

Other (Federal)

Permit for Work in Navigable Waters (Section 10 Permit)

What Activities Require This Permit? "Construction of any structure in, over or under any navigable water of the United States. Structures or work outside the limits defined for navigable waters of the United States requires a Section 10 Permit if the structure or work affects the course, location or condition of the water body. The law applies to any dredging or disposal of dredged materials, excavation, filling, re-channelization, or any other modification of a navigable water of the United States and applies to all structures, from the smallest floating dock to the largest commercial undertaking. It further includes, without limitation, any wharf, dolphin, weir, boom breakwater, jetty, groin, bank protection (e.g. riprap, revetment, bulkhead), mooring structures such as pilings, aerial or sub-aqueous power transmission lines, intake or outfall pipes, permanently moored floating vessel, tunnel, artificial canal, boat ramp, aids to navigation, and any other permanent, semi-permanent obstacles or obstruction."

What Is The Purpose of This Permit? To prohibit any unauthorized obstruction or alteration to the navigable capacity of any waters of the United States.

Who Issues This Permit? The U.S. Army Corps of Engineers, Regulatory Division reviews applications for Section 10 Permits. Visit the following link for field office locations and contact information:
<http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Contact/>.

How Much Will This Permit Cost? Most permits issued by the ACE such as Letters of Permission, Nationwide and General Permits do not have a permit fee. Individual Permits have fees of \$10 for individuals and \$100 for businesses, once the permit has been issued and accepted by the applicant.

Where Can I Get An Application For This Permit? Contact your local field office staff for the application and procedures for applying for a Section 10 Permit. Visit the following link for field office locations and contact information:
<http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Contact/>. A copy of the Pre-construction notification form can be found at the following link: https://edocs.deq.nc.gov/Forms/Pre-Construction_Notification_Form

How Long Will It Take To Review My Application? Approximately 45 calendar days for Nationwide Permits (upon receipt of a correct and complete application package). The target processing time for Standard Individual Permits is 120 days upon receipt of a complete permit application, but may be longer depending on the nature and complexity of the permit request.

Applicants requiring an Environmental Impact Statement (i.e., less than 1% of applicants) average about three years to make a permit decision.

Where Do I Submit My Application? Contact your local field office staff for the procedures for applying for a Section 10 Permit. Visit the following link for field office locations and contact information:
<http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Contact/>

How Long Is My Permit or License or Certificate Valid?

- Regional Permit: Expiration date is generally 5 years after the Effective Date of the issuance of the Regional General permit. The majority of Regional General permits were issued in January 2017 and would expire at the end of 2021.
- Standard Individual Permit: Expiration dates will vary depending on the nature and complexity of the project, however an individual permit will typically expire in 3-10 years.
- Letter of Permission: 3 years.
- Nationwide Permit: Expiration date is generally 5 years after the Effective Date of the issuance of the Nationwide permit. Most recent Nationwide permits were issued in March 2017, and the permits will expire in 2022.

Statewide Contact Information:

Street Address

Wilmington District
U.S. Army Corps of Engineers
69 Darlington Avenue
Wilmington, NC 28403

General Regulatory Information:
Telephone: (910) 251-4633

Notes/Comments: There are four regulatory field offices in North Carolina. Please click on the link below to obtain the proper contact information for your specific region.

<http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram/Contact.aspx>

Legal Authority/Statute Reference:

Section 10 of the Rivers and Harbors Act of 1899

Link: <http://www.saw.usace.army.mil/>

<http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Jurisdiction/>

Statewide Contact Information:

Wilmington District
U.S. Army Corps of Engineers
69 Darlington Avenue
Wilmington, NC 28403
Phone: (910) 251- 4625/4626