



Michael F. Easley
Governor

William G. Ross, Jr., Secretary
Department of Environment and Natural Resources

Alan W. Klimek, P.E., Director
Division of Water Quality

February 13, 2007
Buffer Interpretation/Clarification #2007-005

MEMORANDUM

RE: DWQ's stance on beaver impoundments within the Neuse Protected Riparian Buffer Rules 15A NCAC 02B.0233, the Randleman Lake Water Supply Watershed Buffer Rules 15A NCAC 02B.0250, the Tar-Pamlico Protected Riparian Buffer Rules 15A NCAC 02B.0259, and the Catawba Protected Riparian Buffer Rules 15A NCAC 02B.0243.

Background: Presently, there is no specific mention of how beaver impoundments are buffered and if they are in fact buffered in the Neuse Protected Riparian Buffer Rules, Tar-Pamlico Protected Riparian Buffer Rules, Randleman Water Supply Watershed Buffer Rules and the Catawba Protected Riparian Buffer Rules.

Solution:

Beaver impoundments are streams dammed up by beaver activity. Therefore, if the stream that is now a beaver impoundment shows on either the USGS Topo or the most recent version of the soil survey map, the beaver impoundment should be treated as an open water since it is a pond in the intent of the rules and must have a 50-foot protected riparian buffer around its perimeter measured from the elevation of the beaver dam. Streams coming into or out of a beaver impoundment also have the 50-foot protected riparian buffer.

Signature: _____

Date: _____

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