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 Jordan Buffer Rules

The Jordan Lake buffer rules intended purpose is to protect the water supply found within this basin area.

Do You Have Buffers on Your Property?

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

NORTH CAROLINA Department of Environmental Quality

Division of Water Resources Buffer Permitting Branch
1617 Mail Service Center | Raleigh, NC 27699-1617
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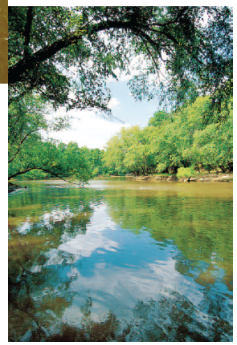
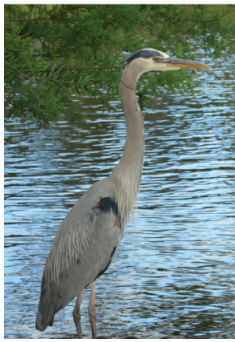
JORDAN LAKE

Riparian Buffer Rules

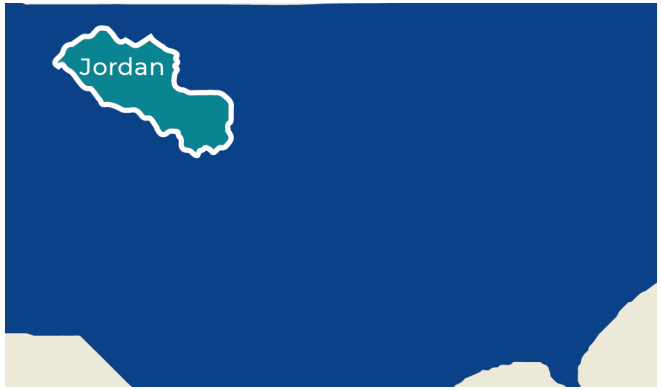




Where do the buffer rules apply and why?

The riparian buffer rules apply to the following types of water bodies that are shown on the **most recent published version of the soil survey maps** prepared by the NRCS or the **most recent USGS 1:24,000 scale quadrangle topographic maps**.:

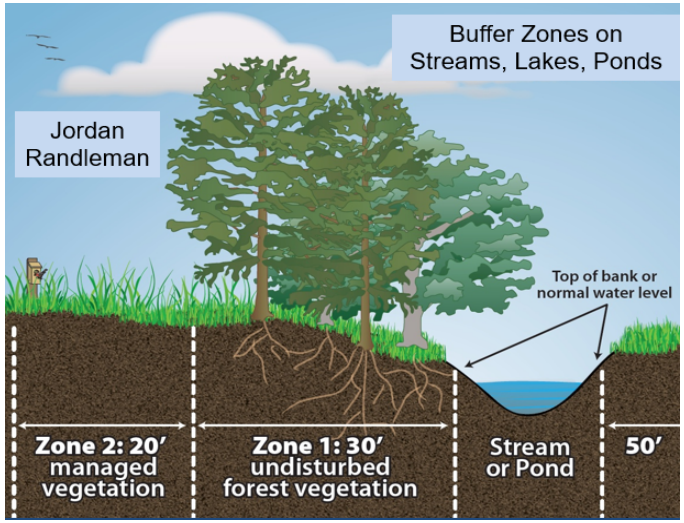
- Perennial streams
- Intermittent streams
- Modified natural streams
- Lakes and reservoirs
- Ponds (including beaver ponds)
- Rivers



How are riparian buffers measured?

Streams: measured landward from the top of the stream bank on each side of the stream.

Ponds, lakes and reservoirs: measured from the normal water level.



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 exempt, potentially allowable or potentially allowable with mitigation

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 .0267 (6)

Refer to the Table of Uses in the rules for specific activities.

- **Exempt:** allowed without approval from NCDWR or delegated local authority
- **Potentially Allowable:** may occur only after written authorization from NCDWR or delegated local authority
- **Potentially Allowable with Mitigation:** may only after written authorization from NCDWR or delegated local authority that includes a mitigation strategy.
- **Prohibited:** not allowable unless a variance is granted form the N.C. Environmental Management Commission. Activities not listed are prohibited.

The benefits of riparian buffers are maximized when there is *diffuse flow* of stormwater runoff.

Photo By: F. Hahne – Mecklenburg Co.

What is diffuse flow?

Diffuse flow refers to overland water flow that is spread out over the landscape, not concentrated into a defined channel.

When is diffuse flow required?

Diffuse flow is required on all buffered streams, regardless of property size or type of land use. It must be achieved before stormwater runoff enters the riparian buffer from any new ditch or manmade conveyance.

How to achieve diffuse flow

Diffuse flow may be achieved by installing a level spreader or other diffuse flow device. Devices must be designed according to the N.C. Stormwater Design Manual at https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/stormwater-design

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.

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)