North Carolina’s Riparian Buffer Protection Rules

What is a riparian buffer?
A riparian buffer is a strip of forested or vegetated land bordering a body of water.

The vegetation and root systems in a riparian buffer stabilize the streambank, preventing soil from eroding into the water.

Riparian buffers also act as a filter to remove pollutants.

Preserving riparian buffers is critical to protecting our water resources.

Riparian buffers have many benefits:
- Filtering stormwater runoff.
- Providing flood control.
- Stabilizing streambanks.
- Protecting property.
- Adding scenic value to communities.
- Absorbing excess nutrients.
- Preventing erosion.
- Providing fish and wildlife habitat.
- Moderating water temperature.

Uncertain if a water body may be subject to these rules?

Please contact N.C. Division of Water Quality staff for an on-site determination.

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  Raleigh, N.C. 27609
  (919) 791-4200

- Washington Regional Office
  943 Washington Square Mall
  Washington, N.C. 27889
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- Wilmington Regional Office
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  Wilmington, N.C. 28405-2845
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- Central Office
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  Raleigh, N.C. 27604
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Riparian Buffer Rules and Applications are available online: http://portal.ncdenr.org/web/wq/swp/ws/401/riparianbuffers.

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**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.

Refer to the Table of Uses in the rules for specific activities.
- **Exempt** uses are allowed in the riparian buffer without approval from the N.C. Division of Water Quality (DWQ) or delegated local authority.
- **Potentially Allowable** uses may occur in the buffer only after written authorization from DWQ or delegated local authority.
- **Potentially Allowable with Mitigation** uses may occur in the buffer only after written authorization from DWQ or delegated local authority that includes a mitigation strategy.
- **Prohibited** uses are not allowed in the buffer unless a variance is granted from the N.C. Environmental Management Commission.
- Activities not listed are **prohibited**.

**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 can you achieve diffuse flow?**
Diffuse flow may be achieved by installing a level spreader or other diffuse flow device. Level spreaders and other devices must be designed according to the N.C. Stormwater BMP Manual (http://portal.ncdenr.org/web/wq/ws/su/bmp-manual).

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