

## Other (Federal)

### Wetlands and Streams – Clean Water Act Section 404 Permit

**What Activities Require This Permit?** You must obtain a Clean Water Act Section 404 Permit if you intend to discharge dredged or fill material into the waters of the United States, including special aquatic sites such as wetlands. The U.S. Army Corps of Engineers (USACE) can authorize activities by a Standard Individual Permit, Nationwide Permit, Regional General Permit or Letter of Permission. It will be up to the ACE to make the determination on what type of authorization is needed.

**What Is The Purpose of This Permit?** The purpose of the Section 404 permit is to protect the aquatic environment, while ensuring regulatory program efficiency and ensure fair, reasonable and timely decisions are made about activities that would result in a discharge of dredge or fill material into waters of the United States, including special aquatic sites such as wetlands.

**Who Issues This Permit?** The U.S. Army Corps of Engineers, Wilmington District Regulatory Division reviews applications for Section 404 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, to be paid once the permit has been issued and accepted by the applicant.

**Where Can I Get An Application For A Permit?** Contact your local field office staff for the application and procedures for applying for a Section 404 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](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 (see Field Office addresses at the bottom of this information) for the procedures for applying for a Section 404 Permit. Visit the following link for field office locations and contact information: [http://saw-reg.usace.army.mil/FO/PMList\(20200218\).pdf](http://saw-reg.usace.army.mil/FO/PMList(20200218).pdf)

#### How Long Is My Permit 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. Once the permits expire, they are generally renewed for another 5 years after a re-evaluation period.
- 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. Once the permits expire, they are generally renewed for another 5 years after a re-evaluation period.

**Legal Authority/Statute Reference:** The Federal Water Pollution Control Act, more commonly known as the "Clean Water Act," under Section 404, directs the Secretary of the Army, acting through the Chief of Engineers, to issue permits, after notice and opportunity for public hearings, for the discharge of dredged or fill material into waters of the United States at specified disposal sites.

**Wetlands and Streams – Clean Water Act Section 404 Permit**

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

**Statewide Contact Information:** There are five regulatory field offices in North Carolina.

**ASHEVILLE REGULATORY FIELD OFFICE**

US Army Corps of Engineers  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006  
General Number: (828) 271-7980  
Fax Number: (828) 281-8120

**RALEIGH REGULATORY FIELD OFFICE**

US Army Corps of Engineers  
3331 Heritage Trade Drive, Suite 105  
Wake Forest, North Carolina 27587  
General Number: (919) 554-4884  
Fax Number: (919) 562-0421

**CHARLOTTE REGULATORY FIELD OFFICE**

Please use the Asheville Field Office phone contacts for the Charlotte Regulatory Field Office until further notice.

**WASHINGTON REGULATORY FIELD OFFICE**

US Army Corps of Engineers  
2407 West Fifth Street Washington, NC 27889  
General Number: (910) 251-4610  
Fax Number: (252) 975-1399

**WILMINGTON REGULATORY FIELD OFFICE**

US Army Corps of Engineers  
69 Darlington Avenue  
Wilmington, NC 28403  
General Number: 910-251-4633  
Fax Number: (910) 251-4025

**Electronic Files Submittal**

The U.S. Army Corps of Engineers, Wilmington District Regulatory Division is continually improving efficiencies within the Regulatory Program. Our latest effort is offering paperless/electronic files as a primary means of accepting project submittals and issuing final agency action. While electronic submittals are preferred, we will continue to accept paper documents that meet our file requirements in order to accommodate those with limited computer access. Link to public notice: <http://saw-reg.usace.army.mil/PN/2020/eFILES-PN-20200221.pdf>