

## North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue Governor Division of Water Quality Coleen H. Sullins Director

Dee Freeman Secretary

September 20, 2010 Buffer Interpretation/Clarification #2010-005

## MEMORANDUM

Background: In basins with protected riparian buffer rules (which currently include the Neuse River Buffer Rule 15A NCAC 02B .0242, Catawba River Buffer Rule 15A NCAC 02B .0244, Tar-Pamlico River Buffer Rule 15A NCAC 02B .0260, Jordan Lake Buffer Rule 15A NCAC 02B .0267, and the Goose Creek Buffer Rule 15A NCAC 02B .0607) a road being constructed or widened in conjunction with bridge construction or replacement may have buffer impacts associated with both roadway and bridge construction.

<u>Problem:</u> It is unclear which buffer impacts should be considered bridge impacts and which should be considered road crossing impacts as referenced in the applicable Buffer Rules Table of Uses, where bridges and road crossings have varying exemption and mitigation thresholds (Neuse River- 15A NCAC 02B .0233[6]; Catawba River- 15 NCAC 02B .0243[6]; Tar-Pamlico Rivers - 15A NCAC .02B .0259[6], Goose Creek - 15A NCAC 02B .0607[1]; Jordan Lake - 15A NCAC 02B .0267[9]).

Solution: Impacts associated with bridging begin at the water-ward side of the bridge approach slab (i.e. at the end of the first girder, beam, etc. on either side of the bridge where it abuts the backwall – see the illustration below). Therefore, any fill associated with widening of the roadway up to and including construction of the bridge approach slab, is a roadway impact. Any impacts associated with bridge construction between (but not including) the bridge approach slabs are considered bridge construction impacts.





