



Michael F. Easley
Governor

William G. Ross, Jr., Secretary
Department of Environment and Natural Resources

Coleen H. Sullins, Director
Division of Water Quality

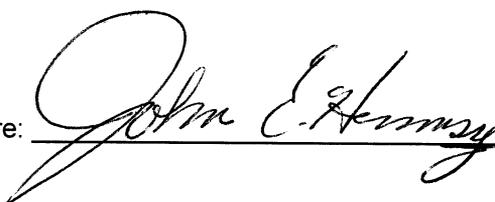
July 24, 2007
Buffer Interpretation/Clarification #2007-010

MEMORANDUM

Background: According to Neuse Buffer Rules 15A NCAC 02B.0233(3)(b), the Tar-Pamlico Buffer Rules 15A NCAC 02B.0259(3)(b), and the Catawba Buffer Rules 15A NCAC 02B.0243(3)(a), the buffer protection rules do not apply when there are existing uses that are present and ongoing. The Division of Water Quality interprets the Randleman Buffer Rules 15A NCAC 02B .0250 to be consistent with the above-mentioned riparian buffer rules.

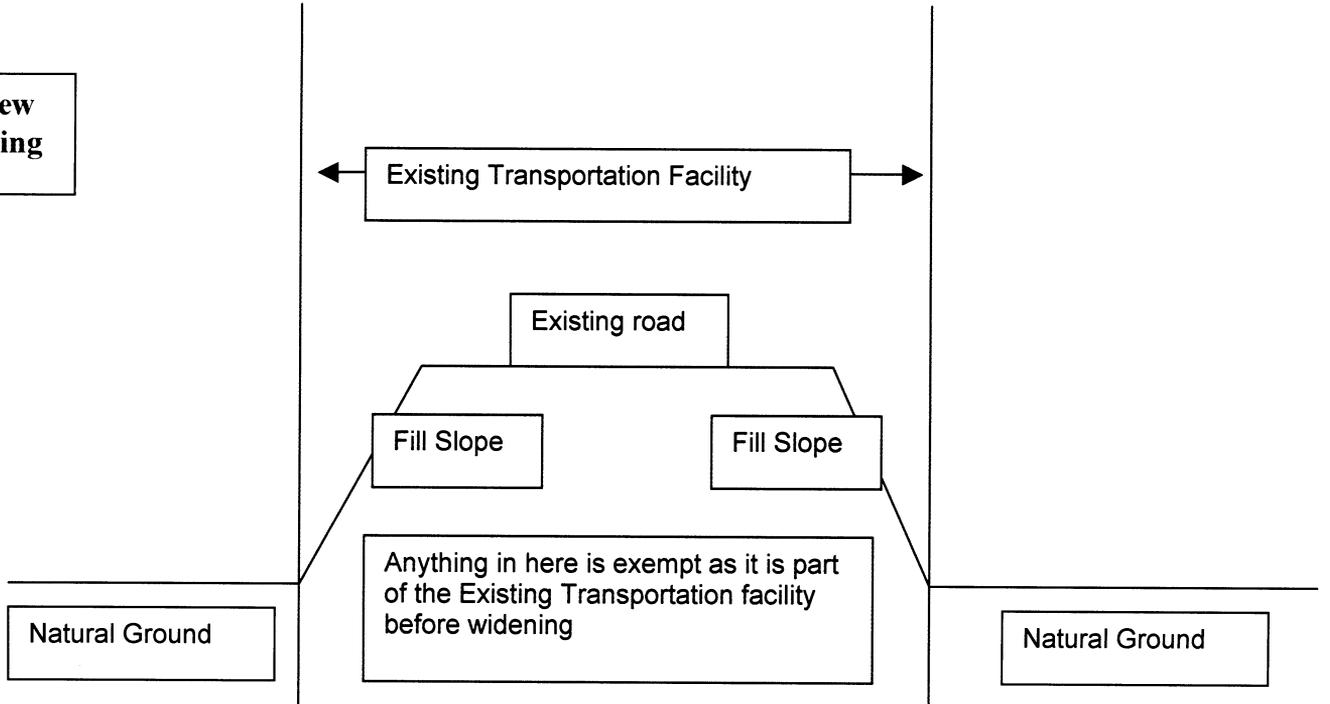
Problem: Several questions have been raised regarding the definition of an existing transportation facility. Specifically the questions ask, what are the lateral boundaries of an existing transportation facility?

Solution: "Existing Transportation Facilities" are defined as shown in the attached drawings. If scenarios arise that are not addressed by the attached drawings, DWQ shall make a determination of the existing transportation facility on a case-by-case basis.

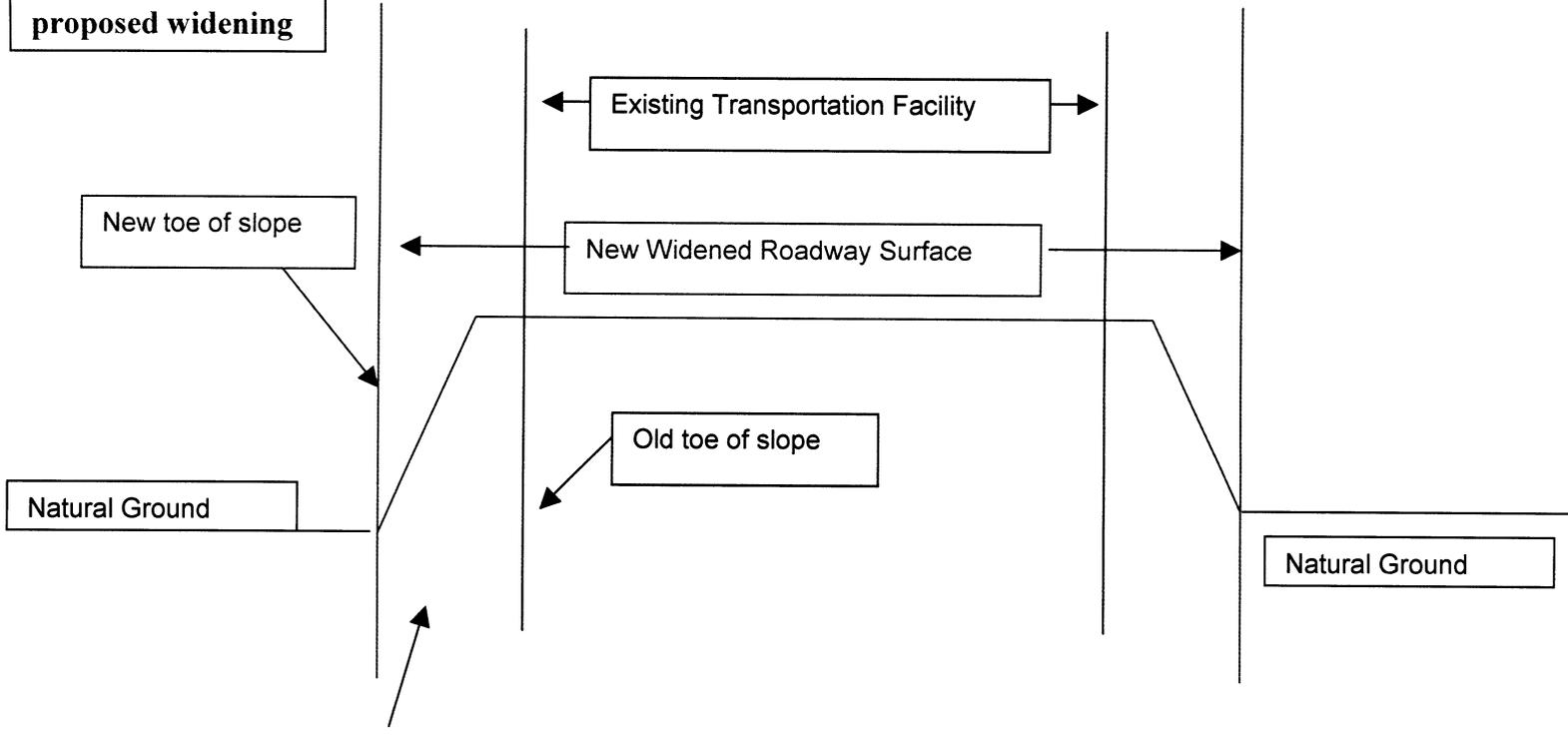
Signature:  Date: 7/24/07

WHEN & WHERE THE BUFFER RULES APPLY FOR ROAD WIDENING PROJECTS:

Plan view of existing

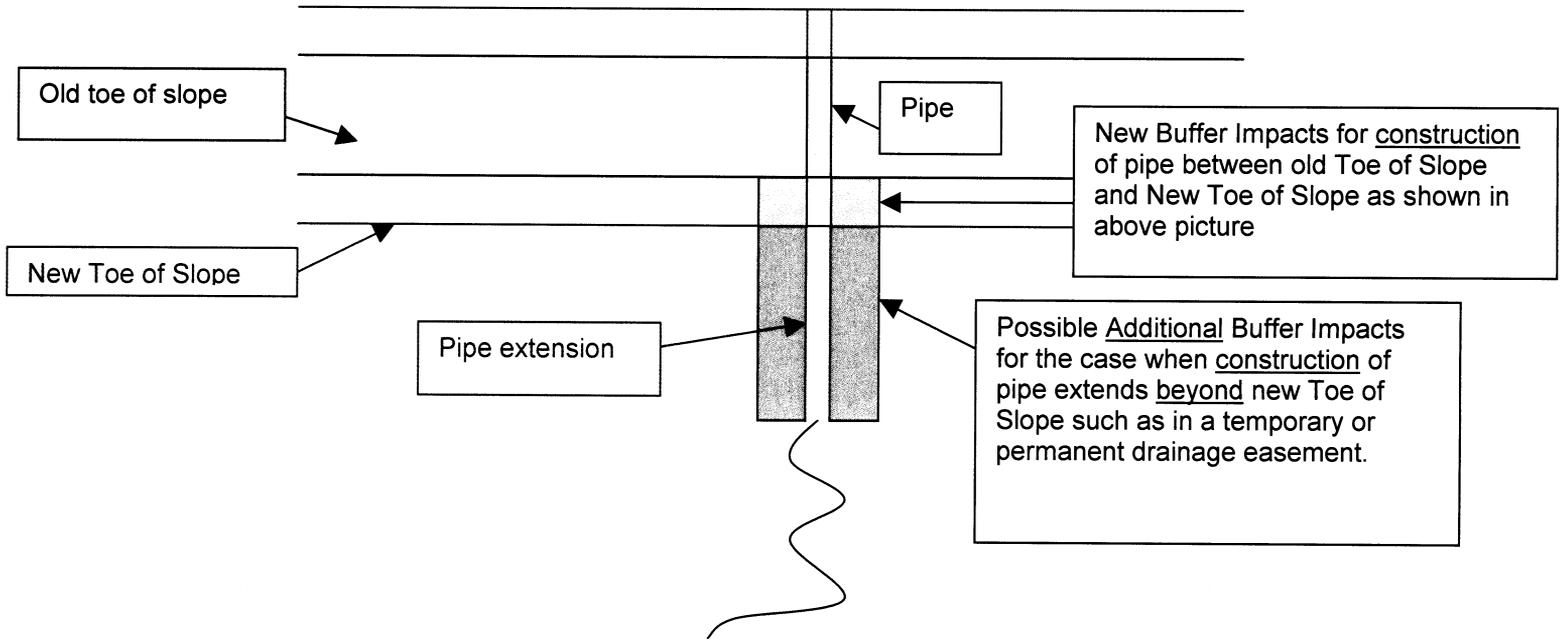


Plan view of proposed widening

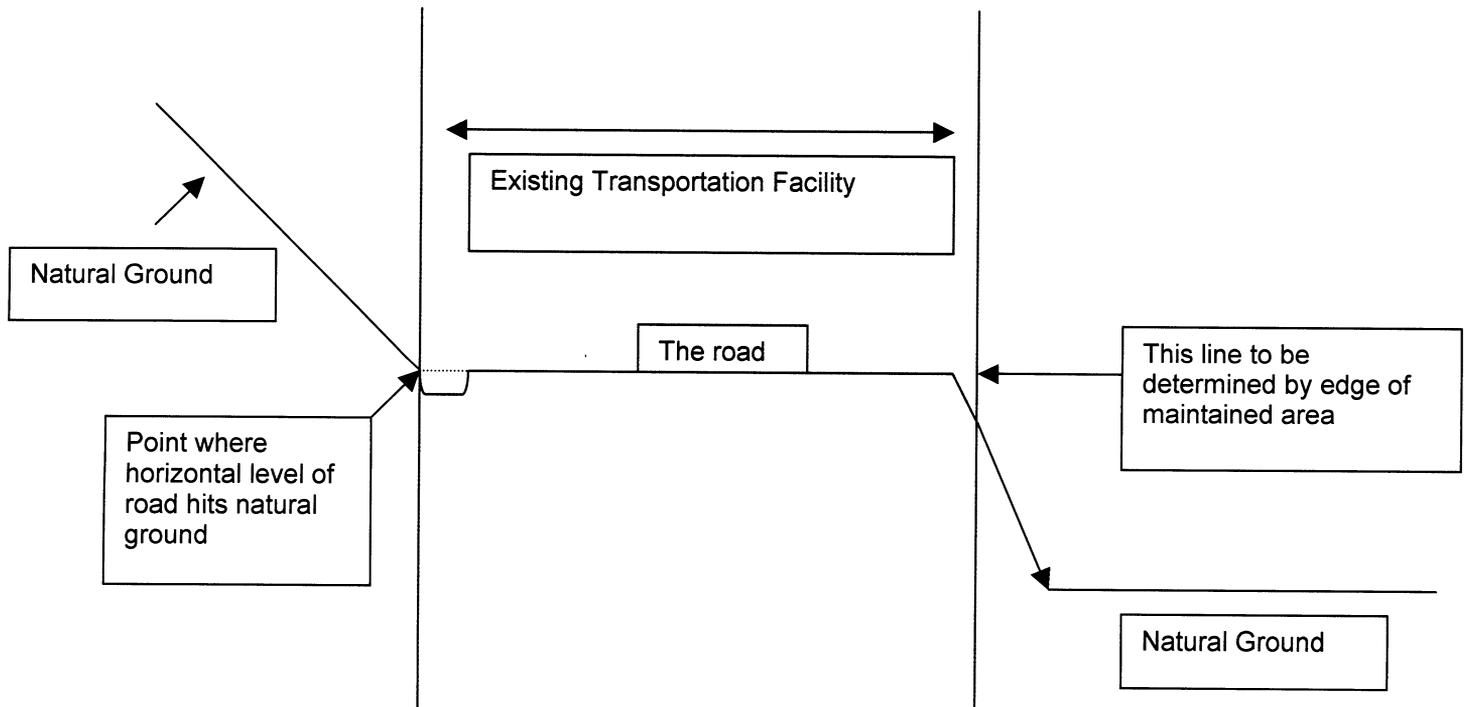


Any impacts (pavement, clearing, etc) in this area is considered "new transportation facilities" and will trigger the buffer rules

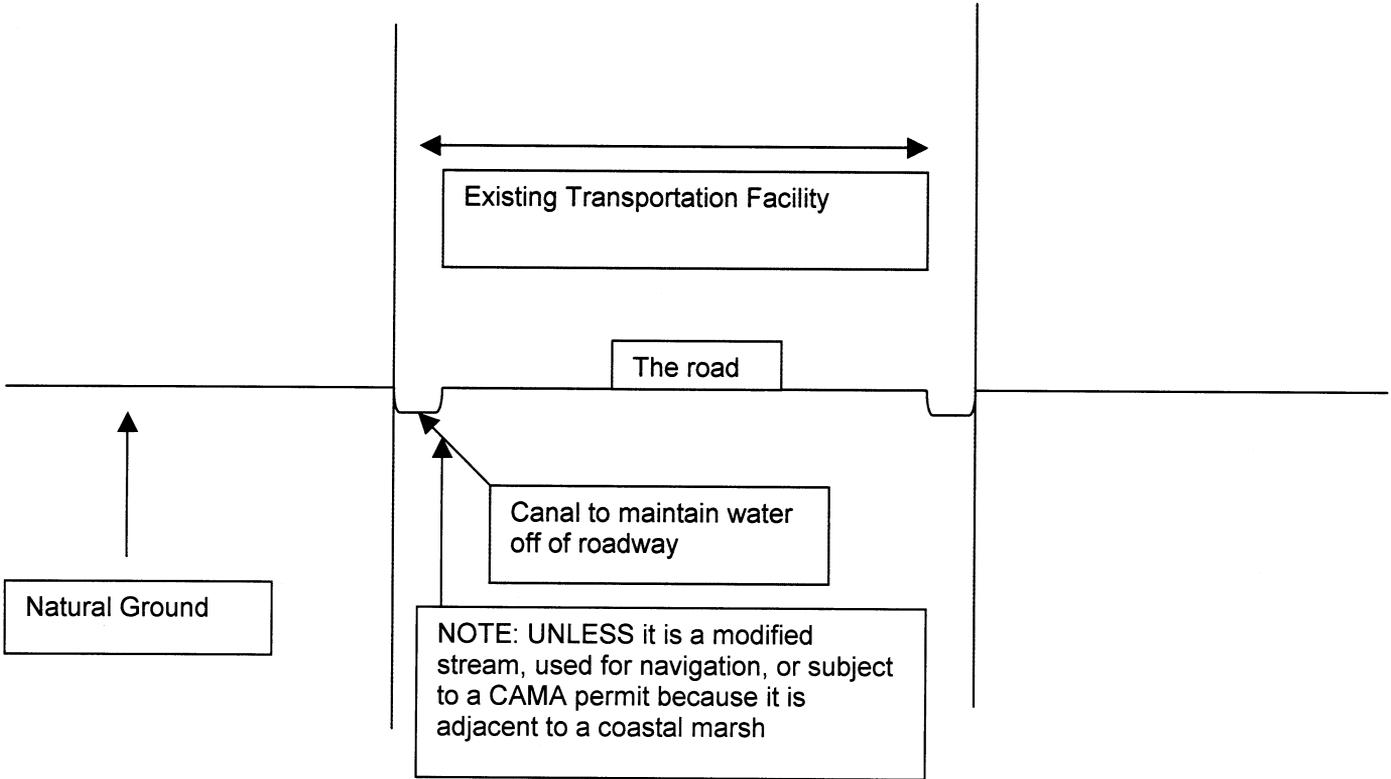
Possible impacts from temporary or permanent drainage easement



In cut slope areas:



In Coastal Areas:



WHEN THE BUFFER RULES APPLY FOR BRIDGE REPLACEMENT PROJECTS:

