

15A NCAC 05H .1902 SURFACE WATER SOURCE DOCUMENTATION

(a) For surface water sources, the applicant or permittee shall consult with the Department to determine and evaluate the limits of the affected reach. The exact delineation of the affected reach shall be determined in consultation with and the approval of the Department and shall depend on factors including:

- (1) the cumulative amount of water to be withdrawn when the proposed withdrawal is combined with existing withdrawals;
- (2) the hydrologic characteristics of the stream;
- (3) the presence or absence of downstream point source discharges; and
- (4) the potential effects on other users and instream flow.

(b) Following a determination of the limits of the affected reach, the following information shall be provided by the permittee to the Department:

- (1) the river basin designation, as defined by G.S. 143-215.22G, at the point of withdrawal and the river basin designation where the water will be used;
- (2) the classification of the water source at the withdrawal point in accordance with 15A NCAC 02B .0301, which is incorporated by reference including subsequent amendments;
- (3) for free-flowing water sources:
 - (A) a list of other existing and proposed withdrawals within the affected reach, including the maximum withdrawal capacity of each; and
 - (B) an estimate of the 7Q10 flow at the proposed intake location and explain the methodology used to derive the estimate. The cumulative maximum instantaneous withdrawal from the affected reach shall be limited to 20 percent of the 7Q10 flow;
- (4) the owner, facility name, National Pollution Discharge Elimination System (NPDES) permit number, and permitted volume of any point source discharges within the affected reach or discharge to a water impoundment that is listed as a water source.

(c) When flows in the affected reach are at 7Q10 levels, withdrawals conducted under the permit shall cease until flows reach 120 percent of the 7Q10 flow level.

(d) The results of a survey to determine the presence of any state or federally threatened or endangered species or any invasive species that may be affected by the proposed withdrawal shall include:

- (1) the identification of any state or federally threatened or endangered species present;
- (2) a description of how any detrimental impacts to those species and their critical habitats will be avoided;
- (3) a description of how the spread of any identified invasive species will be prevented; and
- (4) the identification of the sources of information used for the determination and contact information for the federal and state agencies consulted.

(e) The permittee shall indicate the presence of any known noxious aquatic weeds listed in 15A NCAC 02G .0602, which is incorporated by reference including any subsequent amendments, or other exotic or invasive species in the source water(s).

(f) If the surface water source is classified as an Outstanding Resource Water under 15A NCAC 02B .0225, the permittee shall document how the outstanding resource value will not be adversely affected, taking into account the value assigned to it, the site-specific location, and the proposed quantity of water to withdrawn under this plan.

*History Note: Authority G.S. 113-391(a)(4); 113-391(a)(5)e; 113-391(a)(5)k;
Eff. March 17, 2015;
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