



Michael F. Easley, Governor

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

Coleen H. Sullins, Director  
Division of Water Quality

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June 25, 2007

**MEMORANDUM**

To: Interested Parties

From: Tom Reeder 

Subject: Applicability of Wetland Standards to Wetlands Located on the Fringe of Isolated Man-made Ponds and Ditches

*Background*

North Carolina's Administrative Code Section 15A NCAC 02B .0231 details wetland standards that "protect, preserve, restore and enhance the quality and uses of wetlands and other waters of the state influenced by wetlands." These standards are applicable to all wetlands including isolated wetlands. Several questions have been raised regarding the applicability of the wetland standards to fringe wetlands that develop on isolated man-made ponds and ditches.

*Example*

A pond is dug which has no hydrological connection to other waters of the state. Over time, wetlands develop along the edge of the isolated man-made pond. The landowner then decides to fill or drain the pond. Would wetland standards be violated if the pond is filled or drained resulting in the conversion of the fringe wetlands to uplands?

*Guidance*

It is DWQ's determination that the wetland standards do not apply to fringe wetlands that develop along the edge of an isolated man-made pond or ditch. Isolated man-made ponds and ditches are specifically exempt from the wetland standards as detailed in 15ANCAC 2H .1301(e)(2)\*. Therefore, it was determined that any wetlands that develop along the fringe of an isolated man-made pond or ditch would also be exempt from the wetland standards. Thus, draining or placing fill material in an isolated man-made pond or ditch and any associated fringe wetlands without an isolated wetlands permit would not be a violation of the wetland standards.

\* As of June 15, 2020 the citation above has been changed to 02H .1301(e)(2)

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