

Regulatory Location for Buffer Mitigation
(NCGS 143-214.20 & Rule 15A NCAC 02B .0295)

When the regulatory authority (DWR or a delegated or designated local government) issues an approval for an applicant to conduct an impact within a protected riparian buffer that triggers buffer mitigation, there are specific rules on where that buffer mitigation has to be located. This table applies to all types of buffer mitigation, whether the applicant is using Permittee Responsible Mitigation, a Payment to the Division of Mitigation Services, or a Payment to a Private Mitigation Bank. The regulatory authority shall document approval of how the applicant will satisfy the buffer mitigation requirement per a condition in the approval letter. Acronym Note: Sub-watershed = SWS; Hydrologic Unit Code = HUC

| Buffer Impact Location | | Where can mitigation be located to offset the approved buffer impacts? | | |
|--|---------------------------------------|--|---|--|
| | | Locational Ratios ¹ <i>Amount of mitigation required = Amount of total impact (after Zone ratios have been calculated)</i> | | |
| | | 0.75:1 | 1:1 | 2:1 |
| Catawba Watershed <i>(comprised of the 03050101 HUC & 03050102 HUC of Catawba River Basin)</i> | | Same 12-digit HUC as impacts | Same 8-digit HUC as impacts (there are only two 8-digit HUCs to choose from: 03050101 or 03050102) | Different 8-digit HUC than impact (either the 03050101 or 03050102) |
| Goose Creek Watershed² | | Same 12-digit HUC as impacts | Goose Creek Watershed | Not an option |
| Falls Watershed² <i>(03020201 HUC of Neuse River Basin)</i> | | Same 12-digit HUC as impacts | Falls Watershed (either the Upper Falls or Lower Falls is acceptable) | Not an option |
| Jordan Lake Watershed² | Lower New Hope SWS² | Same 12-digit HUC as impacts | Lower New Hope SWS | Not an option |
| | Upper New Hope SWS² | Same 12-digit HUC as impacts | Upper New Hope SWS | Not an option |
| | Haw River SWS² | Same 12-digit HUC as impacts | Haw River SWS | Not an option |
| Neuse River Basin <i>(excludes impacts located in the Falls Watershed)</i> | | Same 12-digit HUC in as impacts | Same 8-digit HUC as impacts | Any 8-digit HUC in the Neuse River Basin, including mitigation options in Falls Lake Watershed |
| Randleman Lake Watershed² | | Not an option | Randleman Lake Watershed | Not an option |
| Tar-Pamlico River Basin | | Same 12-digit HUC as impacts | Same 8-digit HUC as impacts | Any 8-digit HUC in the Tar-Pamlico River Basin |

¹Locational Mitigation Ratios are further described in 15A NCAC 02B .0295 (f) and must be documented in the buffer approval letter.

²Special Geographic Restrictions on location of mitigation are further described in 15A NCAC 02B .0295 (g).

³15A NCAC 02B .0295: Buffer Mitigation Program Requirements