

Understanding Buffer Rules



What Are Riparian Buffers?

The word riparian refers to the banks of streams, rivers, lakes, estuaries or other waters. A healthy riparian buffer has a combination of woody vegetation, shrubs, herbs, and native grasses growing on it to keep streambanks in place, remove unwanted pollutants, create healthy critter habitat, and reduce flooding.

Riparian buffers are managed as one or more zones. The zone closest to the water protects the streambank and shoreline from erosion. The outer zone slows and spreads out the flow of stormwater, and traps pollutants before they enter the body of water.

Purpose of the Catawba Buffer Rules

To protect existing buffers and maintain their pollutant removal functions.

Learn more about buffer applicability

If you are unsure if the riparian buffer rules apply to your property/project, check the Applicability section of the specific Rule. List of the buffer rules:

deq.nc.gov/ncbufferrules

Use the mapping resources on the DWR main Buffer Rules page to help identify buffered water bodies:

deq.nc.gov/ncbufferrules

Have questions? Contact your Local Government or the NC Division of Water Resources:

deq.nc.gov/ncbufferrulescontacts

To learn more about buffers, and for additional educational and training resources, visit: deq.nc.gov/bufferrules



Benefits of Riparian Buffers



PROVIDE PROTECTION

- Remove nutrients
- Filter sediment
- Trap pollutants
- Reduce erosion
- Slow velocity of runoff, allow infiltration
- Reduce economic loss from floods



PROVIDE HABITAT

- Home to plant & animal species
- Shade- thermal protection of stream
- Provide large woody and leaf debris (instream habitat and food)



PROVIDE AESTHETIC VALUE

- Absorb noise from waterfront activities
- Provide privacy
- Provide recreational value such as fishing and birdwatching



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CATAWBA RIVER

Riparian Buffer Rules



Protecting Buffers along the Catawba River and Lakes

Three lakes – Rhodhiss, Hickory and Wylie – have water quality problems from excess nutrients (nitrogen and phosphorus), and others may follow. The buffer rules are one way to protect these waters.



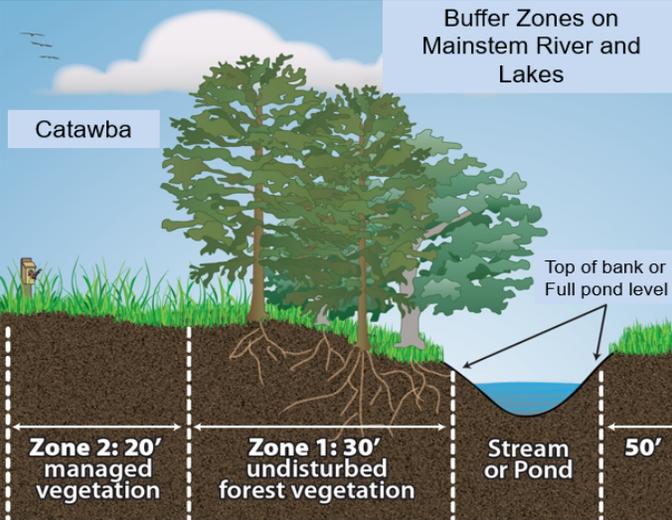
Where do the Catawba Buffer Rules apply?

Within 50 feet of all shorelines along the Catawba River mainstem below Lake James to the NC/SC border and all shorelines of the Catawba mainstem lakes including, Lake James, Rhodhiss, Hickory, Lookout Shoals, Norman, Mountain Island, and the NC portion of Lake Wylie.

How are the riparian buffers measured?

Catawba River- measured from the landward limit of the top of the bank.

Mainstem lakes- measured from the full pond level and extend landward,.

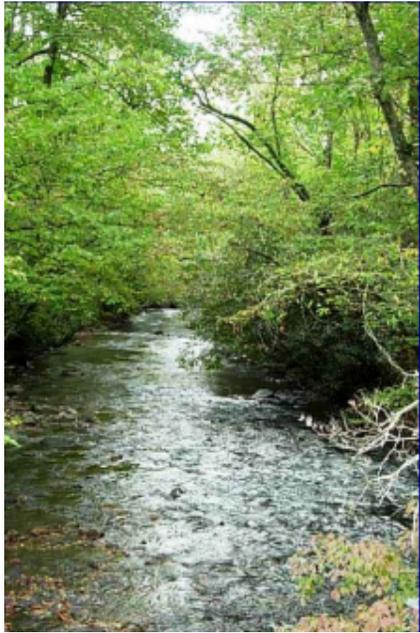


What is allowed in riparian buffers?

The riparian buffer must remain undisturbed, regardless of property size or type of land use, unless the use is listed in the rules as deemed allowable, allowable upon authorization, allowable with mitigation upon authorization, or prohibited.

Under certain conditions, there are Exemptions when existing uses are present and ongoing. This Rule shall not apply to portions of the riparian buffer where a use is existing and ongoing. Refer to the specific rule for details. 15A NCAC 02B .0614 (5)

- **Deemed Allowable:** allowed without approval from NCDWR or delegated local authority
- **Allowable upon Authorization:** may occur only after written authorization from NCDWR or delegated local authority
- **Allowable with Mitigation upon Authorization:** may occur only after written authorization from NCDWR or delegated local authority that includes a mitigation strategy.
- **Prohibited:** not allowable unless a variance is granted from the N.C. Environmental Management Commission. Activities not listed are prohibited.
- **Allowable with Exception:** Activities not listed may be authorized by the Authority with appropriate mitigation strategy.

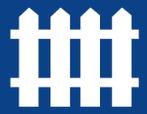


Common Activities in the Buffer

Regulated activities in the Buffers are listed in the Table of Uses for Each Rule: deq.nc.gov/ncbufferrules

Please read and understand the rule including the table of uses prior to beginning any activity within the buffer. Activities may be deemed allowable, require written approval, or prohibited. Activities may be deemed allowable, require written approval, or prohibited.

EXAMPLES OF SOME ACTIVITIES LISTED IN THE TABLE OF USES OF THE RULES



Fences, if no woody vegetation is removed



Fertilizing, only to establish replanted vegetation. Ongoing fertilization is not allowed.



Playground Equipment



Removal of poison ivy or sumac and other invasive plants as listed in a specific document



Periodic mowing in Zone 2



Planting Native vegetation to enhance the buffer



Removal of trees that are in danger of causing damage to structures or human life



Limited pruning of forest vegetation
See Pruning definition: 15A NCAC 02B .0610 (33)