



Riparian Buffer Protection Rules for the Neuse and Tar-Pamlico River Basins

On Dec. 9, 1999, the North Carolina Environmental Management Commission adopted rules to protect 50-foot wide riparian, or waterside, buffers along waterways in the Neuse and Tar Pamlico Basins. These buffers remove nitrogen, phosphorus, and other pollutants from the rainwater that flows into the basins' waterways, protecting the waterways from surrounding land uses. The rules are part of a larger nutrient reduction strategy for each basin. In the **Neuse River Basin**, the rules began as temporary in July 22, 1997. In the **Tar Pamlico Basin**, the temporary rules began on Jan. 1, 2000. **Both basin rules became permanent on Aug. 1, 2000.**

The buffer protection rule requires that the **first 50 feet** of the riparian area **must be protected and maintained** on the banks of the waterways in the basins. **This rule does not require establishment of new buffers unless the existing use changes.** Diffuse flow of stormwater that runs into the buffer must be maintained.

Here are a few frequently asked questions that help explain a portion of the rules. Please go to <http://h2o.enr.state.nc.us/nwetlands/RiparianBufferRules.htm> and view the complete rules for the Neuse and Tar-Pamlico Basins.

Q: What waters in the basins require buffers?

A: Intermittent and perennial streams, lakes, ponds and estuarine waters **that are shown** on the most recent version of either a **county soil survey map** provided by the Natural Resources Conservation Service or a **1:24,000 scale topographic map** prepared by the U.S. Geologic Survey, and that **exist on the ground.**

Q: Are there any waters that do not have to be buffered?

A: Yes, The rule does not apply to the following waters: ditches and manmade conveyances other than modified natural streams unless they are constructed for navigation and /or boat access; manmade ponds and lakes located outside of natural drainage ways; and ephemeral (stormwater) streams.

Q: What does it mean to protect the buffer?

A: The **first 30 feet (zone 1) of the buffer is to remain essentially undisturbed**. The landward 20 feet (zone 2) is to be vegetated, but certain uses may be allowed in this zone.

Q: Are existing activities within 50 feet of waterways exempt from the rules?

A: Yes, the footprints of existing activities, ongoing uses are exempt. This may include: agriculture, buildings, industrial, commercial, maintained lawns, etc.

Q: If I buy an acre of farmland, with a blue line stream, to put a house on and the farmland was in place before the rules am I exempt?

A: No, if the land use changes from agriculture to farmland or vice versa you are not exempt. You would be required to let 50 feet on both sides of the stream to grow back naturally. It may be possible to mow or maintain the outer 20 feet of the buffer. No mowing will be allowed in the first 30 feet.

Please read the complete rules and charts before starting any activities within a buffer area at

<http://h2o.enr.state.nc.us/ncwetlands/RiparianBufferRules.htm>

For more information please contact our office or call 919-807-6300, 919-791-4240 to contact our area buffer rule specialist located in Raleigh.

Most information provided by North Carolina Department of Environment and Natural Resources and the Division of Water Quality.