

FORESTRY Leaflets

North Carolina Division of Forest Resources

FM-35

August 2004

A Guide to Implementing the Catawba Riparian Buffer Rule For Forest Harvesting Activities in North Carolina

The permanent "Catawba Riparian Buffer Rule" 15A NCAC 02B .0243 became effective August 1, 2004. There are certain restrictions on forest harvesting activities within this riparian buffer.

Where This Rule Applies along the Catawba River

The Catawba Riparian Buffer Rule only applies in North Carolina along the main-stem of the Catawba River below Lake James and along the main-stem lakes from and including Lake James, to the NC/SC border.

This Leaflet is not intended to provide legal advice or a final interpretation of the Catawba Riparian Buffer Rule. Obtain assistance from NC Division of Water Quality in determining the applicability of this rule on a specific site.

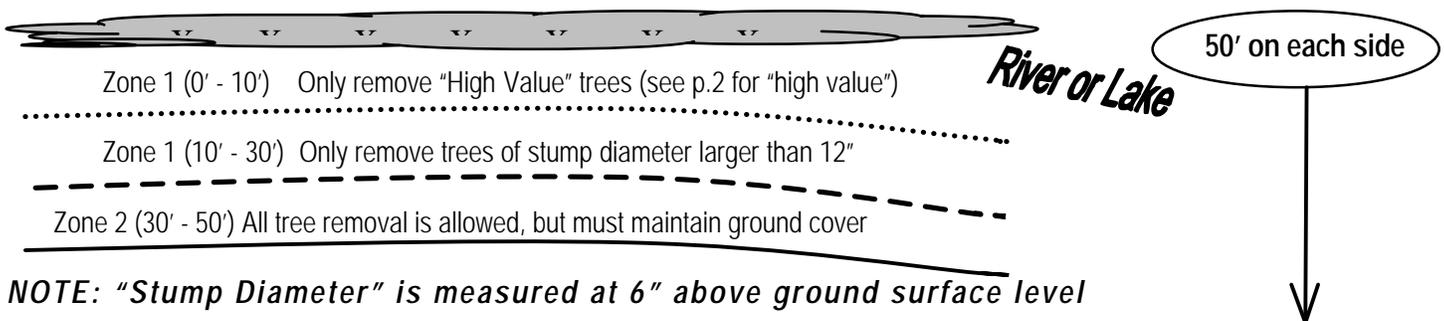
On intermittent and perennial streams or waterbodies where the Catawba Riparian Buffer Rule does not apply **a SMZ is still required** during forestry-related site disturbing activities to comply with the North Carolina Forest Practices Guidelines Related to Water Quality (FPGs).

There may be other requirements in this 'buffer rule' that forestry activities must comply with that are not covered in this Leaflet. Check the entire rule document for all requirements related to road construction and land disturbing activities.

Required Riparian Buffer Width and Zones

The Catawba Riparian Buffer is made up of two zones that together equal 50 feet in width:

Zone 1 = the closest 30 feet (10' + 20') extending outward from the waterbody (*see section below*) and,
Zone 2 = the next 20 feet extending from the end of Zone 1 out away from the waterbody



NOTE: "Stump Diameter" is measured at 6" above ground surface level

How to Measure the Catawba Riparian Buffer

For Catawba River:

Measurement starts "at the most landward limit of the top of the bank"

For the main-stem lakes:

Measurement starts at the "most landward limit of the full-pond level."

The full-pond level may be obtained from the *Lake Levels* section of the Duke Power Company website www.dukepower.com or by calling Duke Power Company toll-free at 1-800-829-LAKE (1-800-829-5253).

Timber Harvesting in the Catawba Riparian Buffer

Selective timber harvesting is only allowed to occur in the 50-foot buffer if:

- 1) A forest management plan for the property is prepared or approved by a Registered Forester, OR
- 2) The property has “a deferment for use-value under forestry”.

Riparian Buffer Zone 1 (0' to 30')

<u>Allowed</u>	Trees shall be removed with minimal disturbance to soil and residual vegetation.
<u>Allowed with Limitations</u>	Tracked or wheeled vehicles are not permitted except at stream crossings designed, constructed and maintained in accordance with N.C. FPG .0203
<u>Not Allowed</u>	Soil disturbing site preparation activities

Inner Zone 1 (0' to 10')

- Allowed Removal of only individual “High Value” trees; Protect and maintain other forest vegetation
- “High Value” trees are defined as any tree whose stump diameter is 18” or larger

NOTE =====? “Stump Diameter” is measured at 6” above ground surface level

Outer Zone 1 (10' to 30')

- Allowed Limited amount of timber removal
- Harvest of any tree with a stump diameter larger than 12”
 - * Re-entry into natural forest shall be no more frequent than every 15 years.
 - * Re-entry into plantation forest shall be no more frequent than every 5 years.
- In either case, the trees remaining after harvest shall be as evenly spaced as possible.

Other Forestry Activities in Zone 1 of the Catawba Riparian Buffer

Forestry activities allowed in Zone 1 of the riparian buffer

- ✓ Individual trees may be treated to maintain or improve their health, form or vigor.
- ✓ Removal of individual trees that are in danger of causing damage to structures or human life.

Forestry activities allowed with limitations, in Zone 1 of the riparian buffer

- Harvesting of dead or infected trees or application of pesticides necessary to prevent or control extensive tree pest and disease infestation. *These practices must be approved by the Division of Forest Resources for a specific site.* The Division of Forest Resources must notify the Division of Water Quality of all approvals.
- Timber felling shall be directed away from the waterbody.
- Skidding shall be directed away from the waterbody and shall be done in a manner that minimizes soil disturbance and prevents the creation of channels or ruts, and must comply with N.C. FPG .0203
- Natural regeneration of forest vegetation and planting of trees, shrubs, or ground cover plants to enhance the buffer, provided that soil disturbance is minimized. Plantings shall consist primarily of native species.
- Application of fertilizer only allowed as necessary for permanent stabilization. Broadcast application of fertilizer or herbicides to the adjacent forest stand shall be conducted so that the chemicals are not applied directly to or allowed to drift into the buffer.

Forestry activities not allowed in Zone 1 of the riparian buffer

- ✗ Logging decks or sawmill sites.
- ✗ Prescribed burns.

Riparian Buffer Zone 2 (30' to 50')

Harvesting and regeneration of the forest stand is allowed as long as these activities comply with the N.C. FPGs

There may be additional requirements of this ‘buffer rule’ that forestry activities must comply with that are not covered in this Leaflet. Check the entire rule document for all necessary requirements related to road construction and other land disturbing activities.

Additional information is available in the ‘Water Quality’ section of the N.C. Division of Forest Resources website www.dfr.state.nc.us and the Non-Point Source (NPS) Pollution section of the N.C. Division of Water Quality website <http://h2o.enr.state.nc.us/nps/>, or by contacting local offices of either agency.