Little River ~~[Index No. 27-57-(1)]~~Index No. 27-57-(1) from source to the N.C. Hwy. 97 Bridge
18 near Zebulon ~~including all and~~ tributaries ~~to this portion of the Little River has been were~~
19 reclassified from Class WS-III to ~~WS-I, WS-I; and~~
20 (3) ~~Anan~~ unnamed tributary to Buffalo Creek just upstream of Robertson's Pond in Wake County
21 from source to Buffalo Creek including Leo's Pond ~~has been was~~ reclassified from Class C to B.

22 ~~(o)~~(n) The Neuse River Basin Classification Schedule was amended effective October 1, ~~1988~~1988, as follows:

- 23 (1) ~~Walnut Creek (Lake Johnson, Lake Raleigh) [Index No. 27-34-(1)]~~ Lake Johnson and Lake
24 ~~Raleigh~~Raleigh, which are a portion of Walnut Creek (Lake Johnson, Lake Raleigh) Index No. 27-
25 ~~34-(1), have been were~~ reclassified from Class WS-III to Class WS-III ~~B, B; and~~
26 (2) Haw Creek ~~(Camp Charles Lake)(Index No. 27-86-3-7)~~(Camp Charles Lake) Index No. 27-86-3-7
27 from the backwaters of Camp Charles Lake to dam at Camp Charles Lake ~~has been was~~
28 reclassified from Class C to Class B.

29 ~~(p)~~(o) The Neuse River Basin Classification Schedule was amended effective January 1, ~~1990~~1990, as follows:

- 30 (1) Neuse-Southeast Pamlico Sound ORW ~~Area~~Area, which includes ~~all~~ waters within a line
31 beginning at the southwest tip of Ocracoke ~~Island, Island~~ and extending ~~north west~~northwest along
32 the Tar-Pamlico River Basin and Neuse River Basin boundary line to Lat. 35 degrees 06' 30",
33 ~~thence then~~ in a southwest direction to Ship ~~Point~~Point, and ~~all tributaries, tributaries to the Neuse-~~
34 ~~Southeast Pamlico Sound ORW Area,~~ were reclassified from Class SA NSW to Class SA NSW
35 ~~ORW, ORW; and~~
36 (2) Core Sound ~~(Index No. 27-149)~~Index No. 27-149 from northeastern limit of White Oak River
37 ~~Basin (a~~Basin, which is a line from Hall Point to Drum ~~Inlet)~~Inlet, to Pamlico ~~Sound~~Sound, and

1 ~~all tributaries,~~tributaries to Core Sound except ~~Thorofare,~~ Thorofare and John Day ~~Ditch~~Ditch,
2 were reclassified from Class SA NSW to Class SA NSW ORW.

3 (p) The Neuse River Basin Classification Schedule was amended effective August 1, 1990, as follows:

4 (1) a portion of the Little River Index No. 27-2-21-(1) from source to Little River Reservoir Dam and
5 tributaries to this portion of the South Fork Little River except Forrest Creek (Foster Creek) from
6 source to NC Highway 57 were reclassified from Class WS-III NSW to Class WS-III NSW HQW
7 and Forrest Creek (Foster Creek) Index No. 27-2-21-2-2-(1) from source to NC Highway 57 was
8 reclassified from Class C NSW to Class C NSW HQW;

9 (2) a portion of Greens Creek (Oriental Restricted Area) Index No. 27-129, including tributaries to
10 this portion of Greens Creek, from inside a line beginning at a point on the northwest side of the
11 mouth of Whittaker Creek and running due southeast 100 yards to a stake in the Neuse River, then
12 running in a southwesterly direction 100 yards from shore to a stake due south of Whorton's Point,
13 then in a straight line to flash beacon #6, then in a straight line to Windmill Point, then in a
14 northerly direction to a point on the southern shore directly across from the western edge of the
15 mouth of Kershaw Creek, then to a point on the western edge of Kershaw Creek, then along the
16 northern shore line to Dewey Point including a portion of Smith Creek from source to a point 0.1
17 miles downstream of Morris Creek, Shop Gut, Morris Creek, Unnamed Tributary #1 and #2 to
18 Smith Creek, Kershaw Creek, Unnamed Tributary #1, #2, and #3 to Greens Creek, Camp Creek
19 (Oriental Harbor), Raccoon Creek, and Oriental Seawall to the point of beginning were
20 reclassified from Class SC NSW to Class SC NSW HQW;

21 (3) a portion of Chapel Creek Index No. 27-150-7 from source to a line 0.1 miles downstream of Bee
22 Tree Creek and tributaries to this portion of Chapel Creek were reclassified from Class SC Sw
23 NSW to Class SC Sw NSW HQW;

24 (4) a portion of Swindell Bay Index No. 27-150-8 from source to the narrows was reclassified from
25 Class SC Sw NSW to Class SC Sw NSW HQW;

26 (5) Mason Creek Index No. 27-150-9 from source to the Bay River and the tributary to Mason Creek,
27 which is Lewis Creek, were reclassified from Class SC Sw NSW to Class SC Sw NSW HQW;

28 (6) Harper Creek Index No. 27-150-10 from source to the Bay River was reclassified from Class SC
29 Sw NSW to Class SC Sw NSW HQW;

30 (7) Moore Creek Index 27-150-12 from source to the Bay River and the tributary to Moore Creek,
31 which is Chappel Creek, were reclassified from Class SC Sw NSW to Class SC Sw NSW HQW;

32 (8) Smith Creek Index No. 27-150-14 from source to the Bay River was reclassified from Class SC
33 Sw NSW to Class SC Sw NSW HQW::

34 (9) Little Vandemere Creek Index No. 27-150-15-1 from source to Vandemere Creek was reclassified
35 from Class SC Sw NSW to Class SC Sw NSW HQW::

36 (10) Long Creek Index No. 27-150-15-2 from source to Vandemere Creek was reclassified from Class
37 SC Sw NSW to Class SC Sw NSW HQW; and

1 (11) Cedar Creek Index No. 27-150-3 from source to Vandemere Creek was reclassified from Class SC
2 Sw NSW to Class SC Sw NSW HQW.

3 (q) The Neuse River Basin Classification Schedule was amended effective December 1, 1990~~1990~~, with the
4 reclassification of the following waters as described in (1) through (3) of this Paragraph as follows:

5 (1) Northwest Creek from its source to the Neuse River ~~(Index No. 27-105)~~Index No. 27-105 was
6 reclassified from Class SC Sw NSW to Class SB Sw NSW;

7 (2) Upper Broad Creek ~~Index No. 27-106 (7)~~Index No. 27-106-(7) from Pamlico County SR 1103 at
8 Lees Landing to the Neuse River was reclassified from Class SC Sw NSW to Class SB Sw NSW;
9 and

10 (3) Goose Creek ~~Index No. 27-107 (11)~~Index No. 27-107-(11) from Wood Landing to the Neuse
11 River was reclassified from Class SC Sw NSW to Class SB Sw NSW.

12 (r) The Neuse River Basin Classification Schedule was amended effective July 1, 1994~~1991~~, with the
13 reclassification of the Bay River ~~Index No. 27-150 (1)~~Index No. 27-150-(1) within a line running from Flea Point
14 to the Hammock, east to a line running from Bell Point to Darby Point, including Harper Creek, Tempe Gut, Moore
15 Creek and Newton Creek, and excluding that portion of the Bay River landward of a line running from Poorhouse
16 Point to Darby Point from Classes SC Sw NSW and SC Sw NSW HQW to Class SA NSW.

17 (s) The Neuse River Basin Classification Schedule was amended effective August 3, 1992~~1992~~, with the
18 reclassification of all water supply waters (waters with a primary classification of as follows:

19 (1) Class WS-I, WS-II or ~~WS-III~~.WS-III These waters were reclassified to WS-I, WS-II, WS-III, WS-
20 IV or WS-V as defined in the revised water supply protection rules ~~(15A NCAC 02B .0100, .0200 and .0300)~~,15A
21 NCAC 02B .0100 - .0300, which became effective on August 3, 1992.

22 (2) In some cases, streams with primary classifications other than WS Additional waters classified as
23 Class C were reclassified to a WS classification and additional waters classified as Class B were reclassified to a
24 Class WS & B classification due to ~~their~~ proximity and linkage to water supply waters.

25 (3) In other cases, Additional Class WS-I, WS-II, or WS-III waters were reclassified from a WS
26 classification to an alternate appropriate primary ~~remove the WS~~ classification after being identified as downstream
27 of a water supply intake or identified as not being used for water supply purposes.

28 (t) The Neuse River Basin Classification Schedule was amended effective April 1, 1994~~1994~~, as follows:

29 (1) Lake Crabtree ~~Index No. 27-33 (1)~~Index No. 27-33-(1) was reclassified from Class C NSW to
30 Class B ~~NSW~~NSW;

31 (2) ~~The~~ Eno River from Orange County State Road 1561 to Durham County State Road 1003 Index
32 No. 27-10-(16)]Index No. 27-10-(16) was reclassified from Class WS-IV NSW to Class WS-IV B
33 ~~NSW~~NSW; and

34 (3) Silver Lake ~~(Index No. 27-43-5)~~Index No. 27-43-5 was reclassified from Class WS-III NSW to
35 Class WS-III B NSW.

1 (u) The Neuse River Basin Classification Schedule was amended effective July 1, ~~1996~~1996, with the
2 reclassification of Austin Creek ~~[Index Nos. 27-23-3-(1) and 27-23-3-(2)]~~Index Nos. 27-23-3-(1) and 27-23-3-(2)
3 from its source to Smith Creek from ~~classes~~Classes WS-III NSW and WS-III NSW CA to ~~class~~Class C NSW.

4 (v) The Neuse River Basin Classification Schedule was amended effective September 1, ~~1996~~1996, with the
5 reclassification of an unnamed tributary to Hannah Creek (Tuckers Lake) ~~[Index No. 27-52-6-0.5]~~Index No. 27-52-
6 ~~6-0.5~~ from Class C NSW to Class B NSW.

7 (w) The Neuse River Basin Classification Schedule was amended effective April 1, ~~1997~~1997, with the
8 reclassification of the Neuse River ~~Index No. 27-(36) (including tributaries)~~ from ~~the~~ mouth of Marks Creek to a
9 point 1.3 miles downstream of Johnston County State Road 1908 ~~and tributaries to this portion of the Neuse River~~ to
10 ~~class~~Class WS-IV NSW and ~~the Neuse River Index No. 27-(38.5)~~ from a point 1.3 miles downstream of Johnston
11 County State Road 1908 to the Johnston County Water Supply ~~intake~~intake, which is ~~(located)~~located 1.8 miles
12 downstream of Johnston County State Road ~~1908~~1908, ~~and tributaries to this portion of the Neuse River~~ to
13 ~~class~~Class WS-IV CA ~~NSW [Index Nos. 27 (36) and 27 (38.5)]~~.NSW.

14 (x) The Neuse River Basin Classification Schedule was amended effective August 1, ~~1998~~1998, with the revision of
15 the Critical Area and Protected Area boundaries surrounding the Falls Lake water supply reservoir. The revisions to
16 these boundaries are the result of the US Army Corps of Engineers raising the lake's normal pool elevation. The
17 ~~result~~results of these revisions ~~is~~are the Critical and Protected Area boundaries (classifications) may extend further
18 upstream than the current designations. The Critical Area for a WS-IV reservoir is defined as 0.5 miles and draining
19 to the normal pool elevation. The Protected Area for a WS-IV reservoir is defined as 5 miles and draining to the
20 normal pool elevation. The normal pool elevation of the Falls Lake reservoir ~~has~~ changed from 250.1 feet mean sea
21 level (msl) to 251.5 feet msl.

22 (y) The Neuse River Basin Classification Schedule was amended effective August 1, ~~2002~~2002, with the
23 reclassification of ~~the portions of~~ Neuse River ~~[portions of Index No. 27 (56)]~~Index No. 27-(56), including
24 ~~tributaries to those portions of the Neuse River~~portions of its tributaries, from a point 0.7 mile downstream of the
25 mouth of Coxes Creek to a point 0.6 mile upstream of Lenoir County proposed water supply intake from Class C
26 NSW to Class WS-IV NSW and from a point 0.6 mile upstream of Lenoir County proposed water supply intake to
27 Lenoir proposed water supply intake from Class C NSW to Class WS-IV CA NSW.

28 (z) The Neuse River Basin Classification Schedule was amended effective July 1, ~~2004~~2004, with the
29 reclassification of the Neuse ~~River (including tributaries in Wake County)~~ [Index Nos. 27 (20.7), 27-21, 27-21-1]
30 ~~River~~ Index Nos. 27-(20.7), 27-21, and 27-21-1 from the dam at Falls Lake to a point 0.5 mile upstream of the Town
31 of Wake Forest Water Supply ~~Intake~~Intake, which is the ~~(former)~~former water supply intake for Burlington Mills
32 Wake Finishing ~~Plant~~Plant, and tributaries to this portion of the Neuse River in Wake County from Class C NSW to
33 Class WS-IV NSW and the Neuse River ~~Index No. 27-(20.1)~~ from a point 0.5 mile upstream of the Town of Wake
34 Forest proposed water supply intake to Town of Wake Forest proposed water supply intake ~~[Index No. 27 (20.1)]~~
35 from Class C NSW to Class WS-IV NSW CA. Fantasy Lake ~~[Index No. 27-57-3-1-1]~~Index No. 27-57-3-1-1, a
36 former rock quarry within a WS-II NSW water supply watershed, was reclassified from Class WS-II NSW to Class
37 WS-II NSW CA.

1 (aa) The Neuse River Basin Classification Schedule was amended effective November 1, ~~2007~~2007, with the
2 reclassification of the entire watershed of Deep Creek (Index No. 27-3-4) from source to Flat River from Class WS-
3 III NSW to Class WS-III ORW NSW.

4 (bb) The Neuse River Basin Classification Schedule was amended effective January 15, ~~2011~~2011, with the
5 reclassification of ~~all~~ Class C NSW waters upstream of the dam at Falls Reservoir to Class WS-V NSW and ~~all~~
6 Class B NSW waters upstream of the dam at Falls Reservoir from Class C NSW and Class B NSW to Class WS-V
7 NSW and Class WS-V & B NSW, respectively, NSW. ~~All waters~~Waters within the Falls Watershed are within a
8 designated Critical Water Supply Watershed and are subject to a special management strategy specified in Rules
9 .0275 through .0283 of this Subchapter.

10 (cc) The Neuse River Basin Classification Schedule was amended effective July 1, ~~2012~~2012, as follows:

- 11 (1) Johnston County owned quarry near Little River ~~[Index No. 27-57-(20.2)]~~Index No. 27-57-(20.2)
12 was reclassified from Class C NSW to Class WS-IV NSW CA. The Division of Water Resources
13 maintains a Geographic Information Systems data layer of this quarry;
- 14 (2) a portion of the Neuse River ~~[Index Number 27-(41.7)]~~Index Number 27-(41.7) from a point
15 approximately close to 1.4 miles downstream of Gar Gut to a point approximately close to 1.7 miles
16 upstream of Bawdy Creek was reclassified from Class WS-V NSW to Class WS-IV NSW; and
- 17 (3) a portion of the Neuse River ~~[Index No. 27-(49.5)]~~Index No. 27-(49.5) from a point
18 approximately close to 0.5 mile upstream of S.R. 1201 ~~(Johnston County intake)~~ to S.R. ~~1201~~
19 ~~(Johnston County intake)~~1201, which is the location of a Johnston County intake, was reclassified
20 from Class WS-IV NSW to Class WS-IV NSW CA.

21 (dd) The Neuse River Basin Classification Schedule was amended effective ~~[May 1, 2023]~~July 1, 2023, as follows:

- 22 (1) City of Durham owned Nello Teer ~~[quarry]~~Quarry near Eno River ~~[Index No. 27-2-(19)]~~Index
23 No. 27-2-(19) was reclassified from Class WS-IV NSW to Class WS-IV NSW CA. The Division
24 of Water Resources maintains a Geographic Information Systems data layer of this quarry; and
- 25 (2) a portion of the Eno River ~~[Index No. 27-2-(19)]~~Index No. 27-2-(19) from a point
26 [approximately]close to 0.7 miles downstream of U.S. Highway 501 to a City of Durham raw
27 intake located about 1.1 miles downstream of U.S. Highway 501 was reclassified from Class
28 WS-IV NSW to Class WS-IV NSW CA.

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. November 1, 2007; July 1, 2004 (see SL 2001-361); August 1, 2002; August 1,*
34 *1998; April 1, 1997; September 1, 1996; July 1, 1996; April 1, 1994; August 3, 1992; July 1,*
35 *1991;*

36 *Amended Eff. January 15, 2011 (this permanent rule replaces the temporary rule approved by the*
37 *RRC on December 16, 2010);*

1 *Amended Eff. July 1, 2012;*
2 *Readopted Eff. November 1, ~~2019~~2019;*
3 *Amended Eff. July 1, 2023.*
4