

15A NCAC 02B .0612 MANAGING ACTIVITIES WITHIN RIPARIAN BUFFERS: FOREST HARVESTING REQUIREMENTS

(a) **PURPOSE.** The following requirements shall apply to all forest harvesting operations and forestry-related land-disturbing activities subject to riparian buffer requirements in the following River Basins and Watersheds:

- (1) Catawba River Basin as specified in 15A NCAC 02B .0614;
- (2) Neuse River Basin as specified in 15A NCAC 02B .0714;
- (3) Randleman Lake Watershed as specified in 15A NCAC 02B .0724; and
- (4) Tar-Pamlico River Basin as specified in 15A NCAC 02B .0734.

(b) **REQUIREMENTS THROUGHOUT THE BUFFER.** The following requirements shall apply:

- (1) All forest harvest activities within the buffer shall comply with Forest Practices Guidelines Related to Water Quality as defined in 02 NCAC 60C;
- (2) Logging decks and sawmill sites shall not be placed in the riparian buffer;
- (3) Timber felling shall be directed away from the stream or waterbody;
- (4) Skidding shall be directed away from the stream or water body and shall be done in a manner that minimizes soil disturbance and prevents the creation of channels or ruts;
- (5) Individual trees may be treated to maintain or improve their health, form, or vigor;
- (6) Harvesting of dead or infected trees or application of pesticides as necessary to prevent or control the spread of tree pest and disease infestation shall be allowed. These practices must be approved by the North Carolina Forest Service for a specific site in accordance with G.S. 106-920 through G.S. 106-926. The North Carolina Forest Service must notify the Division of all approvals within 60 calendar days;
- (7) Removal of individual trees that are in danger of causing damage to structures or human life shall be allowed;
- (8) Natural regeneration of forest vegetation and planting of trees, shrubs, or ground cover plants to enhance the riparian buffer shall be allowed provided that soil disturbance is minimized;
- (9) Prescribed burns shall be allowed when conducted for forest management purposes; and
- (10) A one-time fertilizer application at agronomic rates in the riparian buffer is allowed to establish replanted vegetation. No runoff from this one-time application in the riparian buffer is allowed in the surface water.

(c) **REQUIREMENTS IN ZONE 1 OF THE BUFFER.** Selective forest harvesting is allowed in Zone 1, as defined by the applicable Rule of this Section, provided that:

- (1) The forest lands have a deferment for use value under forestry in accordance with G.S. 105-277.2 through 277.6 or the forest lands have a forest management plan prepared or approved by a registered professional forester. Copies of either the approval of the deferment for use value under forestry or the forest management plan shall be produced upon request by the North Carolina Forest Service or the Division;
- (2) Tracked or wheeled vehicles are only used for the purpose of selective timber harvesting where there is no other practical alternative for removal of individual trees;
- (2) No tracked or wheeled vehicles shall be used to conduct site preparation activities;
- (3) Trees are removed in a manner that minimizes disturbance to the soil and remaining vegetation;
- (4) The first 10 feet of Zone 1 directly adjacent to the stream or waterbody shall be undisturbed, except for the removal of individual high value trees. The removal of individual high value trees shall only be allowed provided that no trees with exposed primary roots visible in the streambank are cut, unless they meet Subparagraphs (b)(6) or (b)(7) of this Rule; and
- (5) A maximum of 50 percent of the trees greater than five inches DBH may be cut and removed. The reentry time for harvest shall be no more frequent than every 15 years, except on forest plantations as defined in 15A NCAC 02B .0610 where the reentry time shall be no more frequent than every five years. In either case, the trees remaining after harvest shall be as evenly spaced as possible.

(d) **REQUIREMENTS IN ZONE 2 OF THE BUFFER.** In Zone 2, harvesting and regeneration of the forest stand shall be allowed, provided that ground cover is established and maintained to provide for diffusion and infiltration of surface runoff.

(e) **EXCEPTIONS.** Persons who wish to undertake forest harvesting operations or practices different from the requirements set forth in this Rule may request an Authorization Certificate with Exception pursuant to Rule .0611 of this Subchapter.

History Note: Authority G.S. 143-214.1; 143-214.7; 143-214.23; 143-214.23A; 143-215.3(a)(1); 143-215.8A; S.L. 1995-572; S.L. 1999-329; S.L. 2011-394; S.L. 2012-200; S.L. 2013-413, S.L. 2015-246; Eff. June 15, 2020 (The provisions of this Rule were previously codified in 15A NCAC 02B .0233(11), 15A NCAC 02B .0243(11), 15A NCAC 02B .0250(16) and 15A NCAC 02B .0259(11)).