



N.C. Department of Environment and Natural Resources

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Public hearing scheduled on proposed Cape Fear River swamp classification and management plan

RALEIGH – The Division of Water Resources, on behalf of the N.C. Environmental Management Commission, will hold a public hearing to gather comments on a proposed supplemental classification of Swamp (Sw) and the associated management plan for a portion of the Cape Fear River in Brunswick and New Hanover counties.

The hearing will be held at 6:30 p.m. Feb. 5 at the USS North Carolina Battleship, 1 Battleship Road Northeast in Wilmington. Registration for attendees will begin at 6 p.m. Written comments will be accepted until March 3 and can be sent to: Elizabeth Kountis, DENR-DWR Planning Section; 1611 Mail Service Center, Raleigh, NC 27699-1611 or by email to elizabeth.kountis@ncdenr.gov.

The proposed reclassification would affect the portion of the Cape Fear River from the upstream mouth of Toomers Creek to a line across the river between Lilliput Creek and Snows Cut where the Intercoastal Waterway meets the river. No tributaries to this section will be affected by the proposed actions.

The proposal was initiated by a request from the Lower Cape Fear River Program, a coalition of regional wastewater dischargers, municipalities and academia. The coalition requests that the portion of the river be reclassified from Class SC, which affords a basic level of protection for all of the state's tidal saltwaters, to Class SC Sw. The request stated that the state's Class SC standards of 5 milligrams per liter (mg/l) for dissolved oxygen is inappropriate for this segment of the river, as the standard is not achieved during much of the year due to natural drainage from riverine wetlands and salt marshes. The proposed reclassification would allow, if caused by natural conditions, the natural dissolved oxygen to be less than 5 mg/l and the pH in the river segment to reach as low as 4.3. The state saltwater Class C aquatic life standard for pH is within 6.8-8.5.

The proposed water management plan associated with the Sw reclassification codifies requirements for permitting existing, new or expanding wastewater discharges that contain oxygen consuming wastes to the subject waters. For non-industrial facilities, effluent limits of 5 mg/l for biological oxygen demand, 1 mg/l for ammonia, and 6 mg/l for dissolved oxygen would apply. For industrial discharges, site-specific, best available technology would be used on a case-by-case basis to determine appropriate limits. For new or expanding individual wastewater discharge facilities, the management plan would include consideration of seasonal effluent limits. Lastly, any new or expanded individual wastewater discharge facilities could not cause the dissolved oxygen of the receiving water to drop more than 0.1 mg/L below the in-stream level modeled for the facility's total permitted capacity. Thus this plan would only allow a new or expanded individually permitted wastewater discharge with a minor change in the dissolved oxygen from the modeled in-stream level.

A fiscal analysis for this proposal has been completed, and revealed no quantifiable cost or benefit to the ecosystem, humans, implementing agencies, new permitted individual wastewater discharges, and expansions of existing individual permitted wastewater discharges.

If approved, the proposed effective date for this reclassification is Nov. 1, 2015.

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