

SECTION .1200 - PROTECTION OF FILTERED WATER SUPPLIES**15A NCAC 18C .1201 RECREATIONAL ACTIVITIES**

(a) No recreational activities shall be permitted on a class I or class II reservoir without a resolution by the commission or without approval by the Department. The Department may approve recreational events on a class I or class II reservoir which last one day or less upon a showing that the recreational event will not adversely affect the quality of the water to the point of rendering it unsuitable as a source for a public water system. All other recreational activities on a class I or class II reservoir shall be permitted only upon a resolution by the commission authorizing the activity.

(b) Upon request for such a resolution, the Division shall make or cause to be made a thorough investigation of the quality of the water to determine the extent to which the proposed recreational activities would adversely affect the quality of the water. If, after such investigation, the Commission for Public Health is of the opinion that the proposed recreational activities will not adversely affect the quality of the water to the point of rendering it unsuitable as a source of public water system, the Commission for Public Health may adopt a resolution authorizing the proposed recreational activities.

(c) Only those recreational activities specifically authorized in the resolution will be allowed. No recreational activities shall be permitted within 50 yards of any public water system intake.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Amended Eff. October 1, 1985; September 1, 1979;
Transferred and Recodified from 10 NCAC 10D .1301 Eff. April 4, 1990;
Amended Eff. July 1, 1994; September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1202 PROTECTION OF WATER QUALITY

The issuance of a resolution by the Commission for Public Health for recreational activities on public water supply reservoirs shall be contingent upon the governing authority establishing provisions for adequate sanitation facilities, supervision and police control to insure the protection of the water quality.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Transferred and Recodified from 10 NCAC 10D .1311 Eff. April 4, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1203 MAINTENANCE OF PARKS

Parks or other places of resort for the use and entertainment of the public which may be established and maintained on a watershed shall be provided with sanitary facilities for the collection of garbage and disposal of sewage. Such facilities must not cause deterioration of water quality. Persons in charge of such facilities must maintain these facilities at all times in order to prevent the pollution of the public water system.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1979;
Transferred and Recodified from 10 NCAC 10D .1302 Eff. April 4, 1990;
Amended Eff. July 1, 1994; September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1204 FISHING

(a) Fishing shall not be permitted on any Class I or Class II public water supply reservoir without a resolution granting permission by the Commission for Public Health. In order to obtain permission, a written application shall be submitted

by the owner of the water supply to the Commission for Public Health. Permission shall not be issued until an investigation has been made by an authorized representative of the Division of Water Resources and a determination made that fishing in the reservoir shall not adversely affect the water quality.

(b) The application requesting permission to fish in any reservoir shall be accompanied by sufficient evidence (such as ordinances adopted by the applicant) to insure that the following requirements shall be enforced by the applicant:

- (1) Fishing shall be permitted only from boats owned or controlled by the applicant. Boats will at all times be under the supervision and jurisdiction of a responsible representative of the applicant. Bank fishing may be permitted in restricted supervised areas with proper sanitation facilities when included as a specific, listed activity and approved by the Commission for Public Health.
- (2) A sufficient number of wardens and watershed inspectors shall be employed at all times to insure that no acts of urination, defecation, or other acts which would defile the water supply are committed by any person while fishing in the public water supply reservoir.
- (3) A dock shall be provided or controlled by the applicant for the purpose of docking fishing boats. No boat shall enter or leave the reservoir except from a ramp owned or controlled by the applicant.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1979;
Transferred and Recodified from 10 NCAC 10D .1303 Eff. April 4, 1990;
Amended Eff. April 1, 2014; September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1207 ANIMALS IN RESERVOIR

The watering, washing or wallowing of any horses, mules, cattle, or domestic animals shall not be permitted in any class I or class II reservoir. The supplier of water may permit domestic animals within 50 feet of normal pool elevation if the animal is under direct supervision by a person and the activity is regulated by the supplier of water to ensure that water quality is not adversely affected.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Transferred and Recodified from 10 NCAC 10D .1304 Eff. April 4, 1990;
Amended Eff. July 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1208 CONTROLLING THE DRAINAGE OF WASTES

Precautions shall be taken on the watershed of class I and class II reservoirs and water intakes located on unimpounded streams to control the drainage of wastes from animal and poultry pens or lots, into such sources.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Transferred and Recodified from 10 NCAC 10D .1305 Eff. April 4, 1990;
Amended Eff. September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1209 UNTREATED DOMESTIC SEWAGE OR INDUSTRIAL WASTES

No treated or untreated domestic sewage, treated or untreated industrial waste or by-products shall be stored on the watershed of or discharged into any public water supply reservoir or stream tributary to that reservoir whose waters are classified as WS-I. No untreated domestic sewage or industrial waste by-products shall be discharged into any public water supply reservoir or stream classified as WS-II, WS-III, WS-IV, or WS-V. No hazardous waste, industrial by-products, treated or untreated domestic sewage shall be stored in the watershed of a Class I or Class II water supply reservoir. No hazardous waste or industrial by-products shall be stored in the watershed of a WS-II, WS-III, WS-IV, or WS-V stream unless precautions are taken to prevent its being spilled into or otherwise entering the raw water supply.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;

Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Amended Eff. February 1, 1987;
Transferred and Recodified from 10 NCAC 10D .1306 Eff. April 4, 1990;
Amended Eff. July 1, 1994; September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1210 SEWAGE DISPOSAL

Any residence, place of business or public assembly, located on a watershed shall be provided with a sanitary means of sewage disposal.

History Note: Authority G.S. 130A-315; 130A-320;
Eff. January 1, 1977;
Readopted Eff. December 5, 1977;
Transferred and Recodified from 10 NCAC 10D .1309 Eff. April 4, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1212 BURIAL OF CARCASSES

The carcass of any dead animal found within the watershed shall be buried by the owner or person in charge of the animal or the person owning or in charge of the land upon which the animal dies with a covering of at least three feet of earth or the carcass shall be burned or removed from the watershed and buried as required by G.S. 106-403. In no case shall dead animals be placed in the reservoir.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
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Transferred and Recodified 10 NCAC 10D .1307 Eff. April 4, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1213 BURIAL GROUND

No burial ground shall be established on any watershed within 1,500 feet upstream from a public water supply intake on an unimpounded stream or within 300 feet of any class I or class II reservoir.

History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;
Eff. January 1, 1977;
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

15A NCAC 18C .1214 DISPOSAL OF ANY SUBSTANCE

Any person who intends to dispose of or store any substance that may adversely affect the quality of the water, to the point of rendering the water unsuitable as a source for a public water system, shall notify the Division prior to disposal or storage. The notification shall be in writing and shall list any substances that will be disposed of or stored. No substances shall be disposed of or stored without the Division's approval. The owner of the water supply shall be responsible for maintaining surveillance of the reservoirs and watersheds to insure protection of the water quality and shall notify the Department of any activities that may endanger water quality.

Eff. January 1, 1977;
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