

**Agenda Item:** 12-02 **Request Approval of the Proposed Reclassification of the Haw River in Alamance, Caswell, Guilford, and Rockingham Counties (Cape Fear River Basin) to Class WS-IV and WS-IV CA**

**Explanation:**

The City of Greensboro (City) requested that a Haw River segment in Alamance, Caswell, Guilford and Rockingham Counties be reclassified in order to recognize and allow continued use of an existing emergency potable water supply intake on the Haw River. During the drought of 2002, the City received permission from the former Public Water Supply Section of the Division of Environmental Health and funding from the Division of Water Resources to construct and use an emergency intake on the Haw River.

The waters draining to the intake are currently classified as Water Supply-V (WS-V) Nutrient Sensitive Waters (NSW) due to the Jordan Lake rules. Under current regulations, the source must be classified as a WS-I, WS-II, WS-III, or WS-IV to be used as a public water supply. Review of existing state and local government regulations applicable to these waters, including the Jordan Lake rules that apply to the entirety of the proposed watershed and the Phase 2 Stormwater Program that applies to approximately 40% of the proposed watershed, led to the proposed WS-IV designation for these waters. DWQ studies indicate that the subject waters meet WS-IV water supply water standards.

In March 2011 and May 2011, the Water Quality Committee and the Commission, respectively, approved the request to proceed with rule-making for the proposed reclassification. A public hearing was held in September 2011 in Reidsville. The Report of Proceedings sent to the members of the EMC includes all written comments received and further details on this proposed reclassification.

**Recommendation:**

The Hearing Officer recommends that the proposed reclassification be approved by the Commission. If reclassified as proposed, and approved by the Rules Review Commission in February 2012, the effective date for this reclassification will be March 1, 2012.