

1 15A NCAC 02B .0227 has been amended with changes as published in 30:12 NCR 1277-1278 as follows:

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3 15A NCAC 02B .0227 WATER QUALITY MANAGEMENT PLANS

4 (a) In implementing the water quality standards to protect the existing uses "existing uses" [as defined by Rule .0202 of this  
5 Section] of the waters of the state or the water quality which that supports those uses, the Commission shall develop water  
6 quality management plans on a priority basis to attain, maintain or enhance water quality throughout the state. Additional  
7 specific actions deemed necessary by the Commission to protect the water quality or the existing uses of the waters of the  
8 state shall be specified in Paragraph (b) of this Rule. These actions may include anything within the powers of the  
9 Commission. The Commission may also consider local actions which that have been taken to protect a waterbody in  
10 determining the appropriate protection options to be incorporated into the water quality management plan.

11 (b) All waters determined by the Commission to be protected by a water quality management plan are listed with specific  
12 actions either in Rules .0601- .0608 of this Subchapter that address the Goose Creek watershed (Yadkin Pee-Dee River Basin)  
13 or as follows:

14 (1) The Lockwoods Folly River Area (Lumber River Basin), which includes all waters of the lower  
15 Lockwoods Folly River in an area extending north from the Intracoastal Waterway to a line extending from  
16 Genoes Point to Mullet Creek, shall be protected by the specific actions described in Parts (A) through ~~(E)~~  
17 (D) of this Subparagraph.

18 (A) New development activities within 575' of the mean high water line which that require a  
19 Sedimentation Erosion Control Plan or a CAMA major development permit must shall comply  
20 with the low density option of the coastal Stormwater stormwater Runoff Disposal Rules  
21 requirements [as specified in 15A NCAC 2H .1005(2)(a)]. as specified in 15A NCAC 2H  
22 .1005(2)(a). .1005(3)(a).

23 (B) New or expanded NPDES permits shall be issued only for non-domestic, non-industrial process  
24 type discharges (such as non-industrial process cooling or seafood processing discharges). such as  
25 non-industrial process cooling or seafood processing discharges. A public hearing is shall be  
26 mandatory for any proposed (new or expanded) NPDES permit to this protected area.

27 ~~(C)~~ New non-discharge permits shall be required to meet reduced loading rates and increased buffer  
28 zones, to be determined on a case by case basis.

29 ~~(D)~~(C) New or expanded marinas must shall be located in upland basin areas.

30 ~~(E)~~(D) No dredge or fill activities shall be allowed where significant shellfish or submerged aquatic  
31 vegetation bed resources occur, if those activities would result in a reduction of the beds of  
32 submerged "submerged aquatic vegetation [habitat] habitat" or [a reduction of shellfish  
33 "shellfish producing habitat" [habitat as which] that are defined in [15A NCAC 03I  
34 .0101(b)(20)(A) and (B)]. 15A NCAC 03I .0101, except for maintenance dredging, such as that  
35 required to maintain access to existing channels and facilities located within the protected area or  
36 maintenance dredging for activities such as agriculture.

1           (2)     A part of the Cape Fear River (Cape Fear River Basin) comprised of a section of Index No. 18-(71) from  
2           upstream mouth of Toomers Creek to a line across the river between Lilliput Creek and Snows Cut shall be  
3           protected by the Class SC Sw standards as well as the following site-specific action: All new individual  
4           NPDES wastewater discharges and expansions of existing individual NPDES wastewater discharges shall  
5           be required to provide treatment for oxygen consuming wastes as described in Parts (A) through (C) of this  
6           Subparagraph.

7           (A)     Effluent limitations shall be as follows: BOD<sub>5</sub> = 5 mg/l, NH<sub>3</sub>-N = 1 mg/l and DO = 6 mg/l, or  
8           utilize site-specific best available technology on a case-by-case basis for industrial  
9           discharges, discharges in accordance with Rule .0406 (e) of this Subchapter.

10          (B)     Seasonal effluent limits for oxygen consuming wastes ~~will~~ shall be considered on a case-by-case  
11          basis in accordance with Rule .0404 of this Subchapter.

12          (C)     Any new or expanded permitted pollutant discharge of oxygen consuming waste shall not cause  
13          the dissolved oxygen of the receiving water to drop more than 0.1 mg/l below the modeled in-  
14          stream dissolved oxygen at total permitted capacity for all discharges.

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16     *History Note: Authority G.S. 143-214.1; 143-215.8A;*  
17     *Eff. October 1, 1995;*  
18     *Amended Eff. ~~November 1, 2015;~~ July 1, 2016; January 1, 1996.*