

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 155

Short Title: EMC to Reclassify Certain Waters.

(Public)

Sponsors: Senators Taft; and Tally.

Referred to: Marine Resources and Wildlife.

February 14, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO RECLASSIFY CERTAIN COASTAL SURFACE WATERS OF THE STATE AS OUTSTANDING RESOURCE WATERS.

The General Assembly of North Carolina enacts:

Section 1. The Environmental Management Commission shall reclassify each of the coastal surface waters of the State listed in Section 2 of this act as outstanding resource waters (ORW) pursuant to 15 N.C. Admin. Code 2B.0216. Each of the coastal surface waters of the State listed in Section 2 of this act is hereby reclassified ORW and the North Carolina Administrative Code is amended accordingly effective 1 October 1989, unless, for any particular body of water the Environmental Management Commission, prior to 1 October 1989, either fixes an earlier effective date for the reclassification of that body of water or determines that such particular body of water does not meet the minimum conditions and standards for reclassification as ORW which were in effect on 1 January 1989. A determination that any particular body of water does not meet the minimum conditions or standards for reclassification as ORW shall be accompanied by written findings which specify those conditions or standards not met by that particular body of water and the evidence on which the Commission relied in making its determination.

Sec. 2. The coastal waters of the State to be reclassified are as follows:

- (a) Lumber River Basin as referenced in 15 N.C. Admin. Code 2B.0310.

Name of Stream

Description

1 Lockwoods Folly River From a line across Lockwoods Folly  
2 River from Genoes Point to Mullet Creek  
3 to the Intracoastal Waterway.  
4

5 (b) Cape Fear River Basin as referenced in 15 N.C. Admin. Code 2B.0311.  
6

7 Name of Stream

Description

8  
9 Intracoastal Waterway From the southern edge of White Oak  
10 River Basin to the western end of  
11 Permuda Island (a line from Morris  
12 Landing to the Atlantic Ocean).  
13

14 Turkey Creek From its source to the Intracoastal  
15 Waterway.  
16

17 Everett Bay The entire Bay excluding that portion in  
18 King Creek Restricted Area.  
19

20 Stump Sound The entire Sound excluding that portion  
21 in King Creek Restricted Area.  
22

23 Topsail Sound and Middle Sound All waters between the Barrier Islands  
24 and the Intracoastal Waterway located  
25 between a line running from the  
26 westernmost shore of Mason Inlet to the  
27 southwestern shore of Howe Creek and a  
28 line running from the western shore of  
29 New Topsail Inlet to the eastern mouth  
30 of Old Topsail Creek.  
31

32 Intracoastal Waterway From the eastern mouth of Old Topsail  
33 Creek to the southwestern shore of Howe  
34 Creek.  
35

36 Howard Channel From Old Topsail Inlet to the  
37 Intracoastal Waterway.  
38

39 Long Point Channel From Old Topsail Inlet to the  
40 Intracoastal Waterway.  
41

42 Green Channel From Rich Inlet to the Intracoastal  
43 Waterway.  
44

1	Cedar Snag Creek	From Green Channel to the Intracoastal Waterway.
2		
3		
4	Butler Creek	From Nixon Channel to the Intracoastal Waterway.
5		
6		
7	Nixon Channel	From Rich Inlet to the Intracoastal Waterway.
8		
9		
10	Middle Sound	The entire Sound excluding that portion in Wrightsville Restricted Area.
11		
12		
13	Howe Creek	From its source to the Intracoastal Waterway.
14		
15		
16	Masonboro Sound	All the waters between the Barrier Islands and the Intracoastal Waterway from a line running from the southwest mouth of Shinn Creek at the Intracoastal Waterway to the southern shore of Masonboro Inlet and a line running from the Intracoastal Waterway channel marker #153 to the southside of the Carolina Beach Inlet.
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25		
26	(c) White Oak River Basin as referenced in 15 N.C. Admin. Code 2B.0312.	
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28	<u>Name of Stream</u>	<u>Description</u>
29		
30	Intracoastal Waterway	From the northeastern boundary of the Cape Fear River Basin to Daybeacon #17 including all unnamed bays, guts, and channels.
31		
32		
33		
34		
35	Goose Bay	The entire Bay.
36		
37	Alligator Bay	The entire Bay.
38		
39	Bear Island	All the waters within an area north of Bear Island and south of the Intracoastal Waterway, between a line running from the westernmost point on Bear Island to the northeast mouth of Sanders Creek at the Intracoastal Waterway and a line
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41		
42		
43		
44		

1		running from the eastern tip of Bear
2		Island to the western mouth of Foster
3		Creek, including Cow Channel.
4		
5	Cow Channel	From Bogue Inlet to the Intracoastal
6		Waterway.
7		
8	Bogue Sound	From Bogue Inlet to a line across Bogue
9		Sound from the southwest side of mouth
10		of Gales Creek to Rock Point.
11		
12	Deer Creek	From its source to Bogue Sound.
13		
14	Taylor Bay	The entire Bay.
15		
16	Archer Creek (Piney Cr.)	From its source to Bogue Sound.
17		
18	Sanders Creek	From its source to Bogue Sound.
19		
20	East Prong Sanders Cr.	From its source to Sanders Creek.
21		
22	Sikes Branch	From its source to East Prong Sanders
23		Creek.
24		
25	Core Sound	From the northern boundary of White
26		Oak River Basin (a line from Hall Point
27		to Drum Inlet) to Back Sound.
28		
29	Point of Grass Creek	From its source to Core Sound.
30		
31	Styron Bay	The entire Bay.
32		
33	Glover Creek	From its source to Styron Bay.
34		
35	Annis Run	From its source to Styron Bay.
36		
37	Styron Creek	From its source to Styron Bay.
38		
39	Cedar Creek	From its source to Styron Bay.
40		
41	Nigger Creek	From its source to Core Sound.
42		
43	Horsepen Creek	From its source to Core Sound.
44		

1	Sheep Pen Creek	From its source to Core Sound.
2		
3	Gutter Creek	From its source to Core Sound.
4		
5	Cedar Inlet	From Old Channel to Core Sound.
6		
7	Old Channel	From Core Sound to Cedar Inlet.
8		
9	Yaupon Hammock Gut	The entire Gut.
10		
11	Willis Creek	From its source to Core Sound.
12		
13	Fulchers Creek	From its source to Core Sound.
14		
15	Brett Bay	The entire Bay.
16		
17	Maria Creek	From its source to Brett Bay.
18		
19	Fork Creek	From its source to Brett Bay.
20		
21	Head of the Hold	The entire Bay.
22		
23	The Swash	The entire Bay.
24		
25	Great Island Creek	From its source to Core Sound.
26		
27	Horse Island Creek	From its source to Great Island Creek.
28		
29	Fortin Bay	The entire Bay.
30		
31	Oyster Creek	From its source to Core Sound.
32		
33	Great Island Bay	The entire Bay.
34		
35	Johnson Creek	From its source to Core Sound.
36		
37	Spit Bay	The entire Bay.
38		
39	Jarrett Bay	The entire Bay.
40		
41	Ditch Cove	From its source to Jarrett Bay.
42		
43	Broad Creek	From its source to Jarrett Bay.
44		

1	Great Creek	From its source to Jarrett Bay.
2		
3	Howland Creek	From its source to Jarrett Bay.
4		
5	Jump Run	From its source to Core Sound.
6		
7	Tush Creek	From its source to Core Sound.
8		
9	Great Marsh Creek	From its source to Core Sound.
10		
11	Deer Pond	The entire Pond.
12		
13	Horsepen Creek	From its source to Core Sound.
14		
15	Lewis Creek	From its source to Core Sound.
16		
17	Zack Creek	From its source to Core Sound.
18		
19	Mullet Cove	The entire Cove.
20		
21	Sheep Pen Creek	From its source to Core Sound.
22		
23	Codds Creek	From its source to Core Sound.
24		
25	Try Yard Creek	From its source to Codds Creek.
26		
27	Hogpen Bay	The entire Bay.
28		
29	Caggs Creek	From its source to Hogpen Bay.
30		
31	Rawson Creek	From its source to Core Sound.
32		
33	Iron Creek	From its source to Core Sound.
34		
35	Lighthouse Bay	The entire Bay.
36		
37	Barden Inlet	From the Atlantic Ocean to Core Sound.
38		
39	(d) Neuse River Basin as referenced in 15 N.C. Admin. Code 2B .0315.	
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41	<u>Name of Stream</u>	<u>Description</u>
42		
43	Neuse-Southeast Pamlico Sound	All waters within a line beginning at the southwest tip of Ocracoke Island, and
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1		extending northwest along the Tar-
2		Pamlico River Basin and Neuse River
3		Basin boundary line to Lat. 35 06'50",
4		Long 76 06'30", thence in a southwest
5		direction to Ship Point.
6		
7	Core Sound	From the northeastern limit of White
8		Oak River Basin (a line from Hall Point
9		to Drum Inlet) to Pamlico Sound.
10		
11	Thorofare Bay	From its source to Core Sound.
12		
13	Merkle Hammock Creek	From its source to Thorofare Bay.
14		
15	Barry Bay	From its source to Thorofare Bay.
16		
17	Rumley Bay	From its source to Core Sound.
18		
19	Lewis Creek	From its source to Core Sound.
20		
21	Southwest Prong Lewis Creek	From its source to Lewis Creek.
22		
23	Big Gut	From its source to Lewis Creek.
24		
25	Cedar Island Bay	The entire Bay, including all inlets,
26		coves, and bays, not otherwise named in
27		the schedule of classifications.
28		
29	Great Pond	From its source to Cedar Island Bay.
30		
31	Back Bay	The entire Bay, including all inlets,
32		coves, and bays, not otherwise named in
33		the schedule of classifications.
34		
35	Great Pond	From Pamlico Sound to Back Bay.
36		
37	Noras Cove	The entire Cove.
38		
39	End of Island Slough	From Pamlico Sound to Back Bay.
40		
41	Snake Gut	From Pamlico Sound to Back Bay.
42		
43	Fullers Ditch	From Pamlico Sound to Back Bay.
44		

1	The Passage	From Pamlico Sound to Back Bay.
2		
3	Deep Slough	From Pamlico Sound to The Passage.
4		
5	Drum Pond	From its source to Back Bay.
6		
7	Goose Bay	The entire Bay.
8		
9	Oyster Creek	From Core Sound to Goose Bay.
10		
11	Great Ditch	From Core Sound to Goose Bay.
12		
13	Hog Island Narrows	From Cedar Island Bay to Back Bay.
14		
15	(e) Tar-Pamlico River Basin as referenced in 15 N.C. Admin. Code 2B .0316.	
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17	<u>Name of Stream</u>	<u>Description</u>
18		
19	Pamlico Sound - Swanquarter	All waters within a line beginning at
20		Juniper Bay Point and running due South
21		to Lat. 35 18'00", Long 76 13'20", thence
22		due west to Lat. 35 18'00", Long 76
23		20'00", thence northwest to Shell Point.
24		
25	Shell Bay	The entire Bay.
26		
27	Judith Narrows	From White Perch Bay to Shell Bay.
28		
29	Shell Narrows	From Swanquarter Bay to Shell Bay.
30		
31	Smokehouse Cove	The entire Cove.
32		
33	Swanquarter Bay	The entire Bay.
34		
35	Shingle Creek	From its source to Swanquarter Bay.
36		
37	Cowpen Creek	From its source to Swanquarter Bay.
38		
39	Oyster Creek	From its source to Swanquarter Bay.
40		
41	Eastard Bay	The entire Bay.
42		
43	Caffee Bay	The entire Bay.
44		



1	Island Creek	From its source to Caffee Bay.
2		
3	Crab Cove (Crabb Cove)	The entire Cove.
4		
5	Great Island Narrows	From Juniper Bay to Swanquarter Bay.
6		
7	Raccoon Creek	From its source to Great Island Narrows.
8		
9	Juniper Bay	The entire Bay.
10		
11	Juniper Bay Creek	From its source to Juniper Bay.
12		
13	Northwest Creek	From its source to Juniper Bay.
14		
15	Rattlesnake Creek	From its source to Juniper Bay.
16		
17	Old Haulover	From its source to Juniper Bay.
18		
19	Doe Creek	From its source to Juniper Bay.
20		
21	Buck Creek	From its source to Juniper Bay.
22		
23	Laurel Creek	From its source to Juniper Bay.
24		
25	(f) Pasquotank River Basin as referenced in 15 N.C. Admin. Code 2B .0317.	
26		
27	<u>Name of Stream</u>	<u>Description</u>
28		
29	Alligator River	From its source to the mouth of Northwest Fork.
30		
31		
32	New Lake Fork	From New Lake to the Alligator River.
33		
34	Alligator River	From mouth of Northwest Fork to U.S. Hwy. 64.
35		
36		
37	Northwest Fork Alligator River	From its source to Alligator River.
38		
39	Juniper Creek	From its source to Northwest Fork Alligator River.
40		
41		
42	Southwest Fork Alligator River	From its source to Northwest Fork Alligator River.
43		
44		

1	Scouts Bay	The entire Bay.
2		
3	Gum Neck Creek	From its source to the Alligator River.
4		
5	Georgia Bay	The entire Bay.
6		
7	Winn Bay	The entire Bay.
8		
9	Stumpy Creek Bay	The entire Bay.
10		
11	Stumpy Creek	From its source to Stumpy Creek Bay.
12		
13	Swan Creek (Swan Creek Lake)	From its source to the Alligator River.
14		
15	Whipping Creek (Whipping	From its source to the
16	Creek Lake)	Alligator River.
17		
18	Grapevine Bay	The entire Bay.
19		
20	Rattlesnake Bay	The entire Bay.
21		
22	The Straits	From its source to the Alligator River.
23		
24	The Frying Pan	From its source to The Straits.
25		
26	Coopers Creek	From its source to The Frying Pan.
27		
28	Basnight Canal	From its source to The Frying Pan.
29		
30	Babbitt Bay	The entire Bay.
31		
32	Goose Creek	From its source to the Alligator River.
33		
34	Milltail Creek	From its source to the Alligator River.
35		
36	Boat Bay	The entire Bay.
37		
38	Sandy Ridge Gut (Sawyer Lake)	From its source to Milltail Creek.
39		
40	Second Creek	From its source to the Alligator River.
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42	Sec. 3. This act is effective upon ratification.	